Tribute to Gray Thoron

Susan Robfogel
TRIBUTE TO GRAY THORON

Susan Robfogel†

Dean Thoron, the Gray Eagle, Professor Thoron, Vice-Chairman of the New York State Bar Association Ethics Committee and member emeritus of that Committee, husband of Pattie Thoron, the man credited with making Cornell a national law school: Gray Thoron has been known by all of those appellations.

I met Professor Thoron when I entered the Cornell Law School in the fall of 1964. That year he taught our class civil procedure. From the start, he impressed upon us that intellectual brilliance is only one facet of being a fine lawyer; responsiveness to clients and hard work are equally important.

In later years, when I played a role in recruiting for my firm, I relied heavily on Gray Thoron’s opinions of Cornell students. He had an uncanny ability to predict which of his students would become successful practitioners. If Gray recommended someone to us, we were likely to make an offer to that individual, even if the candidate’s academic standing did not meet our usual criteria. Sometimes he was less than enthusiastic about a student even though class rank would suggest the individual was a prime prospect. When we followed his advice we did well; on the few occasions when we did not, we learned to regret it.

Although I was not a student at the Law School during the years of the Thoron deanship, my husband, Nick Robfogel, was. Nick, who was class of 1959, has always credited Thoron for the transition of Cornell from a great New York law school to a great national law school. He changed the curriculum, he brought large firms from all over the country to recruit, and he secured for Cornell the funds to construct Hughes Hall as an addition to the law school complex.

One of Gray Thoron’s greatest contributions to the law school and its alumni was his emphasis on the conversion process from law student to practicing lawyer. As Thoron so often reminded us, it was not enough to know the law; it was not enough to know where to find the law; one needed to know the art of lawyering, the art of acting lawyer-like. Professor Thoron taught us that for lawyers to be able to do their work they needed clients and he coined the phrase “client catching”—the right way to do it and the wrong way to do it.

He introduced us to active practitioners whom he brought to his classroom to describe the real life practice of law. He taught courses in trial and appellate practice where he taught us what to do once we set foot in the courtroom. He taught us how to behave. He taught us how to look and sound like lawyers. He taught us about ethics. He taught us that banks were good clients, and he taught us about large law firm politics. Although his own background was the corporate law offices of Wall Street, he also introduced students to practice in small cities and towns. Other courses taught me how to think like a lawyer, Professor Thoron’s class taught me how to act like a lawyer.

At a time in history when women were a relative rarity in the law, Gray Thoron did everything to encourage women with an aptitude for law to pursue it. After meeting and getting to know the wife of one of my classmates, he took her aside and told her that having gotten to know her he thought she would be a good lawyer. Had she considered going to law school? He continued to encourage her even after our class graduated. Later, when she took the law aptitude tests and did as well as he had expected she would, he was a reference for her to the Columbia Law School from which she later graduated, going on to prove the correctness of his predictions.

In more recent years I have come to think of Gray less as my professor and more as my friend and colleague. Thanks to Gray’s nomination of me, he and I served together for many years on the New York State Bar Association Ethics Committee. The ethics of the profession have been a significant part of the life work of Gray Thoron. He is widely and correctly recognized as one of the leading scholars in the area of legal ethics. It has been one of the principal pleasures of my professional career to observe Gray work through a theory professional responsibility question and logically and thoughtfully reach a conclusion. The debates in the Committee were lively, and although I can remember a few occasions on which Gray’s position did not prevail, his preparation was exquisite and his proposed opinions were always an intellectual pleasure. As he approached retirement from teaching he repeatedly proffered his resignation from the Committee. No Chairman was willing to accept it and when he finally insisted in 1986 that he really meant it, the Committee insisted that he become a member emeritus.

For several years Professor Thoron invited my husband and me to be “guest stars” for his course on Law Practice Dynamics to discuss the special problems and privileges of being a professional couple. Nick and I were very proud of those invitations. We loved
the interaction with the students and we welcomed the annual opportunity to return to the Ithaca campus.

These were also the occasions when we got to know the charming Pattie Thoron. We took great pains to schedule our appearances as guest lecturers so that there would be time for dinner with Pattie and Gray. Her wit and charm and interest in our family made those annual dinners a highlight of our year.

There are not many teachers from my years at the Law School left on the faculty. Gray is one of the last whom I knew well. For the School and for me, his retirement marks the end of an era.

Ours is a great law school with a fine heritage and a healthy future. Gray Thoron will be remembered by me and by hundreds of other Cornell alumni for the significant role he played in creating and sustaining that greatness.