

To Educate and Serve

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The Centennial History of
Creighton University School of Law,
1904–2004

Oliver B. Pollak

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To
Karen
Noah
Erika
Zev Dodi Marty
Aaron
Marianna
Shaina Rose

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Acknowledgments

I want to thank Dean Larry Rafal for conceiving and fostering the idea of a centennial history of the Creighton University School of Law. Associate Dean Tricia B. Sharrar appeared in my law office in October 2003 and persuaded me to take up the task with the phrase “Oliver, we want this done by ‘One of Ours,’” meaning a Creighton University School of Law graduate. That expression has special meaning. *One of Ours* was the title of Willa Cather’s 1922 Pulitzer Prize winning novel, a story set in Nebraska and France. The Jesuit magazine, *Woodstock Letters*, commenced publication in 1872. In 1905 its title page contained the printed statement, “For circulation among ours only.” I was to learn that Creighton President Michael J. Dowling, S.J., used the expression earlier in the twentieth century to denote fellow Catholics. As a professor, student, historian, attorney, and having spent over half my life in Nebraska, I come close to being one of ours.

Dean Pat Borchers and I had lunch at Delice in December 2003. Neither of us knew what we were getting into. The conception and preparation of this anniversary volume initially projected an appearance in time for the 2004 festivities. Dean Borchers has provided support and encouragement all along the way, as did my second handler, Associate Dean Craig Dallan. Scholars generally want more time. Centennial and budget planners have different imperatives. Fortunately, flexibility and patience prevailed.

The administrative support staff, Rose Hamilton, Pam Hopkins, Hattie P. Rupert, Paulette J. Sheridan, and Sandy M. Murnan, whose combined service to Creighton exceeds one hundred years, promptly and pleasantly responded to my importunities for administrative details regarding budgets, resignations and retirements as did Mardee Korinek, longtime executive director of the Omaha Bar Association.

Several second and third year law students, Tessa Hermanson, JD’04, Jennifer Poynter-Willis, JD’04, Darnetta Sanders, JD’04, Leah Gadzikowski, JD’05, Joshua Hunt, JD’05, Stacy Jo Ferrel, JD’06, Charles Garman, JD’06, Nicole Barrett, JD’07, Cody Katzer, JD’07, as well as University of Nebraska at Omaha graduate students Sarah McKinstry Brown and Ashley Howard assisted in gathering and marshalling sources.

Episodes of Creighton law school history appeared sporadically and anecdotally. Professor Ronald Volkmer arrived at Creighton as a history student in 1962. He preserved newspapers, especially the *Docket*, and other ephemera that provided a distinct student point of view. His study of Professor William Sternberg and his nostalgic reminiscence of his memorable teacher, Professor Michael O'Reilly, adds immeasurably to our feel for two faculty who taught at Creighton for 58 years. Professor Richard Shugrue, initially in Creighton's Political Science Department, has written frequently about faculty and alumni. He provided chatty, colorful background. Professor Kent Neumeister also contributed vignettes from his extensive institutional memory. Professor Leonard J. Greenspoon, the holder of the Klutznick Chair in Jewish Civilization, and Steven Riekes, Philip Klutznick's nephew, were helpful regarding the contribution of Phil Klutznick.

It takes several libraries and librarians to build a book. Kay Andrus amplified my drafts regarding the library. Law librarians Heather Buckwalter, Patrick Charles, Corinne Jacox, Troy Johnson, and Ann C. Kitchel eased my path through the rare book collection, rediscovered two boxes of randomly preserved library records ferreted away in remote corners, the general library collection, interlibrary loan, and the growing array of electronic sources. Mary Nash, reference librarian at the Reinert Alumni Library, gave helpful directions. Marge Wannarka, Gerry J. Chase and David S. Crawford at the Creighton University Archives provided ready access to files and photographs in the Reinert Alumni Library basement, an inner sanctum crying for appropriate environmental remodeling or removal to a better environment to properly ensure preservation of one-of-a-kind priceless records. Rachel M. Campbell superintended the digital transformation of the illustrations. Shirley Spain identified that manuscripts Dennis Mihelich used in the President's office had been transferred to the archives. Jeanne M. Hauser, Chief Librarian of the *Omaha World-Herald*, provided timely assistance. Some debt is also owed to the Butler Library at Columbia University and the good offices of the New York Public Library. Thanks also to Lynn Sullivan at the Omaha Public Library, Les Valentine at University of Nebraska at Omaha Dr. C.C. and Mabel L. Criss Library Special Collections and Archives, and Carmella Orosco at the University of Nebraska Love Library Special Collections, as well as Paul Royster, Coordinator of Scholarly Communications, who expeditiously provided pertinent information.

Diane Dougherty at Alumni Relations provided access to files in the Administration Building's fabled attic. Connie Rothermund at Central Files facilitated access to alumni biographical files. Registrar John Krecek, declared,

“contrary to popular belief on the part of some of his staff, only arrived at Creighton in 1973, and did not know Father Rigge personally.” He has a broad grasp of Creighton’s past and was ever ready to respond quickly to my telephone and email requests asking when students attended, earned their degrees, or departed without completing the program. Thanks also go to Pete Elsasser, the parking lot attendant, who welcomed me and always found me a space next to the Lied Center, even on “move in” day; and to Carol Walsh, the university telephone operator, for directing many of my calls. To those unnamed who have shown me kindnesses in this project, thank you.

The Douglas County Historical Society, as so many times in my earlier work, graciously provided access to their clipping files. At a further distance, William J. Maher, archivist at the University of Illinois at Urbana Champaign, provided accreditation reports from the Association of American Law School archives. Professor David P. Miros and Mary Struckel were very accommodating on my visit to the Midwest Jesuit Archives in St. Louis.

