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FRED MOSS, THE LAW SCHOOL'S UNSUNG HERO

*C. Paul Rogers III**

FRED Moss was indeed an unsung hero around here, always willing to labor behind the scenes for no real credit or recognition. His dedication to the law school has been unwavering for the thirty plus years he served on the faculty. In Fred's case, "served" takes on special meaning because he really did serve the law school, rather than the other way around.

For a dean like I once was, Fred was a dream faculty member. He always taught very heavy teaching loads, including Professional Responsibility, Evidence, and Criminal Law plus Trial Ad, the most labor-intensive course we offer other than our clinics. That means his typical teaching load was three large sections of required classes plus Trial Advocacy. It is unlikely that anyone here carried such a heavy teaching load for the last thirty years, but Fred did so without complaint.

Year after year Fred contributed to the betterment of the law school and was willing to do the heavy lifting. For example, Fred was the chief architect of our innovative Lawyering Course for the first-year curriculum, which now makes up much of our Legal Research and Writing course. He also ran our criminal clinic one year, stepping in when we needed him. For years before we had adequate technical support, Fred pretty much single-handedly kept the trial ad video equipment running.

In addition, Fred more often than not found himself presiding over the especially difficult honor code cases within the law school. The university learned of his impartial ability in these matters and recruited him to chair its Serious Offenses Board, where he dealt with the more arduous cases from across the university.

Fred has undertaken these thankless tasks over the years without worrying about titles, gratitude, or fanfare. He just does it because it is the right thing to do. One thing is for certain, SMU has certainly gotten its money's worth from Fred over the years. We've taken our pound of flesh and then some.

Another attribute Fred has is just showing up. By that I mean he comes to law school functions, even when he would rather be somewhere else. He does so because he sincerely cares about the school and how we are perceived in our local community. Fred is as comfortable talking to a

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federal judge or federal prosecutor (which he once was) as to his next-door neighbor. So you can count on him to appear at yet another Hughes Scholar reception at the Belo because he does care. And very often his wife Martha, who really is Fred's better half, is with him.

In fact, when one thinks of adjectives to describe Fred Moss, caring probably heads the list, although the description would also include words like selfless, dependable, conscientious, and thorough. Fred's sense of right and wrong is central to his character, and he is no shrinking violet if he believes something is not right or that a wrong needs correcting.

Of course, Fred, as with the rest of us, is not perfect. About the worst that can be said of him is that he can be a bit penurious, which may explain why he can afford to retire at such a relatively young age. The standing joke, not altogether fair, is that if Fred is at lunch, separate checks are required. I remember once years ago when the topic of clothes came up, Fred proudly announced that he had never paid more than \$12 for a shirt. Surely that is a record he has since broken.

But though Fred may be a little tight, he has many endearing qualities, many of which I have touched on. And he is far from a one-dimensional legal academic. Fred plays a mean acoustic guitar and has for years played in a bluegrass band that has had gigs at local Greenville Avenue pubs, Six Flags Over Texas, and even a nudist colony.

Fred frequently spearheaded, when he could get any cooperation from his colleagues, a faculty "rebuttal" skit or faculty song at our annual, student-produced Law School Follies. Fred was the one writing law school lyrics to well known songs like "Sixteen Tons:"

Well, you go to law school and what do you get?

Another day older and deeper in debt.

St. Peter don'tcha call me cuz I can't go.

I owe my soul to my law school loans."

Other classic Moss tunes are "Law Students Are So Funny I Could Almost Cry," written to Bob Dylan's "It Takes a Lot to Laugh and a Train to Cry" and "Hawkins v. McGee" to the tune of Chuck Berry's "Memphis, Tennessee." He retitled the classic 1950s "Sixty Minute Man" R&B tune "Fifty Minute Man" and began with

Gather 'round students, listen to me.

I'll tell you who I am,

I'm the law prof who's neat, a stone cold treat.

I'm the 50 minute man.

Fred authored one skit featuring faculty members gathering in the morning before classes to decide which students they were going to call on that day, in furtherance of the student myth. Another skit involved a mock class with law faculty members playing the typical gunner student and the sycophant while another cleaned his golf clubs and several rustled newspapers (this was obviously before laptops).

So one can readily see that Fred did many little things behind the scenes to enhance our legal community and make it a better place to teach and study law. I assume we will or have hired people to teach Fred's courses, and I am sure they will do a fine job. But they will not replace Fred because Fred is not replaceable. No one is likely to step up and perform all the small but important tasks Fred willingly undertook. He brought intangible qualities to the job that simply cannot easily be emulated or matched.

Fred and Martha have been at the core of our law school community for more than thirty years, and we are going to miss them. For example, I will miss hearing Fred say "quite frankly" as he strives to make a point at a faculty meeting. And we will all miss his willingness to roll up his sleeves and do the dirty work around here. If we are lucky, Fred and Martha will still "show up" at law school functions and remain part of our community for many years to come, at least when they are not off watching sunsets from their beloved Cape Cod. I hope there are many of those sunsets in their future because they have earned each and every one.

