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## FORREST BENTLEY WEINBERG: A DEDICATION FROM HIS FRIEND AND COLLEAGUE

Stephen J. Werber\*

After a long struggle with cancer our friend and colleague, Forrest B. Weinberg, died on May 27, 1988. His death marked the loss of an outstanding teacher, scholar, and lawyer. Of greater importance was the loss of a gentle, compassionate man of great courage. The Cleveland-Marshall College of Law community was blessed with his presence for only three years. Some of us, more fortunate than others, knew Forrest before he resigned his partnership at Hahn Loeser & Parks to join the faculty as an assistant professor. Those of us who knew Forrest before he joined the faculty were unanimous in the belief that if he could be persuaded to leave practice and join us we would all benefit. Forrest's contributions to the law school community more than justified our belief.

Over these few years Forrest touched all of us with his integrity, compassion, sense of humor, and overwhelming gentility. He was the epitome of the best the legal profession could produce. A lawyer has obligations to his family, clients, fellow lawyers, community, and those that will follow in the profession. Forrest Weinberg met all of these obligations with a humaneness rarely observed in modern society. He served his clients for over thirty years and was nationally recognized as an expert in Bankruptcy Law. During this time, he was involved in many difficult corporate decisions and guided more than one corporation to success without resort to tricks or borderline ethical behavior. Forrest did more than apply or advise of the law for his clients. He enabled his clients to act within the law to promote their best interests while adding a calming spirit of confidence which assisted all to overcome problems. His counsel enabled many to survive bad times. The clients' interests always took priority and often led Forrest to invest countless hours to promote those interests even if it meant the sacrifice of other important facets of his life.

At times, this effort for his clients should logically have had an adverse effect on the time he could spend with his wife and children. Yet he was always there for his family. Each of his children has told me many times of the things that Forrest did for his family. Indeed, the readings he did

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with his children at bedtime remain a fond memory for them. When Sally, his wife, entered the business world, Forrest was supportive and encouraged her initiative. Forrest loved his family deeply. He regretted that he had not entered teaching earlier, partially because it would have allowed him more time to share his love with his family and with his students.

Shortly after his death one of Forrest's daughters told me that Forrest felt he had not left his mark. He believed that he did not do enough to benefit society. Forrest rarely erred, but this belief was a major error. If this were an examination answer, his grade would be "F." Forrest left a standard for all of us to emulate. He was a perfectionist as a lawyer and as a teacher. He stood for the highest principles of the profession and will always be remembered as a man of greatness. His legacy is a mark of professionalism and caring. No man or woman can ask for more. He was the rare person who touched all around him with a calming, empathetic, and intelligent presence. He epitomized the man so compassionate that he would never denigrate another.

Forrest Weinberg recognized that as a man and a lawyer he had responsibilities to the communities in which he lived. He saw this not as a duty but as a privilege. He gave freely of his time and energy and was willing to do so in an upfront manner. His letters to the *Plain Dealer* and the *Cleveland Jewish News*, some written only weeks before his death, consistently raised key issues and stated well conceived positions regardless of any controversy his view might generate.

He was dedicated to his religion and was a leader of the Jewish community. He was dedicated to his practice and helped mold his firm into the outstanding firm it has become. He was dedicated to his students and made all of them better for having been in his class. He made them better in terms of legal knowledge and, more importantly, in terms of the ideals for which they must stand. Forrest's example taught our students what it meant to be a professional. He proved to his students that one could be a successful lawyer without the arrogance and lack of respect for an adversary too often exhibited by others.

When Forrest became too ill to teach the second semester of a first-year contracts class, I was privileged by being allowed to fill in for him. His students had been given a solid first semester. The transition was substantively easy, though the students had to struggle with my very different style. The last class will always remain vivid to me. Forrest asked if he could come in to conduct a portion. I sat with the students and admired what I was seeing. Here was a man in pain, knowing that death was soon to come, standing before the class and providing them with readings from a variety of authors stressing the ethics and imperatives of the law and our system of justice. He read from *The Devil and Daniel Webster* and I could see the jury of American villains in my mind. He read

from Abraham Lincoln and the magnificence of Lincoln was before me. God, he was good.

He did this with enormous reserves of strength and courage. This gentle man had more courage than most of us can imagine. His disease was a painful and debilitating form of cancer. In its face, he lived out the remainder of his life as fully as possible. He underwent experimental blood therapy, not only in an effort to extend his own life, but because these experiments might help those that suffered from this form of cancer in the future. He never complained and refused to let his colleagues extend sympathy. Rather, he showed us all what it meant to stand fast against a foe that could not be defeated. A line in *Man of La Mancha* states, "To fight the unbeatable foe." This was Forrest. He could not win, but fought to the end. If Forrest ever entered the "why me" stage or the "anger" stage of a fatal illness, he never let it show to his friends, colleagues, or students. Instead he took pleasure out of what he could accomplish and taught until only weeks before his death. He willed himself to live to the conclusion of the course. The students in that class completed the standard evaluations. Each evaluation stressed how much that student had learned. Not a single one mentioned the teacher's illness or that it had adversely affected his teaching. This is just how Forrest would have wanted it.

As a faculty colleague, Forrest served on various committees and was always there to discuss a legal point or problem. He was a man who kept confidences and, as one of the elders of the faculty, a man to whom others frequently went for advice. He never ducked the hard question and always helped when he could. Yet he could say no if the request violated his principles or raised a conflict within the school. If Forrest said you were wrong, he did it so gently that you were not hurt. If he said you were wrong, you usually were. Forrest contributed greatly to our faculty and our students.

He provided us with a keen intellect, a probing mind, and a sense of what it meant to be a teacher. He loved teaching. He even seemed to enjoy faculty meetings. He made us all better than we were before we came to know him. The Memorial Fund and programs being created in his memory cannot replace the inner growth that he gave to so many of us. This man of principle knew that other, lesser persons, could not meet his standards but made none feel inferior.

Forrest Weinberg leaves us with a remarkable legacy. Our college community has benefitted from his teaching and scholarship, his contributions to college administration, and his commitment to excellence. His example of proper interaction between faculty and student was, and is, a lesson for us all. We have all benefitted from knowing a true professional and a true gentleman. He was a friend and teacher in the finest sense of the terms. We will miss him. I will miss him.

Shalom my friend.

