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## **Dedication: Donald Theodore Trautman**

Born in Cleveland, Ohio, on June 6, 1924, Donald Trautman, my friend and colleague, died in Cambridge, Massachusetts, on September 18, 1993. A graduate of the Western Reserve Academy, he came to Harvard College in 1942. Thereafter, Cambridge and Harvard University were to be the focus of Donald Trautman's life. His graduation was delayed by World War II and by his participation in an innovative joint-degree program in law and economics. A member of the College Class of 1946, his B.A. and J.D. were conferred in 1951. During 1951-1952, he traveled in Europe on a Sheldon Traveling Fellowship from Harvard. He served as law clerk to Justice Felix Frankfurter in 1952-1953 and, immediately thereafter, was appointed an Assistant Professor of Law at Harvard. In 1956, he became Professor of Law and, in 1980, was named Charles Stebbins Fairchild Professor of Law; the following year he became Henry Shattuck Professor of Law.

Susanah Bailie and Donald Trautman were married in 1954. Their three children, William, Ann, and Benjamin, were brought up in Cambridge. Summers regularly took the family to Martha's Vineyard and, later, to Vermont. They traveled widely in the United States and Europe. As a Guggenheim Fellow, he and his family spent a memorable sabbatical in Rome during the 1968-1969 academic year.

Professor Trautman served as an Adviser to Professor Willis Reese, the Reporter for the Restatement of the Law Second, Conflict of Laws 2d, from the beginning of the work on that important Restatement. For more than three decades, he was an active member of the American Law Institute. In the year preceding his death, he tried hard to persuade the Institute to change its views on choice of law in complex litigation, especially with respect to tort issues, a problem addressed in this symposium dedicated to his memory.

In the early 1980s, the State Department enlisted Professor Trautman to assist in the preparation of what became the 1985 Hague Convention on the Law Applicable to Trusts and on Their Recognition. He served as the U.S. expert on the Conference's Study Group and represented the United States on the special commission that prepared the draft convention which formed the basis for the Conference's 15th Session in 1984 at which the Convention's final text was adopted. The United States has yet to ratify the Trust Convention, but the chances are good that it will do so in the near future.

These and many other activities took place against a background of teaching, research, and writing. Professor Trautman's teaching program at Harvard typically included accounting and conflict of laws. He also taught trusts, admiralty, and—in recent years—computer-assisted legal instruction. From 1979 until his death, he worked with great persistence and success to encourage—and facilitate—the use of computers in legal education. In 1982, he was instrumental

in the formation of the Center for Computer Assisted Legal Education and became its first president. Today, 134 American and dozens of foreign law schools are members.

In 1959, Professor David Herwitz and he published their edition of *Materials on Accounting*. In 1965, he and I brought out *The Law of Multistate Problems*. The book, and two articles that grew out of it, are representative of Donald Trautman's contribution to the field that was his abiding scholarly interest, conflict of laws.

*The Law of Multistate Problems* is essentially an unwritten treatise on conflict of laws. Two articles that he and I published in the late 1960s are largely based on ideas and analyses that were worked out for the book. Our 1966 *Harvard Law Review* essay on jurisdiction to adjudicate set out a coherent theory of the subject and developed the previously unused concepts of general and specific jurisdiction to replace the traditional—and obfuscating—concepts of jurisdiction *in personam* and jurisdiction *in rem*.<sup>1</sup> The theory of jurisdiction we expounded has significantly influenced theory and practice, not only in the United States, but also in Europe.

The second article, published in the *Harvard Law Review* in 1968, dealt with the recognition and enforcement of foreign judgments.<sup>2</sup> It explored more fully and deeply than any previous writing the interrelations between rules and theories respecting, on the one hand, choice of law and jurisdiction to adjudicate and, on the other, recognition and enforcement of foreign judgments.

Collaboration with Donald Trautman was demanding and rewarding. He had a superb analytical mind and a fine sense of clarity and style in writing. He stood firmly against such deviant behavior as dangling participles and split infinitives. Indeed, any manuscript that he reviewed benefited from his comments even if the field was not among his specialties. His writing and teaching contributed a great deal to the areas of law that he addressed. We shall sorely miss him as a scholar but equally as a friend—intelligent, fair, sensitive, and generous to a fault.

Arthur T. von Mehren\*

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1. Arthur T. von Mehren and Donald T. Trautman, *Jurisdiction to Adjudicate: A Suggested Analysis*, 79 Harv. L. Rev. 1121 (1966).

2. Arthur T. von Mehren and Donald T. Trautman, *Recognition of Foreign Adjudications: A Survey and a Suggested Approach*, 81 Harv. L. Rev. 1601 (1968).

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