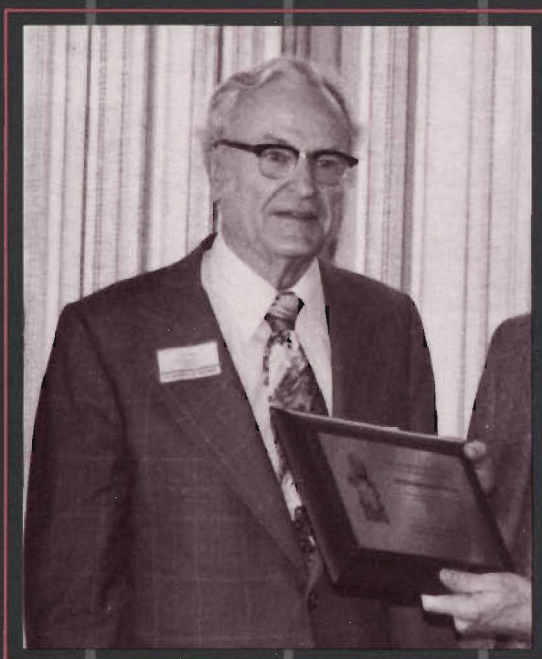


University of Wisconsin Law School Forum

# GARGOYLE



Volume XIX Number 3.

Winter 1988/89



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*Senior Judge Thomas E. Fairchild ('37),  
U.S. Court of Appeals for the 7th Circuit.*

# Tuition Increase for Law School Needs

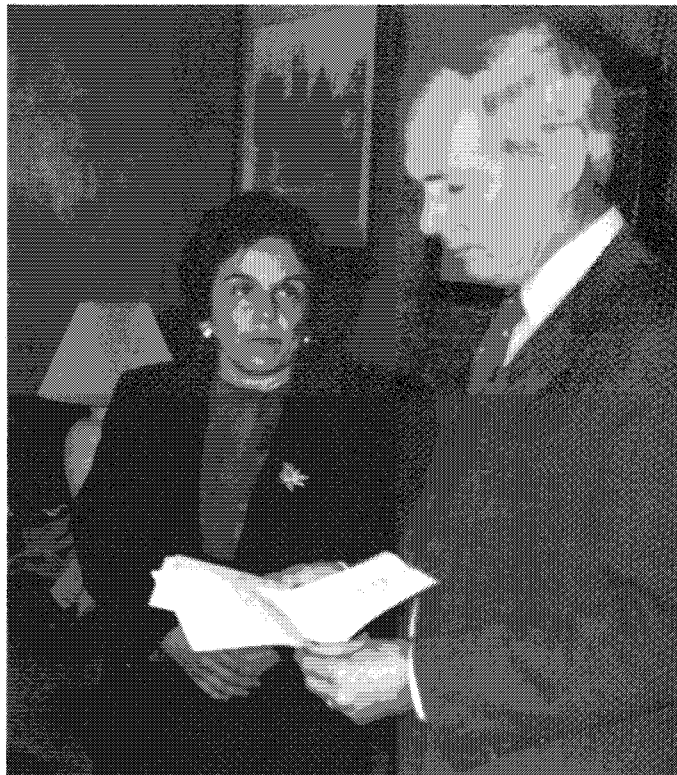
*Dean Cliff Thompson*

Chancellor Shalala is supporting a special tuition increase for law students which would be returned entirely to the law school for its needs. The increase would be \$400 yearly for residents and \$500 for non-residents, and 20% of the total amount would be used for student financial aid.

As distasteful as any tuition increase is, I believe the Chancellor's proposal is an important step in a series of recent developments aimed at keeping the University of Wisconsin an outstanding law school. The splendid setting and intellectual excitement of this university are powerful forces in attracting outstanding students and faculty. We do not need the top budget to be a top law school, but the deterioration in relative resources reached a dangerous stage, and remains a matter of concern.

The first major step in improving the resource problem was the special treatment by the campus administration for the law school in the catch-up pay raises provided by the state, which moved our average faculty salaries from far below the bottom of the Big Ten to nearer the middle. In the endowment campaign which ended last year, our alums and other friends gave private money which more than doubled the three million dollar goal. Over half of the money collected is dedicated to scholarships and loans. This year, under the Madison Plan, the Chancellor has funded four new faculty positions for us, which has brought to us first-class people and an improved student-faculty ratio.

In this sequence, the next need to be addressed is the Law Library, and the next source to be tapped is student tuition. Student tuition pays for about 30% of annual law school costs. Detailed information, which you can obtain by calling me or sending a note, indicates that the position of our library resources is far behind our peer schools, and the relative reasonableness of the proposed change in tuition. The annual increase available from the tuition increase for the library is being estimated at \$240,000, after the set-aside for law student financial aid. This increase would bring the library's budget into the bottom quartile of the Big Ten, and would greatly improve but not solve the library's needs, which are being carefully coordinated with other law libraries in the state. The resulting tuition would be at about the average cost in the Big Ten. Other professional schools on the Madison campus can demonstrate similar needs, but at this time only the Law School and the MBA program at the Business School are being allowed the possibility of a tuition increase which would be returned entirely to the school.



Chancellor Donna Shalala and Dean Cliff Thompson confer at Board of Visitors meeting.

The next state contribution in this significant sequence of resource changes is already in motion. This year, the building addition for the Law School made Madison's top priority list for the first time, so that our hope for desperately needed new space within the next two biennial capital budgets became realistic.

At the full-faculty meeting in September, the faculty, with one dissent, endorsed the Chancellor's tuition proposal, as did our Wisconsin Alumni Association Boards unanimously in October. Neither the faculty nor the alums were pleased to support a tuition increase, but they do believe that the Law School is gaining the significant momentum it needs by the series of developments summarized above. I have been meeting with officers of the Student Bar Association and with students generally at open meetings about the proposed tuition change. Although it would be natural to expect student opposition, their initial responses make me optimistic that we will have their understanding, and perhaps even their support.



# First Annual Fairchild Lecture Held

On 29 September 1988, the Law School held the first annual Thomas E. Fairchild Lecture. Justice John Paul Stevens of the U.S. Supreme Court presented the lecture to more than a thousand guests in the Memorial Union's Theater.

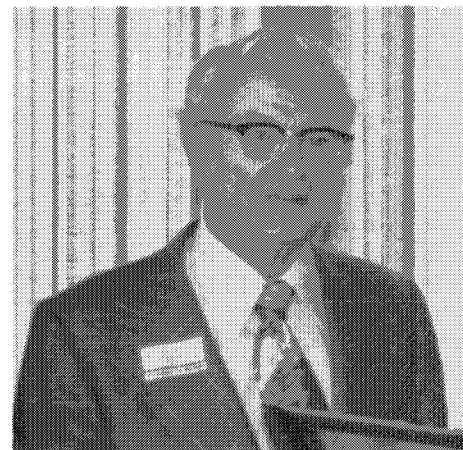
Judge Fairchild was elected to the Wisconsin Supreme Court in 1956 and served until 1966. In August 1966, he was appointed by President Lyndon Johnson to a seat on the U.S. Court of Appeals for the Seventh Circuit. From 1975 to 1981, he served as Chief Judge for the Circuit. Judge Fairchild took senior status in 1981 and has served as Senior Circuit Judge for the Seventh Circuit and, by designation, for eight other federal circuit courts.

