
ART LEFRANCOIS: AN APPRECIATION

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Art LeFrancois joined the faculty of Oklahoma City University School of Law in 1979. I had joined the faculty two years earlier and was involved in his recruitment to join us. I couldn't have known it then, but when he elected to take emeritus status in 2017, I realized that helping to bring Art LeFrancois to our law school was one of the most consequential matters that I have been involved with during my forty years here. His work and influence, both within the law school and beyond, have made all the difference in what our institution has become and how it is perceived.

By example, Art established a model for the kind of professor our school should recruit, and then for many years he methodically and patiently led our faculty recruitment efforts as we made that model a reality. Art really is *the* model of what a law professor should be and how one should live the life of a law professor.¹ He's sharp and challenging in the classroom,² insightful and creative in his scholarship,³ approachable

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1. At The University of Chicago Law School, Art was taught by, and caught the attention of, such legal giants as Richard Epstein, Norval Morris, Antonin Scalia, James Boyd White, and Frank Zimring. Epstein, Morris, Scalia, and Zimring each later complimented Art by accepting his invitation to deliver the Quinlan Lecture at our law school. A front row student in law school, Art was a close observer not only of these eminent professors' approaches to teaching law, but also of their publishing, consulting, and public service activities. In addition to his law school experience, Art was raised in an academic household in a college town. His father, John LeFrancois, was a professor of mechanical engineering at Penn State University, where he served as technical writer for the university's Applied Research Laboratory. His mother, Shirley LeFrancois, was a staff assistant at Penn State's Materials Research Laboratory.

2. In addition to the subject matter of his courses, his students learn the habits of thorough preparation, critical analysis, and precision in oral and written presentations. They are also led to consider the moral dimensions of law.

3. Much of Art's published scholarship is accessible at *Selected Works of Arthur G. LeFrancois*, Bepress [<https://perma.cc/EN75-9SEM>]. One has to look elsewhere to find his following contributions to important books: *Judicial*

and understanding as a mentor to students, open and considerate as a faculty colleague, willing and effective in providing service to his law school and university, and engaged and influential in public affairs. He also does all the little things that make individuals feel respected and that give an institution a soul.

For any professor, covering all of these bases well takes an enormous amount of time. It's not just keeping up with rapidly developing law in your subject areas and the deep research required to produce meaningful scholarship. Students seek your counsel.⁴ Faculty colleagues⁵ ask you to review and comment on manuscripts. Outside groups ask you to speak and consult. Presidents and deans give you administrative tasks. In Art's case, however, it's fair to say he has been asked to do more than anyone at our school. Because his talents are so wide-ranging, his work ethic so unrelenting, his integrity so unassailable, and his sense of fairness so uncompromising, he has been called on time and again for the most critical, most time-consuming, and most sensitive tasks.⁶ Anything he was asked to do would be done impeccably, even if it required skills that are not within the skill set one ordinarily expects a law professor to possess. Even now that he has taken emeritus status, he is still being asked to take on important tasks. President Henry recently named him co-chair of the search committee tasked with recruiting the next dean of the law school.

In addition to everything he's done within the university, many outside organizations have sought his assistance. He's been invited to speak at many programs and conferences; he's been heavily involved with bodies pursuing criminal justice reform; he's been recruited to serve as an advisor

Pragmatism, in 3 ENCYCLOPEDIA OF THE SUPREME COURT OF THE UNITED STATES (David S. Tanenhaus ed., 2008); *Lyons v. Oklahoma*, in 3 ENCYCLOPEDIA OF THE SUPREME COURT OF THE UNITED STATES (David S. Tanenhaus ed., 2008); *Skinner v. Oklahoma*, in 4 ENCYCLOPEDIA OF THE SUPREME COURT OF THE UNITED STATES (David S. Tanenhaus ed., 2008); *Drugs and Incarceration in Oklahoma: An Arresting Problem*, in DRUGS: "LEGAL . . . ILLEGAL . . . AND OTHERWISE" 3-69 (The Oklahoma Academy ed., 2005); *Fugitive Slave Acts (1793, 1850)*, in 2 MAJOR ACTS OF CONGRESS 128 (Brian K. Landsberg ed., 2004); and *Liberalism, the Constitution, and the Supreme Court*, in THE REHNQUIST COURT: A RETROSPECTIVE 253 (Martin H. Belsky ed., 2002) (with Robert H. Henry).

