

Daniel M. Schuyler

COFOUNDER

Daniel Merrick Schuyler retired from Schuyler, Roche & Crisham, P.C. in 1998 after practicing law for 61 years and continued to serve as counsel emeritus until his death in 2001. He was tenacious in serving clients, creative in resolving disputes and wise in his counsel. Former Dean David S. Ruder of Northwestern University School of Law, where Daniel taught for more than 30 years, once wrote:

Dan is uniformly appraised as excellent in everything he does. He is regarded by his faculty colleagues as an eminent scholar and a prolific writer; by his students as a dedicated and concerned teacher; by his fellow members of the bar as a leading practitioner; and by the legal community as a responsible civic leader. To have received any one of these accolades would be an ample accomplishment. That Dan Schuyler has received them all—as scholar, teacher, practitioner, and civic leader—is a profound tribute to an outstanding man.



1912 to 2001

Dan, who passed away on September 25, 2001, was born in Oconomowoc, Wisconsin, on July 26, 1912. An inveterate sportsman, he raced hydroplanes as a teenager throughout the state, winning many trophies. He received his bachelor's degree from Dartmouth College, where he had been captain of the varsity gymnastics team and from which he graduated summa cum laude in 1934. Three years later he graduated from Northwestern University's law school after earning Order of the Coif, Phi Beta Kappa and Phi Delta Phi honors. Dan followed his father, Daniel J. Schuyler, Jr., and his grandfather, Daniel J. Schuyler, Sr., into the practice of law by joining their firm—Schuyler, Ballard & Cowen—which served the citizens of Illinois through many transforming events.

In 1863 Dan Schuyler's grandfather established his practice in what was then part of the western frontier. Born when Chicago was only a village, Daniel J. Schuyler, Sr., grew up on his family's farm near Amsterdam, New York, plowing fields and raising crops until he left home at age 17 for college and law school. Drawn by the lure of the West, Dan's grandfather moved to Chicago and never looked back. In 1871, after the Great Fire had leveled the city, he remained committed to its rebuilding. He acquired a sterling reputation practicing admiralty law, addressing problems arising from the proliferation of water transportation. Indeed, he succeeded in so many matters on behalf of his clients that he acquired a reputation in Cook County, Illinois, and in the U.S. courts as "the fighting lawyer." As the town became a city, Schuyler was instrumental in its development. He was also among the organizers of the first Chicago Bar Association and a member of several prominent business and social clubs.

Dan's father, Daniel J. Schuyler, Jr., joined his father's law firm in 1899 and within 10 years gained statewide recognition as a powerful corporate lawyer after single-handedly negotiating the sale of the Tremont House and Commercial Hotel. Perhaps his greatest success was as lead counsel for the Illinois Central Railroad in quietly guiding the movement to pass the 1919 "Lake Front Ordinance," part of "The City Beautiful" plan. The ordinance was instrumental not only in providing for electrification of the railroad north of Roosevelt Road, with a new terminal near the lakefront, but also in establishing parkland and boulevards along the shoreline of Lake Michigan and numerous viaducts allowing Chicagoans easy access to the lakefront. That Chicago now has one of the most beautiful waterfront vistas of any international city is due in no small way to the vision Daniel, Jr., demonstrated.

EXPERIENCE

Schuyler, Roche & Crisham, P.C.*
Chicago, Illinois

Shareholder
1937 to 1998

Member Emeritus
Executive Committee
1994 to 2001

Member
Executive Committee
1983 to 1994

**And predecessor.*

Northwestern University School of Law
Chicago, Illinois

Professor Emeritus
1980 to 2001

Professor of Law
1952 to 1980

Associate Professor of Law
1950 to 1952

Lecturer
1946 to 1950

In the 1929 edition of *Chicago and Its Makers*, authors Gilbert and Bryson wrote of Dan's father and grandfather:

The Schuylers, father and son, have had places back of the wings; as trusted lawyers they have seen the history unfold in all its intimate details. And they have played no minor though unspectacular roles themselves.

