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A Tribute to Robert Spector: "It Started with Jurisdiction"

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A TRIBUTE TO ROBERT SPECTOR: “IT STARTED WITH JURISDICTION”

*Steven S. Gensler**

He smokes.¹ I can't stand smoke—and, yes, that includes pipe smoke. He wears decorated braces² and extravagantly colorful ties. I'm more of a jeans-and-a-hoodie guy. He loves rack of lamb, duck confit, and deep red wines. Give me a cold beer and some hot brisket. He is an opera devotee. My last live music experience was a Duran Duran concert at one of our local tribal casinos. In so many ways, Bob Spector and I make a most unlikely pair. But during my eleven years at OU he has become one of my most treasured friends on the faculty. And it all started with jurisdiction.

If you're reading this tribute, chances are that you, too, are a jurisdiction junkie at some level. If you're a Civil Procedure person like me, the attachment to jurisdiction (no pun intended) seems obvious and natural. But the same can be said for the faithful followers of Family Law, who inhabit their own world of jurisdictional madness on the other side of the rabbit hole. At any rate, Bob thinks about jurisdiction as much as I do, and for a long time he had been regularly seen wandering the law school halls muttering words like “Shoe,” “Kulko,” and “Burnham.” Mostly he muttered to himself, for lack of a willing partner to the conversation. Opportunity struck when I showed up in Norman in 2000. Despite our superficial differences, it didn't take long for Bob and me to find each other. Our conversation began, and it has flourished ever since.

As has our friendship. It turns out that Bob and I aren't so different after all. He was born and raised in Appleton, Wisconsin. I am an adopted cheesehead.³ He is an avid reader. I married a writer. He loves to travel. I am a vagabond by nature. He is a lifelong Yankees fan. Well, in all candor, that part I just don't get—I hate the Yankees, like all rational people do. But I am and forever will be a diehard Cubs fan, and in the end a baseball fan is a baseball fan. He relishes a good cup of tea (Assam, preferably). Me too, though something lighter, and with a couple of scones please. He is blessed with the love and companionship of an amazing woman. Ditto.⁴

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1. Yes, Bob. We know what you've been doing in your office. We do have noses.

2. By braces I mean the type of suspenders that attach to buttons rather than with clips, not dental braces. To avoid that ambiguity I would have used the term suspenders, but Bob holds the distinction between braces and suspenders very dearly. So, braces it is.

3. I grew up in Illinois just south of the Wisconsin border. As a lad, the drinking age in Illinois was 21. In Wisconsin it was 18. For three years, my bond with the Badger State grew ever strong. I eventually moved there to practice law and got married there.

4. By that I mean that my wife is also amazing, not that Bob and I share Carolyn. With an audience of Family Law experts, I just want to be clear.

There's one more thing: Bob is an exemplar of the kind of law professor I hope to be.

When I arrived at OU in 2000, I can't say that I had really thought about what *kind* of law professor I wanted to be. Sure, I knew I wanted to teach and write about courts and procedure. But picking a subject area is just a first step. What are you going to do in that subject area? How are you going to do it? Those are questions that had not really occurred to me. Didn't all law professors pretty much do the same thing and do it the same way? You read the advance sheets and the scholarship in your area. You find a problem. You write an article exposing the problem and proposing a solution. Lather. Rinse. Repeat. It all seemed pretty straightforward to me.

Except that it's not. The law does not live in the library. Nor does it live on the third floor of the law school (where our faculty offices are located). What we read in books is a reflection of the law. What we teach in the classroom is a portrait of the law. If you really want to see the law, you have to leave the law school. You cannot wait for the law to come to you. You must go to it. The world of the law is waiting to be experienced—if you seek it. Bob gathered his pipe, put on his flashy tie and braces, left the comfort of our office cloisters, and never looked back. And oh what a difference that has made. What a difference *he* has made—in the world of the law.