4. He maintains relationships with many of them long after their graduation.

5. This includes professors from other law schools.

6. Space is inadequate to list even his most significant contributions. Some of the major projects he's undertaken would have earned him relief from his normal teaching load at most other law schools, because of the time required to do them properly (which, of course, is the only way he would do them). That didn't happen here.

for several professional organizations; and local, national, and international media outlets frequently seek out his comments on developments of public interest.

It is simply impossible for me to imagine what Oklahoma City University School of Law would be like without Art's presence and manifold contributions. Indeed, if an award were to be given to recognize the person who has been most indispensable to our law school over the past four decades, my vote would go to Art LeFrancois. Every one of our colleagues has made unique and valuable contributions to our law school during his time here, but the totality of Art's internal and external activities reflects a career that has been breathtakingly successful and institution-defining.

I've never known anyone like Art LeFrancois. Of course, every human being is unique. But Art is unique in a unique way. (Does that even make sense?) He's incredibly smart and funny, but not a show-off; exceptionally well-educated and well-informed on current events and culture, but not a know-it-all; brutally honest and critical, but considerate and empathetic; demanding and uncompromising, but tolerant and understanding; super sophisticated, but extremely down-to-earth; ambitious, but selfless; confident, but self-critical; idealistic, but realistic; prescient, but uncertain; a powerful intellect, but a quiet everyman; open, but discrete; indefatigable, but not immune to illness and injury; musically talented on the piano, double bass, and guitar, but (this is just a guess) not on the sousaphone; and a college football authority, but unable to explain why Penn State's football team wasn't named national champion in four of its five undefeated seasons.⁷

This is not to say he's a man of contradictions. My point is that he possesses all of these attributes and balances them effortlessly, calling upon just the right combination of tone and substance appropriate for any occasion. He can visit comfortably with anyone, from a distinguished scholar at a prestigious university to a person with a very humble background, and conduct the exchange at a level that causes the other person to experience it as a conversation between equals.

A leading scholar at another law school who has worked closely with Art recently told me that Art must be one of the smartest people in the legal academy and that he's extraordinarily well-read. These qualities are revealed in his body of scholarly production that has contributed to legal

7. Actually, he does have an explanation, but it's unprintable here.

thought across a wide range of disciplines.⁸ His publications are painstakingly researched, informed by an encyclopedic knowledge base, and expressed with piercing clarity. He draws effortlessly from philosophy,⁹ history, literature, culture, economics, and the lived experience of ordinary people. The originality of his thinking and the precision of his writing enable him to produce legal scholarship that is . . . important.¹⁰

One mark of Art's indispensability to the law school is the extent to which administrators, faculty, and students have turned to him for advice and friendship.¹¹ I for one have relied on him a lot (and that's an understatement).¹² He's always available and quick to grasp any problem. But, rarely does he say, "You've got to do X." More often he'll say, "You could do X, Y, or Z, and here are three pros and cons for each option."

Although many often turn to Art for advice and counsel, he rarely seeks such assistance from others. This is not because Art's life has been without challenges, crises, and sorrows. He just deals with them privately.¹³ He knows pretty much everything anyway.

Well, not everything. Believe it or not, Art doesn't know what to do when smoke starts billowing out from beneath the hood of your car on the highway,¹⁴ or how to dispose of a car that completes its useful life in the

8. See *supra* note 3 for access to Art's collected works.

9. A Phi Beta Kappa philosophy major at Beloit College, Art is fully conversant with every movement in western philosophy from the pre-Socratics to the present. When he applied for a teaching position at our law school, he stated in his resume: "I hope to bring the insights of philosophy to the study of law." This he has done. The beneficiaries have been his students and readers of his publications.