Judge Fairchild attended Deep Springs College and Princeton University, and received an A.B. degree from Cornell University in 1934. He graduated from the University of Wisconsin Law School in 1937. His public service included service as Attorney General of Wisconsin from 1948-1951, and U.S. Attorney for the Western District of Wisconsin, 1951-52. He also acted as Chairman of the Governor's Commission on Constitu-

tional Revision, 1960-65, served on the Judicial Conference Committee on Administration of the Probation System, 1969-72, and was a member of the Judicial Conference of the United States, 1975-81. Judge Fairchild has received honorary degrees from the University of Wisconsin, St. Norbert's College, Carthage College, and the John Marshall Law School. In 1981 he received the Distinguished Service Award from the Wisconsin Law Alumni Association.

The Thomas E. Fairchild Lectureship was established as a tribute to the Judge. For over thirty years, Judge Fairchild has demonstrated both a scholarly regard for those principles of law that generations have molded into the American definition of justice and equality and a remarkable sensitivity to the ever-changing human conditions that make the search for justice and equality an ongoing one.

Initiated by Judge Fairchild's past and present law clerks, the lectureship brings to the Law School a distinguished member of the legal profession—from the bench, bar or academia—to speak on a topic of importance to the profession.



Hon. Thomas E. Fairchild

## Law Clerks to Judge Thomas E. Fairchild

### Wisconsin Supreme Court Clerks

1961-62	David L. Walther	Marquette University	1963-65	David D. Wexler	University of Wisconsin
1963	Bruce Gilman	University of Wisconsin	1965-66	Jack F. Olson	University of Wisconsin

### U.S. Court of Appeals—7th Circuit Clerks

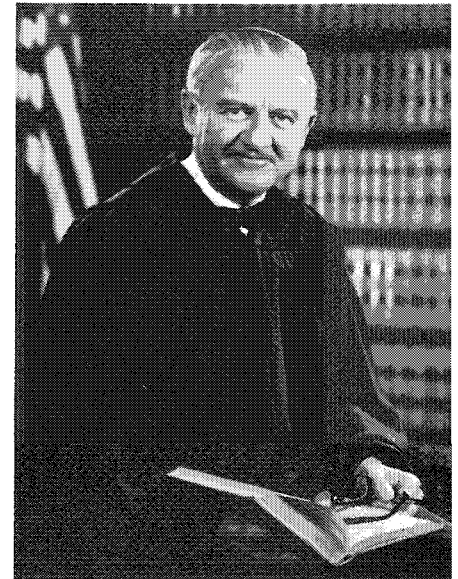
1966-67	Michael W. Wilcox	Marquette University	1975-76	Matthew J. Flynn	University of Wisconsin
1967-68	Michael J. Zimmer	Marquette University	1975-77	Michael H. Schaalman	Northwestern University
1968-69	John L. McCormack	University of Wisconsin	1976-77	Reena A. Raggi	Harvard University
1968-69	Charles A. Kranz	New York University	1977-78	Daniel R. Fischel	University of Chicago
1969-70	John S. Skilton	University of Wisconsin	1977-79	Jaroslawa Z. Johnson	University of Wisconsin
1969-70	James T. Ranney	Harvard University	1978-80	Ann Hilton Fisher	Wayne State University
1970-71	David A. Middaugh	Georgetown University	1979-81	Alan H. Raphael	Indiana University
1970-71	James M. Kramon	George Washington University	1980-82	Vincent R. Johnson	Notre Dame University
1971-72	Janet S. Lindgren	University of Wisconsin			Yale University
1971-72	Joan Lefkow	Northwestern University	1980-81	Marthan J. Olson	New York State University
1972-73	W. Thomas Rosemond, Jr.	Georgetown University	1981-83	Gerald E. Flanagan	Brooklyn University
1972-73	Richard A. Primuth	University of Wisconsin	1982-84	William M. Conley	University of Wisconsin
1973-74	Daniel L. Goelzer	University of Wisconsin	1983-85	Hildegard Neubauer	State University of New York, Buffalo
1973-74	Luize E. Zubrow	University of Colorado	1984-86	Camille E. Willis	Ohio State University
1974-75	Rolf Nils Olsen	Columbia University	1985-86	Colette Holt	University of Chicago
1974-75	James A. Klenk	University of Wisconsin	1986-88	Colleen J. Reinke	University of North Dakota
			1988-90	Peter D. Kennedy	University of Chicago

### Remarks by Justice John Paul Stevens, United States Supreme Court

Tom Fairchild was the Chief Judge of the United States Court of Appeals for the Seventh Circuit on November 28, 1975, when President Ford telephoned to ask me if I would accept an appointment to the Supreme Court. Tom and [his wife] Eleanor had attended the dinner at the White House where I had first met the President a few days earlier. Tom was the Judge from whom I sought and received advice during the few bewildering minutes between the public announcement of the President's decision and the assembly of television cameras and representatives of the national news media in our courthouse in Chicago; he co-authored the text of the brief statement I made on that occasion. One does not soon forget the quality of the assistance provided by a friend at such a time.

My memory of my relationship with Judge Fairchild while we were colleagues on the Court of Appeals is remarkably similar to my memory of a very similar

relationship with Justice Potter Stewart. Both were my seniors; based both on their own experience and on that absorbed through association with their distinguished fathers, each knew far more about the work of the appellate judge than I did; yet each treated me as an equal, even when sharing helpful insights about our work. Both had run for elective office and had a sophisticated knowledge of the workings of our democracy. Both approached each new case with absolute impartiality and followed an unvarying practice of fully understanding, and being able to articulate clearly, the arguments of both adversaries, before forming or expressing an opinion on the merits. There are other parallels as well, but I believe I have said enough to explain why I consider it such an honor to have been invited to deliver the first Fairchild Lecture at the University of Wisconsin School of Law.



Justice John Paul Stevens

### Remarks of Chief Justice Nathan S. Heffernan, Wisconsin Supreme Court

Tom became a Justice of the Wisconsin Supreme Court on January 7, 1957. Within a month he had written his first opinion. It was two and one-half pages long. Tom wrote his last opinion for the Court in July of 1966. It was 36 pages long. It was clear that he had served his apprenticeship well and was ready for the Federal judiciary. And, of course, he became a distinguished Judge, and later Chief Judge, of the United States Court of Appeals. I will leave a recounting of his career as a Federal Judge to others.

I first got acquainted with Tom in 1949, when he was the Democratic Attorney General in a state house dominated by Republicans. I had shortly before finished law school and was employed across the hall in the office of Republican Governor Oscar Rennebohm, who never inquired about my politics, and really didn't care, for Democrats were of no political significance anyway.

I went my separate way to practice law in Sheboygan and became active in politics, so from 1950 on, our paths, Tom's and mine, frequently crossed. Tom ran for the Senate in 1950 and 1952. While he is rightly remembered for his

courageous fight against McCarthyism, his really great accomplishment was his mastery of the intricacies of the Brannan plan. As far as I know, only Tom Fairchild understood it. I'm not sure that Secretary Brannan did. The country and the state's misfortune in Tom's unsuccessful campaign for the Senate eventually redounded to the lasting benefit of the State of Wisconsin and to the judiciary of Wisconsin and of the United States.