I am not a pack rat or a collector, despite my wife’s contentions to the contrary, but am chary of discarding what might be useful in the future. I saved the law school *Bulletins*, 1979-1981. As an alum I hung on to *Window*, *Creighton Magazine* and the *Creighton Lawyer*. They might be useful someday, and they were.

The cooperative relationship between Omaha’s premier institutions of higher education, Creighton University and the University of Nebraska at Omaha, is exemplified by Creighton’s arranging release time from my UNO teaching responsibilities. I thank my colleagues in the UNO History Department, particularly department chair Bruce Garver and Dean of Arts and Science, Shelton Hendricks, for their cooperation. I thank my law partner of twenty years, David G. Hicks, JD’82; associates in the firm, Thomas M. McGuire, JD’04, and April D. Cover who earned her law degree at that other school in Nebraska; our office manager, Ruth Shook; and the staff at Pollak & Hicks, P.C., Doyia Carpenter, Katrina Wilson, BA’98, Cindy Fitzpatrick, and Amanda C. Lawson, for their knowledge, patience and supportive encouragement.

Creighton offered me several useful opportunities to air and test some of my thoughts. Dean Rafal and Julia Belian invited me to share my research with their legal history students in 2004 and 2005. A faculty brown bag luncheon in 2004 provided an informal exchange. Three articles appeared in *Creighton Magazine* with the editorial assistance of Rick Davis. These venues pushed my thinking. I thank my students at UNO in the History of Higher Education and Historical Research seminars for bearing with me as I repeatedly applied my current research as heuristic exemplars.

During the 1980s, as a historian of Omaha's Jewish community, I had the good fortune to meet a graduate of the Martin era, William Grodinsky, and several graduates of the TePoel era, Milton Abrahams, Ben Kaslow, Philip Klutznick, Louis Lipp, Jack Marer, Ephraim Marks, Eddie Shafton, and David Weinberg. These "gentlemen," were legends in the Omaha legal and Jewish community. I interviewed them while preparing the history of B'nai B'rith in Omaha. My memory of their dignity, intelligence, and generosity has assisted me in understanding the character of Creighton law students and their schooling prior to 1940. Although not technically "one of ours," in Dowling's or Cather's sense, the interaction of these graduates from a Jesuit endowed law school exhibited respect and gratitude.

My experience in higher education, commencing in 1961, has most pleasantly consumed over two thirds of my life. Except for two years in the U.S. Navy (even then I took United States Armed Forces Institute, USAFI, courses in German and the Sociology of War), I have haunted college campuses. I entered California State College in Los Angeles, subsequently renamed California State University, Los Angeles. I earned my doctorate in history at the University of California, Los Angeles. I am a product and beneficiary of America's higher education, the G.I. Bill and a working wife. I am a missionary for education. While teaching at the University of Nebraska at Omaha, I entered Creighton University School of Law in 1979, perhaps in part due to the death of my father William Pollak, of blessed memory, and graduated in 1982, with additional financial assistance of federal guaranteed student loans, and my mother Ruth Pollak and the parents of my wife, Reva and Joseph Goldstein, of blessed memory. My wife Karen did much more than "keep food on the table, gas in the car, and our two rambunctious sons in tow." I am grateful for mentors and the disciplinary education in History and Law, which provided me the wonderful opportunity to work on this book.

Burnice Fiedler, who with her husband Howard, owned Beal's Diner, sold the land on 24th Street to Creighton University. Burnice was a pre-eminent Nebraska postcard authority. Sadly, she died in 2004, however, her family, Helen and David Edwards continue the postcard tradition. It is to them that I owe the use of the postcards.

David Petersen of UNO's English department and Laurie Lieb helped me avoid literary gaffs. Most editors tell you to cut. David in a prior project moved me from an article to a book. We discussed continuity and how to handle big players like Louis TePoel, Hugh Gillespie, William Sternberg, Philip Klutznick and Milton Abrahams. Each of their relationships with Creighton approached half-a-century and they could be featured in as many a six chap-

ters. David sought thematic development; I stuck with chronology, hopefully without fragmenting the vitality of their contributions. Laurie, likewise, attempted to expand my terse style by providing further background for general readers. We discussed the merits of the 14th and 15th editions of the *Chicago Manual of Style*. I clung to some vestiges of the 14th out of force of habit or obstinacy for reasons I have articulated in the *Journal of Scholarly Publishing*.¹ Working with Tim Colton at Carolina Academic Press has been a delight; his Latin, and keen eyes avoided some infelicities. My wife picked her way through my most obvious weaknesses, commas, apostrophes, semi-colons and hyphens, and extracted better sense from my prose, for which I am grateful. I am responsible for any errors or omissions.

I am pleased to see this volume join the work of Dennis Mihelich, who critically celebrated Creighton University's 125th anniversary in *The History of Creighton University 1878-2003*, published by Fordham University Press in 2006. Dennis and I may differ in the presentation of certain facts and interpretations. I see his task as a surveyor of landscape and topography, plying the valleys, following the streams, marking the escarpments and measuring the peaks of multiple disciplines. I am a miner in the shaft looking at the geological galleries of a single ore.

Oliver B. Pollak, Ph.D., J.D.
Omaha, Nebraska, May 2007

Endnote

1. Oliver B. Pollak, "The Decline and Fall of Bottom Notes, *op. cit.*, *loc. cit.*, and a Century of the *Chicago Manual of Style*," *Journal of Scholarly Publishing* 38 (October 2006): 14-30.