



# Remembering Former Law Dean Steven Frankino

By Richard E. Shugrue, Professor of Law

When the saga of the Creighton University law school is told to our grandchildren, the names of great and fabled educators will be mentioned and tales will be recounted of how they dreamed of an enduring foundation on which to help shape this nation's lawyers.

Archive Photo

The Moot Court Room in the old law school building.



Courtesy of Villanova University

Steven P. Frankino, the former dean of Creighton University's School of Law, died Sept. 26, 2005, at age 69. He suffered from lung cancer. Frankino, a native of Butte, Mont., was dean of the school from 1971-77. He later served as dean of two other law schools, the Catholic University of America and Villanova. He received his law degree from Catholic University in 1962. After leaving Creighton, he joined what is now Kutak Rock in Omaha, before returning to his first love, legal education. A member of the American Law Institute, he was active in the American Bar Association's Section of Legal Education and Admissions to the Bar. Frankino is survived by his wife of 40 years, Rosemarie Leonardo Frankino, of Wayne, Pa.; three children, Christina Marie Frankino, Alleen Marie Frankino-Lint and Sean Frankino; a brother and two granddaughters.

Names such as Timothy Mahoney, the Iowa school man who became the founding dean, and his almost mythic associate, Constantine J. Smyth; Paul Martin, Louis J. TePoel and James Doyle, deans who assumed the leadership of the school.

And Steven Frankino, the dean in the early 1970s, who was the visionary builder of the Ahmanson Law Center and then went on to lead two other Catholic law schools, the Catholic University of America in Washington, D.C., and Villanova University in Philadelphia.

He was a man who was larger than life, blessed with an infectious vision which captivated a bright young faculty. He was talented artistically and gustatorially. A robust storyteller, a gifted teacher, a challenging administrator, Frankino made his mark on academia and the legal profession in the Midlands, and then moved on to new dreams.

### Integrity, Dreams Characterized Life

No one worked more closely with Dean Frankino than Rodney Shkolnick, now the senior member of the Creighton law school faculty, who served as associate dean during the Frankino years. The men contrasted in many ways: Shkolnick is modest, reflective and low-key, whereas Frankino was regarded as bold, flamboyant and visionary.

Yet the late dean demanded integrity in legal education and a high degree of independence in the conduct of affairs for the professional schools, Shkolnick recalled. Frankino trusted the judgment of those with whom he worked and reveled in their achievements, he added.

Professor Ed Birmingham, who had been recruited to the Creighton law faculty by Dean Doyle in 1970, had gone to law school at Catholic University of America where a young Steve Frankino had been teaching.

Doyle had announced his retirement as dean, and a national search was under way for a leader for the Creighton law school. Birmingham, who joined the Creighton faculty permanently after teaching for two years at the University of South Dakota, had vivid recollections of the enthusiasm Frankino brought to the classroom and the ideals he had shared with his students about legal education, so he naturally nominated his former teacher for the Creighton position.

"Frankino was, first of all, a great teacher who understood much about the world of legal education. He believed that Creighton could thrive, that it could attract a dynamic young faculty, and that it could start drawing students from throughout America," Birmingham said.

High on the new dean's list of priorities was a new building which could serve as a model of legal education and an attractive focal point for lawyers and judges, the longtime Creighton veteran said of his old

mentor at Catholic. Frankino shared his dream that Creighton could become an institution with a national reputation for excellence.

“He believed that Creighton should reach out as a top legal educational institution and be proud of teachers with ambition and talent. He immediately looked to great graduate schools, honors government programs and top firms to recruit new teachers,” Birmingham said of the recruiting trips made by Frankino and Shkolnick in those early days.



Archive Photo

Frankino served as dean of the Creighton law school from 1971-77.

## Faculty Built, Building Planned

Terry Anderson and Mike Fenner were in the first “class” recruited by Frankino for the Creighton faculty. Anderson, a University of North Dakota graduate who was finishing his Master of Laws degree at Harvard University, and Fenner, a University of Missouri-Kansas City graduate who was working at the Justice Department Honors Program in Washington, D.C., met the dean and Shkolnick at the Association of American Law Schools Faculty Recruitment conference.

“Frankino exuded such an upbeat vision of Creighton that you couldn’t resist being part of his plans,” Anderson said.

Fenner echoed the infectious enthusiasm of the dean at their first meeting. He had such a positive attitude and was surrounded “by such a sense of momentum that you just wanted to be part of what he was doing and had planned for the law school,” Fenner indicated.