Like them, Dan's willingness to work behind the scenes speaks volumes about his character and service. His own practice concentrated on property, antitrust, healthcare and, most significantly, trust and estate law, which he was instrumental in enacting in Illinois during his long career. His service championing legislation and conducting litigation that improved the operation of trusts and estates is well documented. So well known was Dan in this role, he might have chosen to limit his practice to trust and estate law; his mind was far too active, however, to find satisfaction in only one area of law. He relished the challenge of addressing the miscellaneous cases that crossed his desk.

Dan's distinguished service to clients was the foundation for a fulfilling career in teaching as well. Dan lectured on future interests, trusts, real property and real estate transactions at Northwestern University's law school from 1946 to 1950, where he was an associate professor of law from 1950 to 1952 and a professor from 1952 to 1980, when he became professor emeritus. Of his own student years at Northwestern, Dan wrote:

Our class has a unique place in the history of the Law School. Our law school days were spent during the Great Depression, and our experience was unlike that of previous or succeeding generations. However, the lessons we learned in that period of uncertainty turned out to be useful in our professional careers and in our personal lives . . .

From these lessons grew Dan's conviction that each generation is duty bound to lay a foundation for the next; thus he dedicated himself to a legacy of commitment for future attorneys to emulate. Following his retirement in 1998 and until his death three years later, Dan lived in Chicago. Here at Schuyler, Roche & Crisham, P.C., his tradition of service endures, and we will continue to honor his legacy of excellence in the practice of law.

EDUCATION AND DISTINCTIONS

J.D., Order of the Coif,
Northwestern University Law School,
Chicago, Illinois, 1937.

A.B., Summa Cum Laude,
Dartmouth College, New Hampshire,
1934.

Phi Beta Kappa

Phi Delta Phi

BAR AND COURT ADMISSIONS

Illinois, 1937

United States Supreme Court, 1942

Wisconsin, 1943

ACHIEVEMENTS

In addition to influencing the development of Illinois trust and estate law through legislative representation of clients and various bar associations, Dan litigated matters that defined the role of law in many aspects of human and corporate life. The following are among his more noteworthy cases:

- *Wilk v. AMA*; 895 F.2d 352 (7th Cir. 1990); 719 F.2d 207 (7th Cir. 1983)
- *Laundry Equipment Sales Corp. v. Borg-Warner Corp.*, 334 F.2d 788 (7th Cir. 1964)
- *DeKorwin v. First National Bank of Chicago*; 275 F.2d 755 (7th Cir. 1960); 267 F.2d 337 (7th Cir. 1959); 170 F. Supp. 112 (N.D. Ill. 1958)
- *In re Le Vee & Co.*, 252 F.2d 214 (7th Cir. 1958)
- *National Dairymen's Association v. Dean Milk Co.*, 183 F.2d 349 (7th Cir. 1950)
- *Niven v. Siqueira*, 109 Ill. 2d 357, 487 N.E.2d 937, 94 Ill. Dec. 60 (Ill. 1985)
- *Jenkins v. Delon Wu*, 102 Ill. 2d 468, 468 N.E.2d 1162, 82 Ill. Dec. 382 (Ill. 1984)
- *Northern Trust Co. v. Tarre*; 86 Ill. 2d 441, 427 N.E.2d 1217, 56 Ill. Dec. 671 (Ill. 1981); 83 Ill. App. 3d 684, 404 N.E.2d 882, 39 Ill. Dec. 291 (1st Dist., 1st Div. 1980)
- *Knight v. Bardwell*, 32 Ill. 2d 172, 205 N.E.2d 249 (Ill. 1965)
- *Hogan v. Bleeker*, 29 Ill. 2d 181, 193 N.E.2d 844 (Ill. 1963)
- *Copeland v. Copeland*, 16 Ill. 2d 11, 156 N.E.2d 524 (Ill. 1959)
- *Spicer v. Moss*, 409 Ill. 343, 100 N.E. 2d 761 (Ill. 1951)
- *People ex rel. Nelson v. Chicago Bank of Commerce*; 371 Ill. 396, 21 N.E.2d 303 (Ill. 1939); 308 Ill. App. 411, 32 N.E. 2d 194 (1st Dist. 1941)
- *In re Estate of Halas*, 209 Ill. App. 3d 333, 568 N.E.2d 170, 154 Ill. Dec. 170 (1st Dist., 3d Div. 1991)
- *In re Estate of Laas*; 171 Ill. App. 3d 916, 525 N.E.2d 1089, 121 Ill. Dec. 782 (1st Dist., 2d Div. 1988); 134 Ill. App. 3d 504, 480 N.E. 2d 1183, 89 Ill. Dec. 440 (1st Dist., 2d Div. 1985)
- *Knapp v. Palos Community Hospital*; 125 Ill. App. 3d 244, 465 N.E.2d 554, 80 Ill. Dec. 442 (1st Dist. 3d Div. 1984)