It was in 1956 that Tom decided to run for the Supreme Court of Wisconsin to succeed his father, Edward T. Fairchild, who was retiring as Chief Justice. He asked me to campaign for him in the Sheboygan area.

I remember well a morning in February or March of 1956 when I stood with Tom at about 6 A.M. greeting the voters who worked at one of the factories located on the river where there was a clean sweep of the wind that blew off of Lake Michigan. The temperature was in the teens, and the wind chill I would estimate was about 30 below. I think it was then that it occurred to me that this is real fun! It might have been then that I conceived the mad ambition of becoming

a Justice of the Supreme Court, but only if I could first be appointed to the job.

Well, Tom was elected and served, as I said, for almost 10 years. He was re-elected in 1966, without opposition, but because of his appointment to the federal bench in the fall of 1966, he never completed his first ten-year term.

Roger Traynor stated, with considerable wisdom, but I believe not with complete correctness, that the influence of a judge on the law is inversely proportional to the number of dissents written. By this measure, it is clear that Tom represented the mainstream thinking and was a major factor in influencing and directing the work of the Court.

I achieved my mad ambition when John Reynolds appointed me to the Court in 1964. By this time, Tom Fairchild had become one of my heroes—politically, jurisprudentially, and personally. By then, he had served over seven years and had established himself as a great judge and a great legal scholar.

When I was sworn in as a Justice of the Court in August of 1964, I almost had to pinch myself to comprehend that I was an apprentice member of a Court that appropriately had been referred to by Chief Justice Winslow as a "great" court.

The membership of the Court at that time was George Currie, Tom Fairchild, Harold Hallows, Myron Gordon, Horace Wilkie, and Bruce Beilfuss—all outstanding judges. When I attended the Appellate Judges Seminar in New York City, Roger Traynor, the Chief Justice of California, almost universally acclaimed then as America's outstanding judge, was a member of the faculty. He told me, "Nat, you are a very lucky young man—you serve on the best appellate court in America." And he specifically ranked the California Court and the United States Supreme Court below that of Wisconsin.

There were indeed giants of the law on our Court, and Tom was the peer of any of them.

I could wax eloquent about Tom's opinions—the great ones and some that were not so great—those are the ones to which I dissented. In the approximate period when I served with Tom he wrote 98 majority opinions for the Court—a rate of about 4 a month—and yet in the period from January 1964 to his departure from the Court in 1966, he wrote only 3 concurrences and 4 dissents.

We had not only weighty issues in terms of philosophical jurisprudence, but also cases which gave Tom a chance to express his less serious side. In the case of *Happy Hollow Guernsey Farm v. Greenway*, the culprit was, and what else could it be with a title like that, an errant Angus bull. Tom commenced his opinion with the following quotation, "What dire offenses from amorous causes springs, What mighty contests arise from trivial things."

Tom was genial and friendly in conference and socially—incisive and perceptive in his comments on the world and the law in general. His aphorisms were sometimes expressed in somewhat ribald limericks, which I will not repeat here.

I do remember his response when someone, I believe Bruce Beilfuss, commented on his somber and traditional attire—black suit, white shirt, and dark tie. Tom said, "Well, Bruce, you can get away with a hell of a lot of liberalism if you just talk softly and look conservative enough.

One of Tom's great cases, at least a notorious one, was *McCauley v. The Tropic of Cancer* in 1963. Writing for the majority of the Court, Tom held that the book was not obscene. The dissent however stated, "The book is pitched at the nadir of scatology . . . The *Tropic of Cancer* is saturated with filth in its substance and its expression."

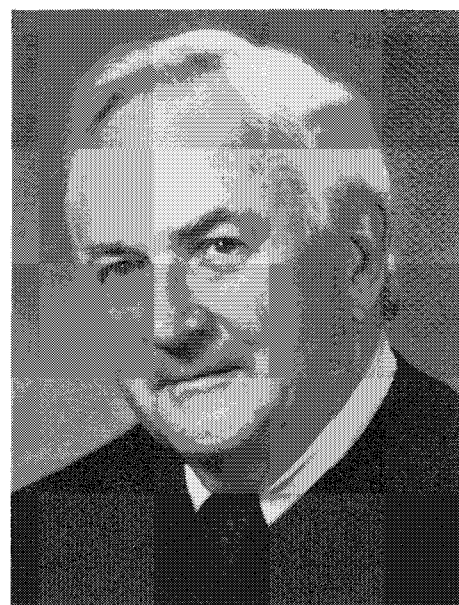
Tom's closing lines are perhaps more memorable—and they express the law of Wisconsin:

"Our reading of the book has engendered no enthusiasm. We do not endorse it. . . . We probably do no great thing in preserving it. Our function, however, is not to determine the quality of the book. Our duty is to respect and enforce the full measure of the freedom of expression guaranteed by the state and federal constitutions."

The mandate in the *Tropic of Cancer* case was issued in May of 1963. I was not a member of the Court, but the question of the obscenity of the book was the issue in Horace Wilkie's campaign in 1964 and mine in 1965. When I pointed out that I did not participate in the opinion, I was excoriated nevertheless as a "morally degenerate member of a morally degenerate court." Thanks, Tom. But Horace won, and I won, with much help and good advice from Tom. Had I been on the Court I would have supported Tom's opinion. I think my opposition sensed that.

The insanity defense was a hot issue when I was on the Court with Tom. In *Shoffner v. State*, writing for the Court, which was fractured on specific issues as much as the United States Supreme Court has been sometimes, Tom stated that a defendant could have the option of relying on the American Law Institute test of "mental disease or defect" if the defendant assumed the burden of proof on that issue or the M'Naghten test of "knowledge of right or wrong" could be used. Tom and I expressed a preference for a third option, which is now lost in the mists of time.

At a judicial seminar at N.Y.U., Chief Justice Burger, then a Judge of the D.C.



Chief Justice Nathan S. Heffernan

Circuit, in a rare display of humor, referred to the *Shoffner* case as a "schizophrenic case about schizophrenia."

The case was remanded to determine whether the amorous peregrinations of the Angus bull in fact caused the subsequent trauma to "seven of the plaintiff's virgin and unsophisticated registered Guernsey heifers: Lavender, Lenore, Lelor, Kalline, Margarete, Lindis, and Lena."

While I guess the Happy Hollow Guernsey Farm case indeed contained elements of what was truly barnyard humor, Tom was a judge and a person of good and gentle humor, friendliness, and compassion. While he took his work seriously indeed—and the *Happy Hollow* opinion is a serious and scholarly exposition and resolution of a difficult problem—he did not take himself seriously. He was always good company. The Court was indeed a family, and Tom and Eleanor were treasured members of it. I certainly hoped that this happy condition would go on indefinitely, but it was not to be.

In May of 1956 came the first ominous rumblings that upon the retirement of Judge Ryan F. Duffy, Tom might receive the appointment. There was no doubt that the appointment was Tom's if he wanted it—and there were good practical reasons why he would, a salary of \$33,000 as compared to \$14,000 he was receiving on the Supreme Court. Under the strange salary structure then imposed by the constitution, Tom was stuck at the statutory salary in effect at the time he commenced his term. Bruce Beilfuss and I as the junior members of the Court received \$10,000 a year more. There was

also the fact that there would be no more icy mornings campaigning along the waterfront in Sheboygan, and the Court of Appeals for the Seventh Circuit was a fine Court presenting new challenges. I also pointed out to him that, since he was getting up in years—he was then 54—that

perhaps in his geriatric days he would be more comfortable with the lighter burden of a limited jurisdiction court.