Around the State of Oklahoma, the name Spector is synonymous with Family Law. Since he came to OU in 1980, Bob has been a dominant presence in Oklahoma Family Law. He has authored 35 articles on Oklahoma Family Law. In a very real sense, he created the systematic study of Family Law in Oklahoma. Until he wrote his treatise on Oklahoma Family Law, there was no resource that comprehensively assembled, organized, and synthesized the complex web of statutes, cases, and other original source materials that form the basis of Oklahoma Family Law. But what is just as important is that he has always been willing to share his insights and expertise. He has been the Consultant to the Oklahoma Bar Association's Section on Family Law since 1985. And he has been a permanent fixture at CLE programs in Oklahoma. (Is there a county bar association he has not spoken to?) In November, Bob's contributions to Oklahoma Family Law were formally recognized when he received the Lifetime Achievement Award from the Oklahoma Bar Association's Family Law Section.

As impressive as Bob's accomplishments in Oklahoma have been, his contributions at the national level have been even more remarkable. Since 1994, Bob has served as the (original and only) Reporter for the Uniform Child Custody Jurisdiction and Enforcement Act ("UCCJEA"). The task that Bob and the drafting committee faced was daunting. The existing scheme for allocating child custody jurisdiction was outdated. It failed to protect children from the conflicts of law that can arise when custody issues span or cross state borders. Bob and the drafting committee set out to develop a new scheme, one that would ensure to the greatest extent possible that one court—and only one

court—would have jurisdiction to decide matters of child custody. When their work was done, they had taken a scheme that was not working and turned it into one that, in Bob’s modest words, “works well most of the time.” Since then, Bob has kept a vigilant eye on developments in the states to try to ensure that the scheme continues on a sound and steady path. One can only speculate how many children and families have benefitted from Bob’s work on the UCCJEA. *That* is making a difference in the world of the law.

Along the way, Bob has contributed mightily to the national scholarship on Family Law and to other national-level service. By my count, he has written an astounding 83 national-level articles on Family Law. Since 1991, he has been a principal editor of *The Family Law Quarterly*, the premier family law journal in the United States. For ten years, from 1992 to 2002, he served as a member of the Governing Council of the Family Law Section of the American Bar Association. For his efforts, the Family Law Section honored Bob with both its Chair’s Award and its Distinguished Service Award.

Not content to conquer Oklahoma and the rest of the United States, Bob has also been a powerful force in the international arena. Since the 1990s, he has been a constant presence on United States delegations to The Hague Conference on matters relating to international child support and maintenance. (Is there a hotel in The Hague he has not slept in?) In recognition of his work on the 2007 Hague Convention on Child Support and Other Forms of Family Maintenance, Bob received The Commissioner’s Achievement Award from the Department of Health and Human Services and the National Conference of Child Support Administrators.

The activities and accomplishments I have described are just some of the highlights of Bob’s career at OU. I cannot do justice to his life’s work in these few pages. I could more fully *recite* his accomplishments, of course, but that’s not the same thing. The mark of a legal scholar is not the length of his resume, the number of talks given, or the number of trees killed in the pursuit of publication.⁵ Rather, the true mark of a legal scholar—at least as I see it—is the impact that person has had on shaping the content of the law, improving the systems in which that law operates, and helping to ensure that judges and lawyers put those systems to their best and fairest use. To state those metrics is to sum up Bob’s career.

* * *

When I think of Bob Spector, it’s hard not to think of his flashy ties and braces, his taste for duck confit and fancy red wine, and the distinct environment of his office, where the aroma of pipe smoke lingers in the air and the walls still vibrate from the blast of German opera played at concert hall volume. And it’s equally hard not to think of Carolyn, his dear

5. That being said, if we were counting articles, conferences, and talks then Bob would score off the charts. By my count, Bob published 128 articles. Now I know why there are so few trees in this part of Oklahoma.

companion and his much better half. But mostly when I think of Bob I think of a gentle man with a big heart who embraced the world of the law, made it a better place, and brought those experiences to all of us in his teaching and his writing. I can't think of a better model to follow.