Anderson and Fenner agreed that Frankino had a sense of style about him, an air of a man who knew precisely what he was doing.

Even though he was just in his first year as dean and no formal plans had been made for constructing a new school, his view of legal education sounded positive, both Fenner and Anderson recalled. Fenner added that his new dean “was the kind of human you liked to be around. His

laughter was contagious, he was urbane, and he was blessed with a talented and lovely wife.”

“By the time I got to Omaha for my campus visit, it was obvious the old school was inadequate. But he had a dream of a new place, whether it was going to be in downtown Omaha, or somewhere else in the community. I really didn’t care, because he was so assuring,” Anderson said.

Over the years, Frankino gave personal encouragement to Anderson in his career development plans. “He told me to dream large, and to open my mind to new opportunities,” Anderson said. The new teacher started his career as a public law specialist, emphasizing courses such as poverty and criminal law, “but Frankino encouraged my branching out into business areas, such as contracts and secured transactions and insurance law.”

In just two years the new dean added nine new faculty members to the three picked by Doyle in his last year as administrator. Two professional librarians were recruited for the task of designing and building a collection for the new facility.

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graduates shot up to more than 120 by the spring of 1973, and the following year, when construction was finally under way on the Ahmanson Law Center, the number of new alums had risen dramatically to more than 150 in the combined commencements of the law school.

This was in a building which, while substantial for its post World War I size, was built to accommodate a mere 150 students in all three classes.



Archive Photo

An archive photo of the old law school building, now the Hitchcock Building, on the Creighton campus. Frankino recognized the need for a new building that could more comfortably accommodate law school faculty and students.

## Fond Memories of Frankino Celebrations

For half a century, two spaces dominated the old law school: the moot court room on the first floor, with the territorial bench before which generations of students have honed their skills as advocates — and the library. The library had commanded the second level of the building housing a collection that, while not of Oxonian proportions, was adequate to scores of years of students. The patrons of the library had slid comfortably into the classic wooden chairs behind sturdy tables, which gave a patina of stability to the large room.

As twilight descended on the southwest face of the venerable red brick building, a warm glow comforted the library where students and lawyers tackled research problems that would consume them for hours into the night.

To Dean Frankino, who had not hesitated to start redesigning the three floors of the building to reflect the needs of a growing faculty and an exploding student body, the library was the perfect place to hold a grand and elegant dinner to celebrate a new era of legal education.

Not one to be slowed by conventional use of space — he had, in the first couple of months on the job, gutted classroom space on the third floor to make room for new faculty offices and fashioned an administrative suite in the east wing of the building — Frankino planned a banquet at which Count John Creighton might have feted Grover Cleveland or Buffalo Bill. The furniture in the library was strategically moved, thousands of books were temporarily stored in the halls, catering stations were set up, silver candelabra were installed on damask napery, and a sumptuous feast was laid out for the awed guests.

The evening celebrated promise and success for the recently hired faculty and extended the new dean's welcome to his Creighton family. The sophistication of the dean impressed everyone who may have tasted their first goblet of Pouilly Fuisse (a distinct white wine from the Maconnais region of France) and Chateaufort du Pape (a Cotes du Rhone red wine), but not their last at celebrations this man with a taste of a sommelier served over the years.

Every faculty member must have felt that this was a special place, that it had great promise. The event accomplished what it set out to do, in that people returned to work with a feeling that Creighton was the right place to be.

Frankino cajoled space in the old dental school and in the then-new Rigge Science Building for classes and installed trailers outside the moot court room to house the law review. Law students could view dental patients waiting to see clinicians, undergraduate students squeezing by them in lab hallways, and even ballet classes across the hall from torts classes as new uses were constantly being found for displaced Creighton programs.

## Detailed Attention to Use and Design

But all the time his eyes were set on a new facility. Frankino dreamed “outside of the box,” envisioning, first, acquisition of the old First National Bank Building at 16<sup>th</sup> and Farnam streets, and, later, a building on the Mutual of Omaha campus at 33<sup>rd</sup> and Farnam streets as potential homes for the school.

He gleefully told lawyers and judges that the bank building would be perfect.



Steven Frankino shaped every inch of the Ahmanson Law Center, pictured above, which was completed in 1974.

The trust offices on the mezzanine level could house the faculty, the main banking floor would be a perfect library, and the vault could be a club and tavern for

To that end, the design he envisioned with the professional team from the Leo A. Daly Company would be a modern teaching facility, which was open and

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Omaha attorneys. The upper floors could be leased to practitioners eager to be near a fine library and a mere block from the courthouse.