I wish there were time enough to tell you more about Tom's career on the Wisconsin Supreme Court—a career that I

was privileged to view at close quarters for almost 3 years. I wish I could adequately express my admiration for Tom as a great Judge and a great man. After more than 20 years, we still miss you, Tom.

## Remarks by Senior Judge

**John W. Reynolds,  
Eastern District of Wisconsin**

Forty years ago, 154,000 dedicated Wisconsin Republicans went to the polls and voted for the wrong man for Attorney General. They thought they were voting for John E. Martin; but, in fact, they wound up voting for Don Martin. This was an understandable mistake for the Republicans to make because they had been in the habit for ten years of voting for the Martins and the Smiths, and the fact that the Martin who had been Attorney General for ten years was then on the Wisconsin Supreme Court escaped their notice. When the people of the state became aware of the mistake that the Republicans had made, and when they further became aware of the fact that the Martin the Republicans had voted for was unqualified for the job of Attorney General, they took a look at the candidate who had won the Democratic nomination, and there they found a nice, conservative looking young lawyer by the name of Tom Fairchild.

Well, who was this Tom Fairchild? At first glance, it appeared to the establishment that he wasn't too bad because he was practicing law with Mille, Mack and Fairchild (which is now Foley & Lardner), and his father was a Stalwart Republican. (We used to have the Stalwart Republicans and the Progressive Republicans.) In fact, his father was on the state supreme court after having served as a Republican state senator and as circuit court judge in Milwaukee.

So, a boy like that couldn't be all bad. Of course, there were some things in Tom's background that they probably were not aware of. One was that he was a radical when he was twenty. He was so radical that, while a twenty-year-old student at Cornell University, he and G. Mennan Williams (who later became governor and a chief justice of Michigan) were active in the Young Republican Club and had worked hard for Herbert Hoover's election in 1932. That demonstrated that he was not one to go along with the herd. Tom also had been active in the LaFollette Progressive Party. After law school, he went up to Portage to practice law with Dan Grady, a well-known cantankerous and individualistic Democratic lawyer; and, while in Por-

He thereby became the only Democrat to win a statewide election in Wisconsin from 1932 to 1957. One of his father's old friends stopped in at the supreme court and said to Justice Fairchild, "What did Dan Grady do to our Tom?"

tag, Tom emerged as the chairman of the Progressive Party of Columbia County and, as a matter of fact, as the state chairman of the Young Progressives of Wisconsin.

When the war came, Tom went to work for the Office of Price Administration in Milwaukee. And, after the war (and unknown to the senior partners of his firm), he consorted with such people as Bob Tehan (who was the Democratic national committeeman and who later became the federal judge in Milwaukee), and Congressman Andrew Beimiller (who had been a socialist member of the state legislature), and Phil Marshall (a leading liberal lawyer at the time). In fact, in 1948, after the defeat of Robert M. LaFollette, Jr., in 1946, they, along with a group from Madison (including Jim Doyle, Carl Thompson and Horace Wilkie) were actively putting together a statewide ticket of liberal Democrats, and Tom was asked to run for attorney general. Whether or not he cleared his candidacy in advance with the elders at his firm, I do not know, but he agreed to run, with the understanding that he would limit his campaign outside Milwaukee to weekends. Given Tom's qualifications and the record of his opponent, the people broke with tradition and elected him Attorney General. He thereby became the only Democrat to win a statewide election in Wisconsin from 1932 to 1957. But, his election as a Democrat troubled many. One of his father's old friends stopped in at the supreme court and said



Judge John W. Reynolds

to Justice Fairchild, "What did Dan Grady do to our Tom?" And, Mr. Schuberger of Schuberger Ryan Peterson & Sutherland, was heard by one of his young associates (Nat Heffernan) to say, "Isn't it a terrible thing for Justice Fairchild in his declining years to have a son like that?"

Tom plunged into the work of Attorney General with professionalism and competence, but, in addition to that, he and his wife, Eleanor, committed themselves to the building of the Democratic Party in the state of Wisconsin as a political vehicle for liberals. While Attorney General, he, along with Jim Doyle, Pat Lucey, Horace Wilkie and Carl Thompson, went out and organized the then Democratic voluntary committee known as the DOC (that is, Democratic Organizing Committee) in counties all over the state. Tom brought to the Democratic Party a sense of respectability (because he looked respectable), and a sense of integrity (because he was not only a man of integrity, but he looked like one), and a sense of dedication. When the time came in 1950 to select candidates for the U.S. Senate, Tom was encouraged to run and he threw himself into that campaign. He was nominated and became the Democratic candidate against Alexander Wiley. The fortunes of the Democratic Party declined substantially with the advent of the Korean War in June of



1950, and the Republicans carried the day.

Tom then was appointed by President Harry S. Truman as the United States Attorney for the Western District of Wisconsin. By 1952, a new force had emerged on the Wisconsin political scene, and that was McCarthyism, led by Senator Joe McCarthy. Joe McCarthy and what he stood for galvanized the liberal forces in Wisconsin and the nation. They were looking for a candidate who would stand up and campaign against Joe McCarthy. Tom was nominated, and the battle lines were drawn. It was a campaign, the likes of which one seldom sees in this country. It was perceived by many, not as a battle between two fine individuals of different ideologies, but as

a battle between good and evil. In many ways, it was a glorious campaign, because how often can one campaign against someone who is perceived by his supporters to really be the personification of evil? The national spotlight was on Wisconsin, and help for Tom Fairchild came from around the nation. The contrast between Tom and Joe was dramatic, but Joe won and Tom was sent back to private life.

Tom returned to Milwaukee and embarked on practicing law with Irvin Charne, but his campaigns were not over. In 1955, he entered the non-partisan race for the Wisconsin Supreme Court and was overwhelmingly elected to that position to succeed his father. (By this time, we assume the voters knew they were

voting for Tom and not Edward.) Tom still had one more campaign to go. In 1966, he was re-elected to the Wisconsin Supreme Court without opposition. Fortunately for the federal judiciary, Judge Duffey went on senior status that same year, and President Johnson appointed Tom to the Court of Appeals for the Seventh Circuit. The rest of Tom's career as a judge is well known to you.

Tom opened the way for the Democrats who came after him, and his contribution to the political development of this state and to its two-party system is impressive and shall always be remembered by those of us who benefited from his work.

### Remarks of Judge Reena Raggi, United States District Court, Eastern District of New York

I am very pleased and honored to be asked to say a few words on behalf of Judge Fairchild's law clerks. In a sense, it is an almost impossible assignment. There is not a one of us who could not tell stories long into the night about how challenging, and how much fun, it was to be a clerk in Judge Fairchild's chambers. On the other hand, no one among us thinks that he or she can begin to express in mere words all we feel about that experience, except perhaps to say that for each of us, for as long as we live, "the Judge" can only refer to one person.

For some time now, we have wanted to honor the Judge in a way that went beyond the dinners and get-togethers that we have from time to time. We wanted to honor him in a way that said something special about the kind of person he is.

