

Norman Penney

August 29, 1926 — December 30, 1981

During the final days of 1981 the Ithaca community was shocked by the tragic death of Norman Penney during a burglary of his Washington, D.C. apartment.

Half of Norm's fifty-five-year life was devoted to the Cornell Law School, ending with his move to the American University, Washington College of Law, in June 1981.

From 1944 to 1946 Norm served as a staff sergeant in the United States Army in the Philippines and Japan, receiving a postrelease commission. He entered the Cornell Law School in 1950, from Yale College and the Hill School. He was managing editor of the *Cornell Law Quarterly*, was elected to the Order of the Coif, and received the Bachelor of Laws degree with distinction.

Upon graduation, Norm joined his uncles' Buffalo law firm, founded by his grandfather, Thomas Penney, who, as district attorney of Erie County, successfully prosecuted Leon Czolgosz, the assassin of President McKinley. Norm had impressive professional experiences representing clients. In academic settings Norm always remained essentially a lawyer, expecting his students to be prepared for the demands of challenging practice and worrying when they did not meet his expectations.

In 1957 Norm, with Judge Charles S. Desmond, later chief judge of New York, offered a course on problems of trial and appellate practice. Norm then became an assistant professor of law, was promoted to associate professor in 1960, and became professor of law in 1962. He was demanding and compassionate as a teacher, as he was in all his endeavors.

Well-rounded in the law because of his years of practice, Norm soon received recognition both in the United States and abroad as an authority in commercial and banking law.

To help promote New York's adoption of the Uniform Commercial Code, since enacted in all of the states (except Louisiana, a civil-law jurisdiction), Norm and his "code twin," Professor William E. Hogan, now at New York University, in 1961 coauthored the New York Annotations to the code. Norm also coauthored (with Professor Richard F. Broude of Loyola University, Los Angeles) a casebook on land financing (1970; second edition 1977). He also coauthored in 1980 (with Donald I. Baker) a seminal work on computerized banking transactions, *The Law*

of Electronic Fund Transfer Systems, completing a supplement in December 1981 for 1982 publication. Norm was also a frequent contributor to legal periodicals.

Norm's major teaching contributions were in the important law school areas of commercial law, banking transactions, insurance, and land financing.

From the beginning of his academic career, Norm combined administration with teaching. During his first three years on the faculty he was director of admissions, resulting in his membership on (1970) and presidency of (1972-74) the Law School Admissions Council. From 1962 to 1965 Norm was associate dean of the Law School, and in 1969 its acting dean. He was a superb administrator, often sought for deanships at other law schools.

Norm accepted more than his share of demanding faculty committee assignments. He also volunteered his services on many problems of campus and student concern, such as fallout shelters and options for students avoiding the Vietnam War draft. He was the first speaker of the Cornell Constituent Assembly.

Campuswide recognition came in 1971 when he was elected to a three-year term as dean of the University Faculty by more votes than the combined votes of the other candidates. His services during very trying years for the University included valuable counsel for the president and other senior administrative officers and earned him the respect of all. As chief administrative officer of the faculty and liaison between faculty and administration, Norm effected the organization of the Faculty Council of Representatives. Further recognition came with Norm's election as faculty trustee (1974-79).

Norm's visiting professorships included teaching at the University of Khartoum, Sudan (1965-66), the University of Melbourne and Monash University in Australia as a Fulbright Scholar (1975), and McGeorge School of Law of the University of the Pacific (1980).

Among Norm's consultantships were those for the New York Commissioners on Uniform State Laws, the New York Law Revision Commission, the United States Department of State (Advisory Committee on Private International Law), and the Federal Reserve Board (Consumer Affairs Division). Since 1970 he served as an American delegate to the United Nations Commission on International Trade Law.

In every area of academic life—teaching, research, writing, law school administration, and University committee work and administration—Norm excelled. But he also had ample time to be a genuine person and friend who never dissembled and was fun to be with, whether on many and varied social occasions, sailing on Cayuga Lake, playing squash, or clamming on Nantucket.

Memorial services for family and close friends were held in the Anabel Taylor Chapel on January 4, 1982. The Reverend John Taylor conducted the service based on the theme encribed in the Myron Taylor Hall Moot Court Room: "The Law Must Be Stable and Yet It Cannot Stand Still." Professor Hogan gave a moving eulogy. Participating also was the Reverend David Moore, a relative who had co-officiated at the marriage of Norm's only daughter less than six months before in Sage Chapel. Subsequently, American University sponsored more-formal services in Washington, D.C., attended by some five hundred persons paying tribute to Norm's friendships and many contributions to his profession and to public service. Norm is survived by his wife, Sue; four children: John Belding, of Buffalo, David Wright, of Detroit, Celia Elizabeth (Mrs. Robert Flynn), of Summit, New Jersey, and Christopher Young, Yale '83; a granddaughter, Hilary Eve Penney; and his mother, Mrs. Bertina F. Spangberg, of Ithaca, New York.

Dale R. Corson, Ernest F. Roberts, Jr., Harry G. Henn