

“YOUR TIME TO SHINE IS DRAWING NEAR”: REMEMBERING PROFESSOR BILL SCHROEDER

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*“The most beautiful things in the world cannot be seen or touched,
they are felt with the heart.”¹*

My friend and colleague Bill Schroeder passed away on Sunday, August 28, 2016. To say that Bill was a unique individual is an understatement; to say that our community is heartbroken and that he was well loved seems inadequate to express what a beloved member of our community he was and how much we will miss him.

Bill was a beloved teacher, scholar, friend, mentor, colleague, father, and brother and has left a lasting impact on everyone whose lives he touched. That includes generations of students who adored him, hundreds of clients whose respect and gratitude he earned by giving them outstanding representation, colleagues who were touched in so many ways by his years of friendship, and, of course, his family, who came first in his life and whom he loved with all his heart.

He joined the SIU Law faculty in 1984 and was a cherished member of the SIU Law community from that day forward. He taught evidence, criminal procedure, and other courses related to criminal law, which was his third passion—following his family and students.

Bill’s death hit all of us in the SIU Law community very hard. For me, the loss is still felt nearly every day when he does not pop into my office for candy from the candy dish on my desk. He was among the first people I met at SIU Law, and he was a regular in my office. I miss him dropping by every day unannounced, peeking his head in to see if anyone else was meeting with me and, if he saw that there was not or sometimes even if there was, coming on in, sitting down—shirt usually inside out or torn or both—popping candy in his mouth, dropping the wrapper on the floor, and talking about whatever was on his mind. Then, as abruptly as he had come in, he would pop up to leave while saying “I’m off to mold young minds.”

*. Dean and Professor of Law, Southern Illinois University School of Law. J.D., 1988, University of Southern California; B.S., 1984, Indiana University Bloomington. I am grateful to Professor Schroeder’s family and to all who assisted with and participated in his memorial service. I extend special thanks to Paul Scudder, Alicia Ruiz, Judi Ray, Patty Lynn, and Amy Curry for their assistance, support, and encouragement throughout this difficult time of loss for our community. I dedicate this to Bill’s memory and am grateful for all he taught me.

1. ANTOINE DE SAINT-EXUPÉRY, THE LITTLE PRINCE.

He brought enthusiasm, energy, and humor into his classrooms and mesmerized his students with his wit and wisdom. His commitment to SIU Law went well beyond the classroom; he would help any student with anything he or she needed. Anything. At every turn, Bill demonstrated what it means to be a member of a community, and the SIU Law community is the better for having been the beneficiary of his gifts and talents for so many years.

The bottom line is that there is no way we can avoid—nor do we even want to avoid—the sadness that accompanies the death of such a constant and important figure in our lives. However, the first thing that comes to mind when I think of Bill is not sadness; it is the joyful, mischievous, special way he lived his life.

Bill lived a life full of extraordinary accomplishments. These accomplishments are all the more impressive when you know that he did not come from a privileged background. He grew up very poor in Elmhurst, a working-class suburb of Chicago. His grandparents had immigrated when his parents were very young. His mother's family was from Quebec, Canada, and his father's family was from Germany.

His mother completed high school; his father attended school only through the eighth grade. His mother was hard on him throughout his childhood and into his adulthood, as she did not approve of his messy appearance and haphazard approach to life. Education was very important to his father, who encouraged both Bill and his brother Paul to stay in school and continue to college.

Despite being a voracious reader, he was rambunctious and rebellious and not an especially good student throughout elementary and high school, and even in college. His elementary school teachers were often frustrated with him and did not take him seriously until standardized testing began. He did very well on standardized tests, and his teachers realized that he was academically gifted. Thus, they managed to get him through school and off to college.

Despite his exceptional performance on standardized tests, he believed that virtually no question had a clear, definite right or wrong answer; rather, there were subtleties to be explored and arguments to be made on every topic. For this reason, Bill knew from a very young age that a career as a lawyer would suit him, and he aimed for that goal.

He achieved that goal and had an exceptional career in law. He earned his B.A. and J.D. degrees from the University of Illinois and his LL.M. from Harvard Law School. He was a member of the Bars of Illinois; Kentucky; Massachusetts; Missouri; U.S. District Court, Massachusetts and Southern Illinois; U.S. Courts of Appeals for the First, Seventh, and Eighth Circuits; and the Supreme Court of the United States.

Prior to his career in academia, he practiced law as an Assistant District Attorney, Bristol County, Massachusetts; Deputy Director and Director of Litigation, Monroe County Legal Assistance, Rochester, New York; Assistant Attorney General, Commonwealth of Massachusetts, Boston; Associate, Crane, Inker & Oteri, Boston; and Reginald Heber Smith Fellow, Boston Legal Assistance.

Before coming to SIU, he taught as an instructor at Boston University Law School, a teaching fellow at Boston College Law School, a visiting professor of law at the University of Missouri-Columbia, and an associate professor of law at the University of Alabama. He also taught several times as a visiting professor at Washington University in St. Louis, Missouri.

Among his many professional activities, he served as a Reporter for the Illinois Supreme Court Benchbook on Evidence (2006 to 2016) and as a Fulbright Scholar in Lithuania in 2004. In 2015, he was appointed by Illinois Governor Bruce Rauner to the Illinois Civil Service Commission. He was a member of the Order of the Coif (Boston College Chapter).