The Judge, it seems to us, is always giving. Everyone here knows what I mean. Whether we are talking about the love and commitment he feels for his family, the time he spends on the matters that come before him, or the patience he shows to young lawyers who work in his chambers and for years after look to him for advice and guidance, the Judge is always giving of himself. We thought it would be fitting—and maybe even pleas-

You see, we have great expectations for this Lecture and for the contribution it may make to legal thought in the name of a truly outstanding jurist.

ing to him—if, in honoring him, we gave something to this community here in Madison that means so much to him. And so we conceived the idea of the Fairchild Lecture series.

On behalf of all the clerks, I want to thank Justice Stevens for agreeing to give the first Lecture. Your thoughtful remarks were certainly everything we could have hoped for in an inaugural lecture.

You see, we have great expectations for this Lecture and for the contribution it may make to legal thought in the name of a truly outstanding jurist.

Many of us who served as Judge Fairchild's clerks remember his prescription for dealing with difficult cases. He would tell us that he would always try to follow



Judge Reena Raggi

the law. But, in those cases when the law was not clear, he would try to do what was right. That may sound very simplistic when I say it. But, somehow, it never did when the Judge would. I think that is because he has an almost unerring sense for what is "right." And perhaps that is because we can say of him as Learned Hand did of Cardozo: "He is wise because his spirit is uncontaminated; because he knows no violence, or hatred or envy, or jealousy or ill-will."

Well, we may not all be Cardozos or Fairchilds. But we can strive for what is "right." Our search may be helped by thoughtful discussion and provocative ideas. We hope that in the coming years the Fairchild Lecture will provide a forum for such discussion.

### Remarks of Chief Judge William J. Bauer, Seventh Circuit Court of Appeals

I only know that Thomas Fairchild is one of the best men I have ever known and one of the best judges in America. If I convey that message then I accomplish what I want to do!

## International Flavors at the Law School

As our society recognizes its place in the international political and business world it should not be surprising that our nation's law schools should take steps to recognize this international community. For those who have worked at our School, or closely observed its development, the pace at which international opportunities have been incorporated may still be surprising, however.

Individual faculty members, of course, have had special interests in the law of other nations or the business relationships between countries. Many of the young faculty members who joined our faculty in the 1970's had had experience working for law schools or the governments of some African countries. Their experiences were often worked into our course materials as examples of how

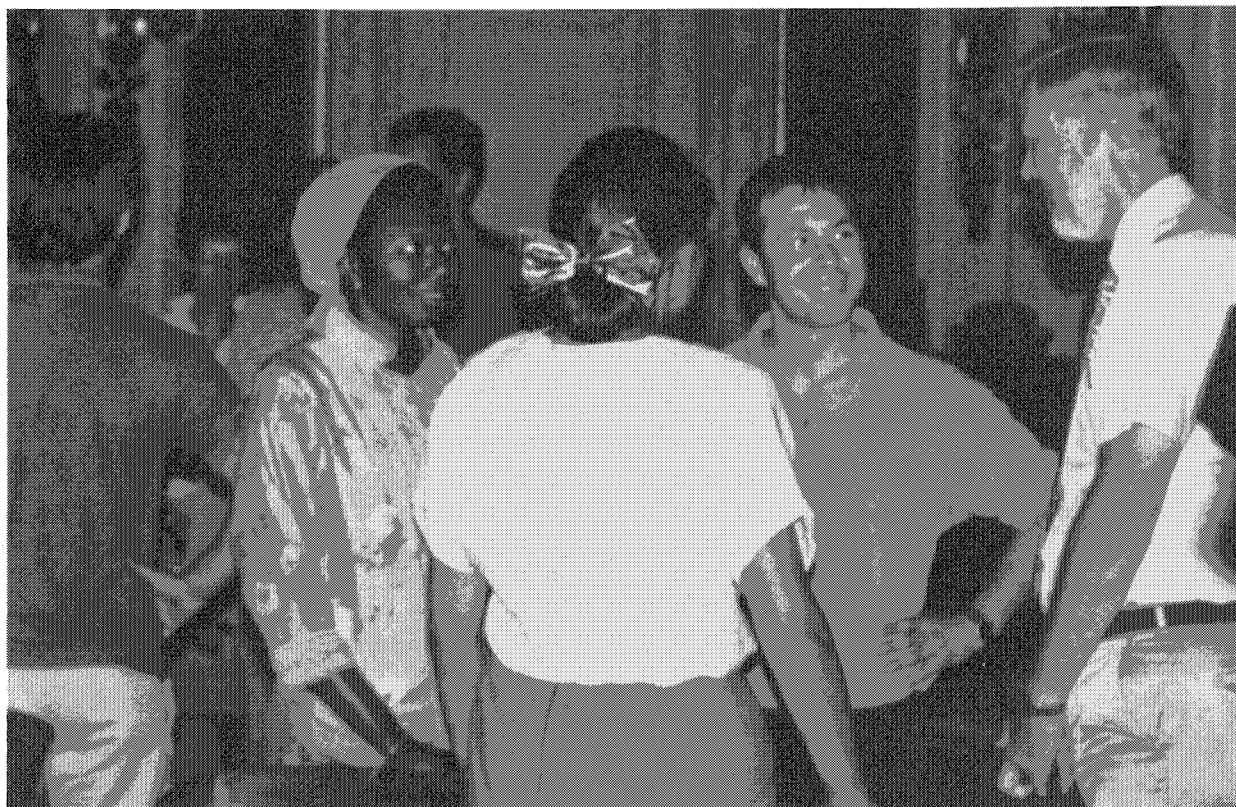
other nations or peoples resolve disputes or formalize conduct. Prof. Charles Irish has been called upon by numerous Caribbean countries to assist them in developing their tax codes, and, more recently, his interest has extended to the nations of the Pacific Rim. Prof. Marc Galanter was tabbed as an expert by the Indian government in litigation after the Bhopal disaster. For many years Prof. Zig Zile has taught students here in a course on the law of the Soviet Union.

We have also had a trickle of students taking advantage of programs offered by a large number of other law schools for study abroad with academic credit given here. Popular locations have included the British Isles and the Continent, where instruction is arranged in English. Of

course, these programs also offer the opportunity to travel and to meet people in "exotic" places.

From time to time we have also had foreign nationals enrolled as regular students at the Law School. Sometimes these persons had finished law schools at home and needed less than three years of American study to qualify for bar admission here. Sometimes they were fleeing persecution or seeking better opportunities here. Most often, they looked forward to learning the law of the United States so that they could apply it to help their government and their people.

Recently the number of foreign students, particularly foreign graduate students has increased sharply. In the fall of 1988, 29 foreign students, representing



1988 Summer Program in U.S. Law and Legal Institutions students meet with Prof. John Kidwell in the State Capitol

16 different countries, were enrolled. The impact on our students, as they exercise the opportunity to learn about other cultures and nations, is enormous.

For the past three years, our students and faculty have had another international opportunity. The law school at Justus-Liebig-University in Giessen, West Germany and our own have had a student and faculty exchange program. Wisconsin students pay UW tuition but study at Giessen along with their German counterparts. Courses, of course, are conducted in German. So far six of our students have gone to Giessen. Likewise, six German students, paying their own tuition have studied here. There are no administrative costs, nor are any Law School funds required to sustain the exchange.

