
A SPECIAL BOND: OKLAHOMA CITY UNIVERSITY
SCHOOL OF LAW AND PROFESSOR ALVIN C. HARRELL

Von Russell Creel*

There are times when an institution and an individual are linked inextricably. Certainly, this describes the relationship between Oklahoma City University School of Law and professor emeritus Alvin C. Harrell. One does not think of one without thinking of the other.

In the lyrics of the old song, love and marriage go together like a horse and carriage, and the law school and Alvin have had a special bond since the mind of man runneth not to the contrary. After earning his bachelor of science degree from OCU, Alvin was admitted to the law school, only to have his legal studies interrupted by military service as an officer in the Air Force.

Returning to the academy, Alvin completed the requirements for the JD. His academic record, one of the highest in the venerable history of the law school, earned him a clerkship with the legendary Judge Alfred P. Murrah, Sr. of the United States Court of Appeals for the Tenth Circuit.¹

After his clerkship and admission to the bar, Alvin taught as an adjunct professor until he was persuaded to join the full-time faculty at OCU. In the early years, as is usual for junior faculty members, Alvin taught a variety of courses, including that “dismal swamp, filled with quaking quagmires,” Conflict of Laws.²

With the passage of time, Alvin found his true love, the UCC. Alvin is one of those rare individuals who is truly excited about bills, notes, mortgages, liens, financing statements, etc., etc. Over the years, he has

* Professor of Law Emeritus, Oklahoma City University School of Law.

1. Alvin is one of only five in the history of the law school to be both student and faculty member. The others are the late Justice Marian P. Opala; the late Professor of Law and Dean, Ted Foster; the late Professor of Law and Dean, Richard E. Coulson; and Professor of Law, Vicki MacDougall.

2. William L. Prosser, *Interstate Publication*, 51 MICH. L. REV. 959, 971 (1953).

taught Bankruptcy, Contracts, Commercial Paper, Bank Deposits and Collections, Secured Transactions, Electronic Commerce, and Consumer Law. There is a definite irony in Alvin teaching Electronic Commerce, given that he adamantly refuses, much to the dismay of the faculty support staff, to have anything to do with computers.

For Alvin, the classroom is a calling, not a job. Student comments consistently refer to his enthusiasm, his mastery of the subject matter, his knowledge of the most recent cases and latest statutory revisions, and the impact of decisions in other areas of his beloved commercial law.

All great teachers have the ability to inspire students to learn, to challenge them to grasp difficult subject matter. Alvin is well-endowed with this ability.

In recent years, Alvin has been teaching Contracts, a course he taught in his first days as a faculty member. He has said how much he enjoys having first-year students again. Those students are fortunate indeed to be taught one of the law school's most important courses, perhaps second only to Civil Procedure, the "Foundation of All Law,"³ by a master teacher.

While carrying a full teaching load, doing scholarly writing, and discharging committee responsibilities, Alvin found time to earn an MBA from Oklahoma City University and an LLM from Southern Methodist University. He has also held visiting professorships at the University of Oklahoma College of Law and Texas Tech University School of Law.

Alvin's scholarship is without equal on the faculty. One cannot begin to count the number of trees that have been felled for his writings on an incredible variety of topics.⁴ He also has served as editor of *The*

3. Editorial comment by Professor Creel.

4. Professor Harrell has authored well over four hundred published works. (This count does not include unpublished scholarship, such as speeches, continuing education, and bar review materials.) His published works cover a myriad of topics including commercial law, commercial transactions, banking, electronic commerce, secured transactions, commercial paper, consumer law, truth in lending, mortgages, sales and leases, bankruptcy, certificates of title, choice of law, legal history, and oil and gas financing. Appearing on his publication list are also occasional tidbits that are outside his typical range of interests, but add some spice to the list of four hundred; such as *Penn Square Bank—20 Years Later*, 27 OKLA. CITY U. L. REV. 945 (2002), *Americans With Disabilities Act Title III—Public Accommodations*, 63 OKLA. B.J. 1040 (1992), and *The Importance of Contract Law: A Historical Perspective*, 41 OKLA. CITY U. L. REV. 1 (2016). Professor Harrell has earned a national, if not worldwide, reputation of business and commercial law expertise from the quality, volume, and scope of his scholarship. In

addition to being the editor for decades, Professor Harrell is also a contributing author to the *Consumer Finance Law Quarterly Report* with approximately 145 articles to his credit as of the end of 2015. Approximately forty-six submissions appear in *The Business Lawyer*. Additionally, ninety books, book supplements, book pocket parts, book chapters, or legal form compilations were written during his career. His favorite coauthor was University of Oklahoma Professor of Law Frederick H. Miller; together Professors Harrell and Miller were the dynamic duo in commercial and consumer law. Professor Harrell's writing career began with the publication of an article in our own law review, *Security Interest v. Non-Code Interest: An Analysis of the Ramifications of Utica National Bank & Trust v. Associated Producers*, 6 OKLA. CITY U. L. REV. 519 (1981). Shortly after his first article, he coauthored his first book with Professor Frederick H. Miller, *THE LAW OF MODERN PAYMENT SYSTEMS AND NOTES* (1985).