He wrote several books on evidence and many book chapters and scholarly articles.² His scholarship was frequently cited in other law review articles as well as by courts, including the Supreme Court of the United States.

He received the SIU School of Law's Graduating Class Award for Best Faculty Member in 1988, 1990, 1993, and 2002. He was the first recipient of the SIU Law Faculty Excellence Award for Teaching in 1995, and he received the Outstanding Scholar Award in 2009. He made a meaningful and lasting impact on every student he taught.

But, beyond all these impressive professional accomplishments, I would be remiss if I did not take this opportunity to tell you all the things he would want me to tell you if he were standing over my shoulder helping me write this.

He would want you to know that he was a master poker player and a genius at trivia, though he never quite mastered the art of turning on a computer. He would want you to know that he loved hanging out with his current and former students. He would want you to know that he shared his birthday with Wyatt Earp.

Even more than that, he would want you to know that he adored his family and would walk across fire for his children. He would want you to know that he did his very best for them and that every decision he made, he made with them in mind.

He would also want you to know that he believed in second chances and that one of the reasons he loved the legal profession so much—and

2. See generally William A. Schroeder, S. ILL. U. SCH. OF L., <http://www.law.siu.edu/our-people/faculty/emeritus-faculty/schroeder-publication.html> (last visited Mar. 9, 2017).

criminal law in particular—was because of his belief in the importance of forgiveness, redemption, and second chances.

He would want you to know that he vigorously advocated on behalf of his clients who had made mistakes because he understood that being human means making mistakes and being humane means forgiving them. If he were here advising me about what to say, he would have really agonized about whether I should use concrete examples from his own life here. I would have recommend against that. He would have acquiesced eventually, and we would move on. So that is what I will do.

If Bill was standing over my shoulder telling me what to write, those would be some of the highlights.

And then there are the Schroeder-stories. Everyone who ever knew Bill has a story or several stories about him that reflect his uniqueness and eccentricity. I know of no non-fictional person about whom there are more great stories! Most people's stories begin with how or when they met him. He was such a force of nature, such a unique individual that upon first meeting him, one's hippocampus was immediately awakened and a long-term memory was instantly formed. He was startling in his brilliance and shocking in his lack of concern for the unimportant things in life, such as whether his shoes had soles; whether there was a bird's nest in his office; whether there was a slice of bacon on his car seat; whether a koala was about to bite his finger; or going to a \$40 breakfast buffet and eating only a banana.

His wit and wisdom—and also his personality—are evident in the Schroederisms, which are a chapter unto themselves in the Schroeder storybook. These short sayings reflect his unique perspectives and his uncanny ability to boil things down to a phrase that accurately and humorously explains complicated concepts and general rules of orderly life, such as:

“These people are not mental giants.”

“The right to remain silent only works for those who remain silent.”

“Even paranoids have real enemies.”

“This is the class where you will learn that there is nothing so stupid that somebody won't do it.”

“Life is full of many disappointments.”

“Life is hard, it's even harder when you are stupid.”

“You're presumed innocent, but that's just rhetoric.”

“Think of the dumbest guy you know. Now think of the guy that guy thinks is dumb...that's who we are dealing with here.”

“Is it relevant? Is it material? If not, it cannot be evidence.”

“When people are killed by other people, they sometimes linger a while and talk about who killed them, which is not an irrational subject to discuss at this point.”

*“Everyone is more or less guilty of
more or less what they have been charged with.”
“I’m not totally persuaded by the argument I’ve made.”
“The answer is ‘Who the hell knows?’”*

And my personal favorite: *“Your time to shine is drawing near.”*

The list goes on and on, and if you knew Bill, you can easily imagine him saying these Schroederisms with a droll smile on his face, punctuating his point by pointing at you with four fingers together. But, as wonderful as the stories and Schroederisms are, and as much as they form the basis of our joyful memories of him, Bill was more than the sum of these stories.

I have thought of Bill often over the last few months. As I have watched our country become more and more divided, I have wished I could talk to Bill. We did not agree on almost anything, but at the same time, we had no disagreements. How could that be, you may wonder? It is because we shared a love for our profession and its emphasis on the peaceful application of reason to resolve disputes. We both agreed with the basic and fundamental ideals of civility and respect for others. I could have a conversation with Bill about anything and vehemently disagree with him. He would listen to me and I to him. We could each express our differing opinions without the slightest raised voice or worry that we would not both come out of the conversation respecting each other—probably even more than before.

We live in a complicated time, where we are bombarded with extreme views and where it is easy to shut out, delete, and unfriend those views that do not align with ours. But, the lesson of Bill’s life, in my opinion, is that we should do the opposite. We should face opposing views—not by retreating to our corner or lashing out with our own hyperbole—but with respect and with a mind open to learning from one another.

Everyone who knew Bill has a special memory or two or three or more, and all of the special memories involve humor, happiness, and the joy that it was to be occupying the same space on this planet with Bill. He will forever be in our hearts, and we will always remember him with a smile on our faces. I will be forever grateful that fate allowed me the opportunity to know and work with him.

I close with Bill’s philosophy of life summed up in his own words: “I kept my eye on the goals. I always had the attitude that there is a way; there is always an exception. You just have to find it. And there is always a winner. It might as well be me.”³

3. William A. Schroeder, Last Lecture, Southern Illinois University School of Law (Apr. 17, 2014).