The faculty exchange usually involves two members from each school, who teach (in English) for about three weeks each at the other school. We go in May and June, and they come here in September and October. Eight of our faculty (Baldwin, Bernstine, Church, Irish, Melli, Thompson, Uphoff and Zile) have gone to Giessen and five Giessen professors have come here to teach seven separate, one-credit courses.

Perhaps the greatest opportunity for international exchange, however, is the Summer Program in United States Law and Legal Institutions, which recently concluded its sixth year. The Program is designed to give lawyers and advanced



Above: Profs. Marc Galanter and Gordon Baldwin meet Indian Supreme Court Chief Justice P. N. Bhagwati

Below: 1987 Summer Program students on the steps of the Education building

law students from other countries intensive exposure to the basic structure of our legal system and three significant areas of our law: contracts and commercial law, product liability and corporations and securities regulation. One week of the six week program is also devoted to international trade law.

This program has reached its maximum enrollment of 60 students who literally come from around the world. In its early years, most students were from European countries, but this year students from the Pacific Rim countries were the most numerous.

Five professors, Larry Church, Ken Davis, Charles Irish, John Kidwell and Zig Zile, are responsible for organizing the program and conducting the courses. In addition to the academic component, students are brought into large law firms to see how law is practiced here and attend typical social and recreational events such as a night at County Stadium to watch the Milwaukee Brewers play.

As an indication of how valuable this training is for the foreign students, this summer recruiters from a West German law firm flew to Wisconsin to interview applicants studying in the Program. Hundreds of lawyers trained at the University of Wisconsin are now practicing law, running businesses and assisting their governments. Each is at least a source of good will and perhaps more.





## New Faces Among the Faculty

*Several new and visiting faculty have recently joined the Law School. Even more will be doing so over the next year. In this issue we feature one new Professor, a visiting faculty member and our new Law Librarian. Welcome to Wisconsin!*

### Richard Delgado: New Faculty Member

Professor Delgado is the newest addition to the law school faculty. He is teaching a section of Civil Procedure I and Law and Medicine-Bioethics course this fall.

Professor Delgado received his B.A. in mathematics and philosophy from the University of Washington. After graduate study in philosophy at U.C.-Berkeley and Stanford he went on to receive his J.D. in 1974 from U.C.-Berkeley, where he was Note and Comment Editor on the Law Review. Delgado was also a Fellow in Yale's program in Law, Science and Medicine. Bioethics and Law is one of Delgado's areas of concentration. He finds the field fascinating and challenging because it is a controversial area that is constantly changing and growing. Civil procedure and civil rights are also specialty areas for Delgado. He has written several articles and review essays on these topics.

Professor Delgado has been a faculty member or visiting professor at a number of universities. He was Chapman Distinguished Visiting Professor of Law at the University of Tulsa and Hopson Distinguished Visiting Professor of Law at Southern Illinois. He has also been a law faculty member at Arizona State, University of Washington, UCLA and U.C.-Davis.

This is Delgado's first stay in Wisconsin. His wife, Lynnette, will be pursuing a Doctorate in Women's Studies this fall. They have two children, Lisa 18 and Maya 13.

In his spare time, Delgado enjoys writing social and political satire, running, and visiting "as much of this beautiful state" as his time permits.

### Gail Gibson: Visiting Professor in Tax Law

Gail Gibson is a visiting faculty member during the 1988-89 academic year. In the fall semester, she is teaching an advanced



Left to right: Blair Kauffman; Gail Gibson; Kimberly Crenshaw, former Hastie Fellow at UW Law School, Professor at UCLA Law School on sabbatical here; and Richard Delgado

tax course, and during the spring she will conduct a seminar on tax exempt organizations and do individual research in the tax area.

Visiting Professor Gibson is on a year leave from the Internal Revenue Service, Office of Chief Counsel, where she has been employed as an attorney for the past 8 years. As a senior attorney, she is responsible for representing the Government in the U.S. Tax Court. She also reviews cases recommended for prosecution in criminal tax matters and provides advice on collections matters.

Because of a strong interest in estate and gift tax, she often requests cases in this area. She states, "If I had not gone to work for the IRS I would have likely gone into estate planning in private practice." When asked if there were many women attorneys working for the IRS, Gibson responded, "Yes. There are a substantial number of women in my office. Women have worked their way up to some of the more prominent positions such as the Director of Tax Litigation."

Gibson is originally from the East. She received her B.A., magna cum laude, in history and political science from Alfred

University in 1960. She then went on to Graduate School at the University of Pittsburgh for a year's study in history.

After a year of graduate study, Gibson went to work for the CIA as a research analyst. Her main duties were to write biographies, though she is not permitted to identify anyone because her work was classified. Gibson states, "Working for the CIA was not as interesting as I had hoped, as the idea of the international spy wearing a trench coat was not part of my job description." Nevertheless, Gibson's position with the CIA sparked an interest in the foreign service.

In 1963, Gibson went on to become a foreign service officer. She served five and a half years, including two years in Paris and one and a half in Seoul, Korea. Her duties included political and economic reporting as well as some consular work. Her stay overseas helped her to gain some knowledge of the French and Korean languages.

In 1969 Gibson returned to the States and married her husband, whom she met in Korea. They settled in Illinois for a few years and Gibson took employment as a



public aid case worker and vocational rehabilitation counselor.

In 1975 she decided to attend law school and spent a year at the William Mitchell College of Law. She then took two years off to raise her family. The Gibsons have a 14 year old son, Keith, and an 11 year old daughter, Melisa.

In 1980 Gibson obtained her J.D. from the Detroit College of Law. She has since been employed for the Office of Chief Counsel. Gibson looks forward to her year-long stay at Madison. She states "I have always had a good impression of Madison. I've always been aware of the University and the good reputation of the Law School." She looks forward to meeting and working with students and professors.

#### **Blair Kauffman: New Director of the Law Library**

Blair Kauffman is our new Director of the Law Library. He comes from Northern Illinois University where he was director of the law library and an associate professor of law.

Professor Kauffman received his B.S., cum laude, from the University of Missouri in accounting and economics, before earning his J.D. there in 1974. For two years, during law school and afterward, Kauffman worked for a law collective which was put together by fellow law students. The era being the late 1960's early 1970's, the collective's main goal was to work for social change. One of their main projects was representing prisoners in the Leavenworth Penitentiary (a federal correctional institution), where clients had nicknames like "Short Dog" and "Jumping Jack Abbott" (the latter subsequently gained infamy when his early release was arranged by author Norman Mailer).

Kauffman eventually left the collective and decided to pursue an LL.M. He received a Victor Wilson Scholarship to attend the University of Missouri. During this time he rekindled an earlier interest in libraries and research, so he went on to obtain a M.L.L. (a specialty degree in law library science) at the University of Washington.

Upon graduation from the University of Washington, Kauffman became Head Law Librarian at the ABA-affiliated National Judicial College in Reno,

Nevada. The Judicial College, then headed-up by former Wisconsin Judge Ernst John Watts, is primarily engaged in providing educational programs and supportive research for state trial court judges nationally. The College was also attempting to form a law school which would have been affiliated with the University of Nevada. Kauffman was charged with developing a law library which would both support the ongoing programs of the College and meet law school accreditation standards. Within a short period of time the library gained national recognition for its unique holdings of judicial materials, was awarded federal depository status, and benefited from the generosity of publishers like West and Mead Data. However, as the library moved forward the Nevada legislature put plans for a law school on hold.