Commitment to his profession, field of expertise, and calling is reflected in his works throughout the years. A sampling of his work includes *Emerging Commercial Law and UCC Issues for the Next Farm and Business Credit Crisis*, 17 DRAKE J. AGR. L. 89 (2012); *The Great Credit Contraction: Who, What, When, Where and Why*, 26 GA. ST. U. L. REV. 1209 (2010); *The Uniform Certificate of Title Act: Myths and Realities*, 39 U.C.C. L.J. 3 (2006); *The 2004 NCCUSL Annual Meeting Draft of the Proposed Uniform Certificate of Title Law*, 37 U.C.C. L.J. 83 (2005); *Basic Choices in the Law of Auto Finance: Contract Versus Regulation*, 7 CHAP. L. REV. 107 (2004); *Oil and Gas Finance Under Revised UCC Article 9*, 33 TEX. TECH L. REV. 31 (2001); and *Agricultural Finance—Comparing the Current and Revised Article 9*, 33 U.C.C. L.J. 169 (2000). For access to a more complete listing, including the text of many of his writings, see Selected Works of Alvin C. Harrell, Bepress, https://works.bepress.com/alvin_harrell/ [<https://perma.cc/GF2E-3CDY>].

Furthermore, Professor Harrell's love and dedication to teaching and to his students is reflected in his five-part article, *Teaching Consumer Law* (Part 1, 6 J. TEX. CONSUMER L. 50 (2003); Part 2, 7 J. TEX. CONSUMER L. 2 (2004); Part 3, 10 J. CONSUMER & COM. L. 46 (2007); Part 4, 12 J. CONSUMER & COM. L. 8 (2008); and Part 5, 14 J. CONSUMER & COM. L. 87 (2010)). Of course, one must mention the article named in honor of Professor Harrell's favorite movie, *Commentary on FIRREA: What Would George Bailey Think?*, 44 CONSUMER FIN. L. Q. REP. 215 (1990).

The influence of Professor Harrell's work on the development of the law cannot be overstated. Clearly, Professor Harrell's work on uniform laws has helped shape the future of our legal landscape. Moreover, his influence is reflected in federal and state cases that have cited his work, including *In re SemCrude L.P.*, 864 F.3d 280 (3rd Cir. 2017); *United States v. Vysniauskas*, 593 F. App'x 518 (6th Cir. 2015); *Adams v. Plaza Fin. Co.*, 168 F.3d 932 (7th Cir. 1999); *Nationwide Transp. Fin. v. Cass Info. Sys., Inc.*, 523 F.3d 1051 (9th Cir. 2008); *FDIC v. Hulsey*, 22 F.3d 1472 (10th Cir. 1994); *In re Tracy Broad. Corp.*, 696 F.3d 1051 (10th Cir. 2012); *Wells Fargo Bank, N.A. v. Heath*, 2012 OK 54, 280 P.3d 328; *2 Price Checks Cashed v. United Auto. Ins. Co.*, 344 S.W.3d 378 (Tex. 2011); and *Morgan v. Farmers & Merchs. Bank*, 856 So.2d 811 (Ala. 2003). Oliver Wendell Holmes, Jr. made the following self-reflective remarks: "Law is the business to which my life is devoted, and I should show less than devotion if I did not do what in me lies to improve it, and, when I perceive what seems to me the ideal of its future, if I hesitated to point it out and to press toward it with all my heart." Oliver Wendell Homes, Jr., *The Path of the Law*, 10 HARV. L. REV. 457, 473–74 (1897),

Consumer Finance Law Quarterly Report and the *Annual Survey of Consumer Financial Services Law* in *The Business Lawyer*.

The writings share two things in common: They inform the profession and improve the law. Alvin's teaching and scholarship earned him selection as the first Robert S. Kerr, Sr. Distinguished Professor of Law.

Alvin certainly bears his fair share of faculty responsibilities including service from time to time as chair of the very important Promotion and Tenure Committee. He regularly attends faculty meetings, although he considers such meetings as occasions on which minutes are kept and hours lost.

Alvin rarely speaks in faculty meetings, but when he does his colleagues listen attentively, knowing that his comments will be thoughtful, objective, and relevant. It is not an exaggeration to say that Alvin's comments carry more weight than any other faculty member.

In one regard, criticism of Alvin regarding law school obligations is warranted. More than once, there has been strong support for Alvin to assume decanal positions, requests that Alvin has refused summarily. In Alvin's words, "I am a teacher, not an administrator."

Alvin's professional activities are many and impressive. He has served as chair of the ABA Consumer Financial Services Committee and the ABA Task Force on Certificate of Title Laws, executive director of the Conference on Consumer Finance Law, and a member of its Governing Committee. Alvin has participated in several committees involved in redrafting portions of the UCC and related laws. He is also a member of the American College of Consumer Financial Services Lawyers and the American College of Commercial Finance Lawyers.

Of many milestones, one of particular note is that Professor Harrell has the longest tenure of any faculty member in the history of the law school. It is worthy of note as well that the Harrell relationship to the law school is a family matter. Both of Beverly and Alvin's children, Andrew and Ashley, are graduates of the law school, and I am confident that Alvin has already enrolled granddaughter Ella Ann in the class of 2041.

If one were to choose one word to summarize Professor Alvin C. Harrell's relationship with Oklahoma City University School of Law, I would choose "giving." For more than four decades, he has given the law school his commitment, his loyalty, his service, his counsel, his worldly

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possessions, and his vision.

Professor Alvin C. Harrell has served the law school well and faithfully. May his retirement years be fulfilling and blessed.