

AMERICAN COLLEGE OF CONSUMER FINANCIAL SERVICES LAWYERS

Senator William Proxmire Lifetime Achievement Award

Presented to

Ralph J. Rohner

April 16, 2011

The recipient of the Senator William Proxmire Lifetime Achievement Award for 2011 is Ralph J. Rohner.

It is hard to conceive of anyone more deserving of a lifetime achievement award in consumer financial services law than Professor Ralph Rohner. His career has traced the arc of the development of federal consumer financial services law over the past four decades, from the enactment of the Truth-in-Lending Act to the present. During those years, he has been a teacher, mentor, counselor, friend and advisor to bank and consumer lawyers, bankers, legislators, regulators, and consumer advocates; he has authored and edited many of the leading texts and papers in the field; and he has become the preeminent scholar in the field of consumer financial services law. In doing so, he has earned the respect and admiration of his colleagues, who hold him in the highest regard.

Roots (*You can take the boy out of Baltimore...*)

Family has been and remains the binding force of his life, from his childhood in Baltimore to his current status as patriarch of a clan of children and grandchildren whom he adores and who adore him.

Born in East Orange, New Jersey, Ralph was the oldest of three children of an electrical engineer who worked for RCA. During WW II, when Ralph was six months old, his father moved the family to Baltimore to take advantage of an offer at Bendix, which made radio equipment for the military. Nothing of New Jersey clung to Ralph; he was all Baltimore. Living north of town, he travelled over an hour and half each day to and from Loyola High School, walking a mile to the trolley (uphill both ways through the snow, he recalls), and riding several busses to the school shuttle. But he loved Loyola and it served him well. He wrote for the school newspaper, year book, and literary magazine, and began developing the writing skills that were to be instrumental in his career. It was also where he first thought of teaching as a career.

It was family that brought Ralph to Catholic University. One of his favorite aunts worked there, and he had visited her and seen the beautiful campus frequently. A full-tuition scholarship closed the deal. An English major first, Ralph switched to philosophy because, as he likes to say with tongue in cheek, "it was not a very demanding major," and did not interfere with fraternity life and the newspaper. He was also busy courting his future wife Monica, whom he met at a dance at a North Avenue rec center in Baltimore.

Ralph will say he went to law school at Catholic in 1960 just to extend the college experience for three more years; but in truth, it must have been clear to all who knew him that he was a star even then. His writing talent and experience earned him the position of editor-in-chief of the law review. His moot court experience is still the stuff of legend at Catholic. The school was hosting the Sutherland Cup, an invitational competition that year against Fordham, Virginia, and Yale. Ralph had placed all his notes in a friend's car, but on the second day of the competition, he discovered he had put the notes in the wrong car. He rose without notes and led Catholic to victory. A photo of that moot court team hangs in the Law School lobby to this day. Ralph will say that he learned a lesson that day: Preparation is the key to success.

When he graduated from law school, he looked for teaching opportunities, and it was again family that showed the way. He saw an ad for a teaching fellowship at Stanford. His father had gone to school there, and the Rohners had a family farm in the foothills near Stanford, so it seemed a logical choice. He brought his young bride to California for a year and worked for Jack Friedenthal, a young faculty member who later became dean at George Washington School of Law. But Monica was pregnant, and the prospect of a family led Ralph to come back east and build a family near his Baltimore roots.

Mr. Truth-in-Lending

After a brief stint with the public health division at the US Department of Health Education and Welfare, Ralph embarked on his career proper. In the fall of 1964, the dean of Catholic Law School called and asked if he wanted to teach as an Adjunct Professor.

His first subject, which he confesses he knew little about, was Commercial Transactions. The following year he was hired onto the regular faculty, where he has remained for over 45 years. Though he began by teaching commercial law, he later became captivated by the development of what he describes as a "parallel universe" of consumer law. To teach a class on the subject, Ralph made use of the very first Truth-in-Lending casebook, by Homer Kripke at NYU. Since the book had not even been published yet, Ralph distributed the galley sheets to his class. In the coming years, his expertise in Truth-in-Lending and related consumer finance law made Ralph a nationally recognized leader in the field, through his teaching, his public speaking, and his authorship.

The opportunity for Ralph to edit a textbook on Truth-in-Lending, which was to become the definitive work on the subject, was a happy accident. Jonathan Landers had done three or four articles on the subject of TILA and had negotiated a contract with Warren Gorham & Lamont to do a treatise, but new obligations made it difficult for him to continue. Landers suggested to the publisher that Ralph take his place, and luckily for the rest of us, they agreed. Although Ralph was the author of over 60 publications in his

career, for many practitioners it was *The Law of Truth in Lending* (Warren, Gorham & Lamont, Inc., 1984), and its annual supplements, that cemented his reputation as the national expert on the subject. The book, in its first edition, and in the later edition with Fred Miller, was justifiably known in the industry as the Bible of Truth-in-Lending.

Many law students are also familiar with Ralph's casebook, *Consumer Law: Cases and Materials*, which he co-authored with John Spanogle and others, and which has been through multiple editions. The book was conceived when Ralph asked Homer Kripke if he was planning to update his casebook. Kripke encouraged Ralph to take over the project in his place. To this day, Ralph speaks of Homer Kripke as having a profound influence on his career.