While in Reno, Kauffman served on the Advisory Board of the local county law library and met his future wife, Mary Anne, who was the county law librarian. Mary Anne is now a second year law student and recently joined the Law School as a transfer student. The Kauffmans have three children, Ashley 7, Stephanie 6 and Cameron 3. They are read law books for bedtime stories.

Kauffman has written numerous articles, many of them focusing on the effects of automation on libraries and legal research, and he is a frequent speaker at national forums on this subject. His main objective is to bring our library back into competition with the other Big Ten schools. He would like to make some aesthetic improvements, improve user services, offer a fuller array of online research sources, focus and intensify the development of collections, automate library processes, and work cooperatively with other law libraries to provide the Wisconsin legal community with the best access possible to legal research materials.

Although Kauffman is aware of our law school's budgetary problems, he feels the law library must be made a priority. He states "The law library has already begun to show the effects of years of comparatively small budgets. We have had a great slip in the ranks as one of the country's top law libraries." But he shows great hope and enthusiasm for the revamping of our library.

—Yvonne E. Vegas

## Faculty and Staff Notes

**Ann Althouse** joined Judge Leonard B. Sand in a ceremony which celebrated his tenth year on the federal bench. She has also completed a law review article on the 11th Amendment of the U.S. Constitution.

**Gordon Baldwin** is serving as a member of the "Blue Ribbon Task Force" of the Wisconsin State Medical Society investigating alternatives to the current medical malpractice system. He also recently gave a seminar to the Staff Attorneys of the Wisconsin Court of Appeals.

**Richard Bilder**, a member of the Board of Directors of the Law of the Sea Institute, recently attended their annual conference in Rhode Island. Professor Bilder also presented a paper entitled "International Third Party Dispute Settlement" to the United States Institute of Peace "Paths to Peace" conference in Virginia.

**Peter Carstensen** joined Justice Shirley Abrahamson in addressing the State Department of Agriculture and Consumer Affairs about dairy regulation. Professor Carstensen's article on interstate bank mergers appears in the Ohio State Law Review and his paper evaluating airline deregulation will appear in the Washington and Lee Law Review.

**Arlen Christenson** spoke to the 1988 Municipal Attorneys Institute on "Home Rule in Wisconsin," and he is working on an article regarding this subject. Professor Christenson also attended the annual meeting of the National Academy of Arbitrators in Vancouver, B.C.

**Carin Clauss** gave testimony to the Senate Labor Committee this past summer on age discrimination. She was also counsel for the ACLU on a case in the 7th Circuit involving an employment practice which excluded fertile women from working due to exposure to lead. Professor Clauss continues to chair the Governor's Worker Compensation Study Commission which is currently dealing with AIDS issues. She gave a lecture at Catholic University on the "Changing Cycles of Labor Law" about which she is now writing an article. Professor Clauss is also the new Secretary Elect for the American Bar Association Labor Employment Committee.

**Richard Delgado** spoke on "Storytelling in the Law" at the National Conference on Critical Legal Studies in Wash-

ington, D.C. in September. He published "Derrick Bell and the Ideology of Racial Reform" in the *Yale Law Journal*, and several columns of humor and satire in various US newspapers.

**Walter Dickey**, **Frank Remington**, and **Dave Schultz** were members of the committee that prepared for the Wisconsin Legislature the Homicide Law Revision which will go into effect on January 1, 1989. Professors Dickey and Schultz are writing an article about the revision and making a three hour presentation over ETN Network to Wisconsin prosecutors.

**Howard Erlanger** recently finished editing a book, *Making It and Breaking It: The Fate of Public Interest Commitment During Law School*, based on the unfinished work of the late Robert Stover, a UW Ph.D. Professor Erlanger also began work with Professor Laurie Edelman on a project that will examine the response of organizations to federal affirmative action mandates.

**Martha Fineman** wrote chapters on child advocacy for a psychology and law book and a sociology and law book to be published in early 1989, and she is completing her own book on child custody. She has also written a review essay for the University of Chicago Law Review on Mary Ann Glendon's new book, *Abortion and Divorce in Western Law*. Professor Fineman conducted the fourth summer conference on "Feminism and Legal Theory" at the Law School in July and she addressed the Law and Society Meeting on this issue in Colorado. She was recently elected to the University Committee on Faculty Responsibilities.

**Ted Finman** is a member of the UW-Madison Athletic Board as well as the University's faculty representative to the NCAA and the Big Ten. He attended the annual NCAA meeting in Nashville last January and a Big Ten meeting in Michigan last August. He participated in an interdisciplinary conference on "Issues in Teaching Professional Ethics" at the University of Indiana. During the past year, he has been a speaker at the State Bar and other programs on Wisconsin's new Rules of Professional Conduct.

**Marc Galanter**, presented a paper with Joel Rogers at the Annual Meeting of the Law and Society Association on "Changing Patterns of Business Litiga-

tion." He also attended a week-long seminar on Justice and Society at the Aspen Institute of Humanistic Studies. He and Tom Palay presented a paper on the growth of large law firms at an American Bar Foundation conference on professionalism in September. In October, Professor Galanter was a commentator at the Symposium on the 50th Anniversary of the Federal Rules of Civil Procedure held in Cambridge, Massachusetts.

**Herman Goldstein** delivered a keynote address at a conference on "Civil Liberties and the Police," held in September by the International Association for Civilian Oversight of Law Enforcement in Montreal.

**Stuart Gullickson** is serving on the Advisory Committee to the ALI-ABA Committee on Continuing Professional Education to create a "training module" in Real Estate Practice for new lawyers. This new course will use the same teaching methods as the law school employs in our General Practice Course.

**Hendrik Hartog** delivered a paper on the history of custody law at the annual meeting of the Organization of American Historians. Having returned from a semester teaching at UCLA, Professor Hartog is now planning a book on the history of family law in the nineteenth and twentieth centuries.

**Stephen Herzberg's** film, "The Secret Government: The Constitution in Crisis," a ninety minute Bill Moyers special for which he was field producer, recently won one of the Emmy awards. He is planning another film involving his current research on the death penalty. Professor Herzberg is also investigating the Indian treaty rights dispute regarding hunting and fishing.

**James Jones** delivered a keynote speech, "Affirmative Action: Past, Present, and Future," to the Wisconsin Association of Equal Opportunity Inc. in Racine, Wisconsin. He also spoke at a UW-Michigan program entitled "Getting into Academics: Concerns and Dilemmas" with Richard Delgado and Derrick Bell. Professor Jones will be on leave in the spring of 1989 to work on his book dealing with equal employment and affirmative action for lay professionals.

**Blair Kauffman**, the new Library Director, will be giving a talk to the mid-American Association of Law Libraries at

the University of Iowa on the changing personnel needs of libraries brought about by automation. Professor Kauffman's article entitled "The Future of Legal Bibliography" was recently published in *The Legal Reference Services Quarterly*.