PROFESSIONAL MEMBERSHIP

Chicago Bar Association;
Board of Managers, 1962 to 1964;
Committees on Trust Law and
Post-Admission Education,
past chairman.

Illinois State Bar Association;
Board of Governors, 1956 to 1962;
Real Estate Law and Legal Education
sections, past chairman.

American Bar Association;
section on Real Property, Probate
and Trust Law, chairman, 1959 to 1960;
House of Delegates, 1960 to 1961,
1968 to 1974.

International Academy of Estate
and Trust Law; Executive Counsel,
1978 to 1981.

Chicago Estate Planning Council;
past president; Distinguished Service
Award recipient, 1977.

American College of Probate Counsel,
fellow; Board of Regents, president,
1968 to 1969.

- *First National Bank of Chicago v. Edgeworth*; 94 Ill. App. 3d 873, 419 N.E. 2d 372, 50 Ill. Dec. 264 (1st Dist. 1st Div. 1981)
- *Sennot v. Collet-Oser*, 36 Ill. App. 3d 928, 344 N.E.2d 783 (1st Dist., 5th Div. 1976)
- *Seymour v. Heubaum*, 65 Ill. App. 2d 89, 211 N.E.2d 897 (2d Dist., 2d Div. 1965)
- *International Harvester Co. v. Zoning Board of Appeals of Chicago*, 43 Ill. App. 2d 440, 193 N.E.2d 856 (1st Dist., 3d Div. 1963)
- *Rehm v. City of Batavia*, 5 Ill. App. 2d 442, 125 N.E.2d 831 (2d Dist. 1955)
- *Chicago Title & Trust v. Schwab*, 347 Ill. App. 233, 106 N.E.2d 857 (1st Dist. 1952)
- *Schneider v. Schneider*, 312 Ill. App. 59, 37 N.E.2d 911 (1st Dist. 1941)
- *Smith v. Department of Taxation*, 261 Wis. 143, 52 N.W.2d 475 (Wis. 1952).

REPRESENTATIVE PUBLICATIONS

Of Dan, a prolific writer, former Dean Harold Havighurst of Northwestern's law school wrote: "He has published as much or more than most of our fulltime men, and . . . his publications are very highly regarded." His more than fifty published works on trust and estate law include:

Carey and Schuyler, *Illinois Law of Future Interests* (Burdette Smith Company, 1941; 1947 and 1954 supplements).

Schuyler and McGovern, *Illinois Trust and Will Manual* (1970 to 1984 supplements).

Daniel M. Schuyler, "The New Biology and the Rule Against Perpetuities" (15 *UCLA Law Review* 420, 1968).

Daniel M. Schuyler, "Should the Rule Against Perpetuities Discard Its Vest?" parts 1 and 2 (56 *Michigan Law Review* 683 and 887, 1958).

Daniel M. Schuyler, "Revocable Trusts—Spouses, Creditors and Other Predators" (8 *Institute on Estate Planning* 74 and 1301A, 1974).

Daniel M. Schuyler, "Drafting, Tax and Other Consequences of the Rule of Early Vesting" (46 *University of Illinois Law Review* 407, 1951).

Daniel M. Schuyler, "Beneficiary Powers in Irrevocable Trusts" (4 *Real Property, Probate and Trust Journal* 196, 1969).