The Call to Public Service

The true story of how Ralph began his association with Capitol Hill and government affairs has never been told. In 1967, his brother-in-law received an unsolicited credit card from a Chicago bank, as part of a massive flood of cards consumers were receiving at the time. He turned it over to Ralph, who analyzed it carefully, and wrote a strongly worded letter to the FTC, critical of sending consumers cards without their request. (The letter was probably sent to the attention of Shelly Feldman, a previous winner of the Lifetime Achievement Award). When, in 1969, Senate Banking Committee Chairman William Proxmire introduced the credit card amendments bill that included a ban on the unsolicited issuance of cards, he was shown the letter Ralph had written and invited him to testify in favor of the ban.

The hearing was at 10:00 a.m. on a Sunday in December, a move Ralph recalls as characteristic of Chairman Proxmire's showmanship, since it avoided competing news that day, and at the same time was early enough not to intrude on the Redskins Football game that afternoon. Six inches of snow fell overnight, which also gave the hearing what Ralph describes as "a kind of eerie atmosphere." The star witness at the hearing, Ralph Rohner, was featured on the TV evening news. The experience hooked him on consumer credit law and a desire to work on Capitol Hill.

In anticipation of his upcoming sabbatical, Ralph wrote a letter to Chairman Proxmire offering to work on his staff for half pay. Ken McLean, Proxmire's staff director, remembered Ralph and offered him an extraordinary opportunity to work on the Hill during an enormously fertile time for consumer financial services law. From the spring of '75 until he returned to Catholic in the summer of '76, he worked on the Consumer Leasing Act, the Electronic Funds Transfer Act, amendments to the Equal Credit Opportunity Act, and the Fair Credit Billing amendments to the Truth-in-Lending Act. For a time, he even worked on the drafting of a federal consumer credit code modeled on the Uniform Consumer Credit Code, though it never caught on.

In the late 70's the beginnings of Truth-in-Lending Simplification drove the Federal Reserve Board to seek experts to assist on the regulatory front. When Neil Butler joined Fred Solomon and Janet Hart at the Fed, they hired Ralph, along with Fred Miller and others, to draft regulatory amendments. Jonathan Landers, the only one who had written academic literature on the subject, was also part of the effort. While still teaching at Catholic, Ralph worked on a contract basis with a team at the Fed that he still recalls as excellent people engaged in a serious project to improve regulation.

In later, post-Simplification years, he remained involved in government relations work by working with the Consumer Bankers Association, writing briefs, regulatory comments, and Congressional testimony; and chairing the CBA's Lawyers Committee.

The House Dean Rohner Built

In 1987, Professor Rohner was tapped to be Dean of the Catholic University Law School. The biggest problem faced by the school at that time was the physical plant. The building was in such bad shape that the school's accreditation was actually in jeopardy. The original building had been constructed cheaply in 1966, rumored to be based on an elementary school design, with cinder block and tile walls, flat, square classrooms, and a big multi-purpose room as the library. The previous dean, Ralph's friend and former college roommate who was later to become dean at Villanova, had been trying for years to resolve the problem. Tackling it became Ralph's greatest challenge and greatest triumph. When he became dean, he went to the university president and outlined a plan to build a new law school building from the ground up. To Ralph's immense surprise and delight, the president challenged him: "You want a new law school building, you can have it," he said. "All you have to do is finance it." It was the opportunity of a lifetime.

Over the next several years, Ralph worked hand in hand with Monica, the school's Alumni Director, to raise the millions needed. The corner stone was laid in 1992; and in 1994 the law school moved into a large, modern, architecturally stunning new edifice. It was Ralph's vision that made it possible.

Friends and Family

Over the years, Ralph was mentor and teacher to so many practitioners in the field that it would be impossible to name them all. They are in financial institutions, consumer organizations, government agencies, trade associations, academia, and in all corners of the industry. He taught many of them at Catholic, but even those who did not have the privilege of being his student call him a mentor. He has earned their esteem through his work with the Senate Banking Committee, the Federal Reserve Board, the American Bar Association's Business Law Section, American Law Institute, the Conference on Consumer Finance Law, the Federal Reserve Board's Consumer Advisory Council (which

he chaired), the CBA Lawyers Committee, and of course, President of the American College of Consumer Financial Services Lawyers.

But Ralph would be the first to say that his greatest joy, and what he is most proud of in his life, is his family. With his lovely and accomplished wife Monica, to whom he has been happily married for almost 50 years, he has four children, Steve, Felicia, Karl and Teresa, and nine (soon to be ten) grandchildren. They all live within a few hours of Ralph and Monica, and gather at their house for a homecoming every Christmas.

His accomplishments are legion, but Ralph somehow has always retained his modest demeanor, his self-deprecating humor, and his intellectual honesty. It is telling that he is so widely respected and loved by those of all political stripes.

The American College of Consumer Financial Services Lawyers is proud to present the 2011 Senator William Proxmire Lifetime Achievement Award to Ralph J. Rohner, for his extraordinary achievements in our field, as an educator, lawmaker, author, and mentor; and out of our immense regard and respect for him personally and professionally.