10. While Art has written on a broad range of topics, he has shown great interest in criminal justice, the morality of law and legal process, the imprecision of language (and, hence, the limits of law), and considerations of racial justice. Each publication rewards the reader with newfound wisdom.

11. One former student was so appreciative of Art that she later established an honor scholarship in his name.

12. Art served the law school as associate dean between 1991 and 1994 and interim dean in the 1994—1995 academic year. Those experiences made him an especially wise and generous adviser to the deans who came after him.

13. For example, for several years, Art lovingly and gallantly attended to his parents as they aged 1,200 miles away in Pennsylvania. So what if it was a nineteen-hour car trip each way? (Art doesn't fly.) So what if he had projects to finish? (He got them done anyway.)

14. Hint: First you have to notice that it's happening.

middle of a large city hundreds of miles from home,¹⁵ or why it's wise to bring insect repellent on camping trips,¹⁶ or how to identify reliable home repairmen and painters,¹⁷ or how to prevent student law review editors (at other schools) from making unfathomable, maddening mistakes when editing his articles.¹⁸ He also doesn't understand how airplanes stay up in the air.¹⁹

When Art joined us in 1979, because of our university's financial condition, the law school was able to offer him only a temporary position as visiting professor, with no assurance that we would be able to offer him employment for the next year. He and his wife Betsy had just moved from their native Pennsylvania to Oklahoma, where they had absolutely no connections, and he had told Betsy that they would probably spend no more than three years in Oklahoma. Thirty-eight years later, they are still here. Happily, they've made Oklahoma their home²⁰ and raised their two lovely and highly accomplished daughters²¹ here. Even better, Art continues to teach, write, and serve at Oklahoma City University School of Law as a professor emeritus.²²

I've often wondered what has kept Art in Oklahoma City. People of his caliber are frequently lured to positions at other institutions. Art has never taken the bait. Maybe it's the close friendships and professional

15. It was a cold and dreary night in Chicago.

16. Maybe they don't have chiggers in Pennsylvania.

17. It's noble to give felons and former prisoners a chance to do productive work, but still.

18. You can't begin to imagine the anguish this has caused him.

19. He has not taken a flight since the early 1980s. When we needed him to attend faculty recruitment conferences in Washington, D.C. (which was often), he endured thirty-five-hour Amtrak adventures (that's door-to-door, each way!) in service to our law school.

20. At least they've made Oklahoma their *physical* home. Art has never lost his identification with and affection for the beauty and culture of the Nittany Valley (a.k.a., Happy Valley). The LeFrancoises trekked back to State College, PA, twice (by car, of course) to see Penn State's football team play at Beaver Stadium (named after a governor, not an animal, I'll have you know) and enjoyed Penn State's 24-0 thrashing of Texas A&M in the 1999 Alamo Bowl in San Antonio as well as its 2017 Fiesta Bowl victory over Washington.

21. Nicole Clowney is a lecturer in classics at the University of Arkansas (Fayetteville) and a recently-elected member of the Arkansas State Legislature; Meghan LeFrancois is an attorney with the Homicide Direct Appeals Division of the Oklahoma Indigent Defense System.

22. Betsy retired in 2014 after thirty-five years as a beloved special education teacher in the Moore Public Schools system.

associations he has here.²³ Maybe he just likes Oklahoma and its people. Maybe he sensed that we needed him here.

Whatever the explanation, I'm glad it worked out this way. My life has been enriched beyond measure by knowing and working with Art LeFrancois. Legions of people feel the same way.

23. For example, there are his long and close relationships with people like Robert Henry, a Renaissance man, and the late Bill Conger, whom Art once described as “a life-enhancer” and “charismatic beyond telling.” Arthur G. LeFrancois, *Thinking of Bill*, 38 OKLA. CITY U. L. REV. 33, 33 (2013). Practically everyone would like to spend time with these popular figures, but it is Art that Robert often seeks out for conversation and friendship, and it was Art whom Bill chose as his traveling companion for a special car trip before Bill's untimely death. *Id.* at 35.