But what Frankino really had in mind was a building which would be an architectural icon, attracting educators and practitioners from all over America.

welcoming to the entire community and not just the judges and lawyers who gathered for seminars, celebrations of installations of new jurists, wedding receptions and retirement parties.

Frankino shaped every inch of the Ahmanson Law Center. Probably no other dean in America was so intimately involved in the construction and

furnishing of a new home for teaching and learning as he was. From the decision on the wood and glass that gave the school its unique modernism, to the outfitting of the classrooms, offices and common area, Frankino’s deft imagination was present. The aggregate stone that characterized the halls and the Schneider Commons (named in honor of Creighton academic vice president the Rev. Clement J. Schneider, S.J., who worked hand-in-hand with the dean to realize the building) was Frankino’s innovation.

The easy access to faculty offices, the dean believed, would set apart Creighton’s student-centered approach to education from the isolated, bunker-like quarters found in many traditional law schools. He insisted on a warm, welcoming common area where students could mingle with lawyers and judges.

From the brick walls to the copious built-in bookcases that adorn faculty offices, to the windows that open throughout faculty row (rarities and luxuries in 1970s architecture), a special skill was brought to the project. Years later, Fenner said, with a twinkle in his voice, “One beautiful spring day, I opened my window and breathed in the fresh air ... and jotted a note to Steve Frankino thanking him for thinking about windows that open!”

Even the visiting professors’ suite (which is now the Milton Abrahams Legal Clinic) was a Frankino innovation in 1970s design. He foresaw the day when distinguished visitors could be housed near the students, but in comfort and elegance. The suite became temporary home to international scholars, recruits for teaching positions and such all-University guests as former President Jimmy Carter.

The newly expanded school with the multiple purpose classrooms meant that Frankino could inaugurate another of his dreams for enhancing Creighton’s

national reputation. Distinguished speakers would be invited to address the students, University and legal communities and asked to expand on their remarks for major articles in the *Creighton Law Review*.

Renowned speakers such as Harvard’s Lawrence Tribe, Michigan’s Yale Kamisar and Judge Robert Bork accepted the invitations. In Frankino’s magnanimous style, they were feted to banquets with the faculty and introduced to the community with generous receptions in the commons areas following the addresses.

For the first time, Creighton hosted actual cases by the appellate courts serving the Omaha area. This began a tradition that continues now for the United States Court of Appeals for the Eighth Circuit and the Nebraska Supreme Court, which argue cases at the school. Other tribunals, such as the Nebraska Workers Compensation Court, started conducting hearings in the Doyle Trial Court Room.

Frankino, a devout Catholic, appreciated and celebrated the religious identity of the Jesuit tradition. Not long after he arrived in Omaha, he marshaled the full cooperation of the Jesuits, local judges and lawyers for celebration of the Red Mass. The venerable custom began in medieval Europe in the 13<sup>th</sup> century to honor the Holy Spirit at the beginning of the judicial term. It received its name from the fact that the celebrant was vested in red and, in England, the high justices wore scarlet robes.

Frankino left Creighton to participate in the dream of another giant in American law, Bob Kutak, co-founder of the national firm that carries his name. The dean’s talents as planner and educator helped his new colleagues shape their vision of the practice in an exquisite setting. When he was done with that challenge, Frankino went on to even newer tasks. His life was as full as the memories of those who worked closely with him to fashion a place for 21<sup>st</sup> century professional education.



Photo by Mark Romesser

**About the Author:** Richard E. Shugrue is professor of law at Creighton University. He joined the Creighton faculty as associate professor and chair of the Department of Political Science in 1966 and as associate professor of law in 1971. He has written articles for the *Creighton Law Review*, *The Prairie Barrister*, *Trial Lawyers Forum* and the *Nebraska Law Review*. He has been elected to the chair of the House of Delegates of the Nebraska State Bar Association. Shugrue is a former member of the board of directors of the American Judicature Society. He teaches Constitutional Law, Criminal Procedure, Municipal Corporations and Post-Conviction Relief courses at Creighton. He can be reached at [shugrue@creighton.edu](mailto:shugrue@creighton.edu).

**Editor’s Note:** The Ahmanson Law Center is named in honor of the late Hayden W. Ahmanson, JD’23. Ahmanson was born and raised in Omaha. He was president of the National Fire Insurance Company and also served as president of the Omaha Chamber of Commerce. He died in 1960. A gift of \$2 million from the Ahmanson Foundation of Los Angeles was designated for the construction of the Ahmanson Law Center in 1973.