**John Kidwell** appeared before the Board of Regents three times within the last six months regarding a new proposal to revise rules on academic misconduct. He is the Chairperson of the Systems Committee which worked on these rules. Professor Kidwell is also working on a project within the University to facilitate the sharing of educational software. He is doing the legal work necessary to create a product called WISC-WARE which would allow universities to share educational software, and to assist a project called TASL, which involves the distribution of academic software. Professor Kidwell served as Acting Director of the Law Library for ten months before the arrival of Blair Kauffman.

**Stewart Macaulay** is continuing to serve as the Immediate Past President of the Law and Society Association. He is also a member of the ABA Bar Foundation Research Committee. There are continuing negotiations regarding the publication of the Wisconsin contracts teaching materials. Professor Macaulay also spoke to a Contracts Round Table at the last AALS meeting on unfair and deceptive trade practices and acts.

**James MacDonald** is currently revising sections of *Wisconsin Real Estate Law* which he co-authors with Professor Raushenbush. He is currently the Chairman to the Citizens Advisory Committee to the Public Intervenor of Wisconsin, which is responsible for protecting environmental rights. He continues to serve on the Executive Committee for the Institute of Environmental Studies and the Executive Committee of the Water Resource Management Degree Program. He is an adjunct faculty member in the Department of Urban and Regional Planning.

**Marygold Melli** has just been asked to be a member of the Executive Council on International Society and Family Law. She also has been elected Chairperson of the National Conference of Bar Examiners. She recently published in the *Rutgers Law Review* an article entitled "The Process of Negotiation: An Exploratory Investigation in the Context of No-Fault Divorce." Professor Melli's paper on "The Reasonable Efforts—Child Protection Services in Courts" is scheduled for the annual meeting of the American Association for Protecting Children in Tacoma, Washington in November. Ear-

lier, she was a panelist at the Illinois State Bar's three day symposium on the Future of the Family.

**Walter Raushenbush** returns to us after serving as Distinguished Visiting Professor at Pepperdine University in Spring 1987 and as visiting professor at the University of San Diego during the 1987-88 academic year. Professor Raushenbush will be on the AALS site inspection team at University of Maryland Law School in November. He also continues to serve on the Real Property Question Drafting Committee for the Multi-State Bar Exam and serves as Secretary for the Law School Admission Council which runs the LSAT. Professor Raushenbush is in the process of revising portions of *Wisconsin Real Estate Law* which he co-authors with Professor MacDonald.

**Frank Remington**, along with Walter Dickey and Dave Schultz, traveled to Telemark to meet with Wisconsin district attorneys to discuss the new homicide statutes which reflect the culmination of thirty-five years of effort on the part of law faculty members to improve the Wisconsin homicide laws. They also talked about the new statutory chapter on Crimes Against Children which they worked on in cooperation with Senator Barbara Ulichny, the legislative sponsor.

**Professor Rogers** spoke on labor law at the Catholic University Columbus School of Law. He recently gave a lecture on "The Future of American Politics" at the John Kyle Memorial lecture at UW-Whitewater. He is also currently working on a book about post-war U.S. labor policy.

**Gerald J. Thain** briefed and argued a case in the Fourth Circuit Court of Appeals involving First Amendment protection of commercial speech and the limits of State power to prohibit such speech by regulated occupations. He has also been appointed to the State Bar of Wisconsin's Communications Committee and received an extension of his term on the Editorial Board of the *Journal of Consumer Affairs*.

**Joseph Thome** was awarded a Fulbright Award this summer to lecture and conduct research in Brazil. His research involved the extent to which popular movements in Recife, Brazil, could use the legal system in order to present demands and resolve some of their serious social problems such as lack of housing, education, and police repression. While in Brazil, he presented a paper on "Authoritarian Institutions and Popular Movements: The Chilean Experience" at a conference held at the Joaquim Nabuco

Foundation. Professor Thome also gave lectures on legal education in the U.S. at the Catholic University Law School of Rio de Janeiro, and at the special course for new judges held in Recife. At the beginning of this academic year, he became Director of the Ibero-American Studies Program of the University of Wisconsin-Madison.

**Frank Tuerkheimer** recently published an article "Prosecution of Criminal Cases: Where Executive and Judicial Power Meet" in the *American Criminal Law Review*. He will also have an article published in the December issue of the *Marquette Law Review*: "Convictions Through Hearsay in Child Sexual Abuse Cases: A Logical Progression Back to Square One." Professor Tuerkheimer also recently spoke on "The Rules of Evidence" at a civil law seminar for judges at the University of Wisconsin-Oshkosh.

**June Weisberger** led a group of 60 women attorneys, judges and their spouses to the Soviet Union for the purpose of meeting with Soviet attorneys, judges and women's groups to exchange ideas and information on the two different country's legal systems. The group visited People's Courts and met with members of local Women's Committees in the cities of Moscow, Kiev, Baku, and Leningrad. Professor Weisberger is also currently working on an empirical study on how Dane County financial institutions are implementing the Wisconsin Marital Property Act.

**William Whitford** is working on a research project with Lynn LoPucki. They are doing an empirical study of the 42 largest public held corporations which have completed Chapter 11 reorganization proceedings under the Bankruptcy Code.

**Zigurds Zile** presented a paper entitled "Product Quality and Liability in the USSR: An Exploratory Essay from a Consumer Perspective" at the Leiden University in the Netherlands this past summer. This paper was also published in a book entitled *Law and the Gorbachev Era, Essay in Honor of Dietrick Andre Toeber*. Professor Zile is in the process of completing his research project entitled "Visburg v. Putney: A Centennial Essay."

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The Law School was saddened recently by the death, on 4 March 1988, of **John Ritchie III**. Mr. Ritchie served as Dean of our School from 1953 to 1957. A graduate of the University of Virginia Law School, he had a long and distinguished career in teaching and law school administration.

## Alumni Notes

**Spencer L. Kimball** (SJD '58), former dean of the Law School, announces that he has reached mandatory retirement at the University of Chicago Law School and will become the Seymour Logan Professor of Law Emeritus at that school. He has already agreed to teach Insurance Law next spring, and is doing consulting work in the insurance law field.

**Paul H. Dawes** ('70), a partner in the San Francisco firm of Thelen, Marrin, Johnson & Bridges, has been appointed program chairman for the 1989 Annual Fall Meeting of the American Bar Association's Section of Litigation. Over 700 lawyers are expected to attend.

**Judge Franz W. Brand** ('49) was recently honored by the Green County Bar Association upon his retirement from the bench. Judge Brand served since 1974 after experience in private practice and as District Attorney.

**James T. Rogers** ('66), a partner in the Merrill, Wisconsin, firm of Rogers & Bremer, has been selected as President of the Wisconsin Association of Criminal Defense Lawyers. He has also been appointed to the Wisconsin Public Defender Board by Governor Thompson.

**Mary Traver** ('83), General Counsel of Blue Cross and Blue Shield United of Wisconsin, is the Chair-Elect of the Health Insurance law Committee of the Tort and Insurance Practice Section of the American Bar Association.

**James E. Krier** ('66), Professor of Law at the University of Michigan Law School, is serving as one of the outside reviewers of the Tennessee Valley Authority's Reservoir System Operation and Planning Review. The Review will result in policy guidelines for future operations of the Tennessee River system. Prof. Krier also recently delivered a paper at the University of Tennessee's Conference on the Constitution and the Environment.

**Aloys L. Tauscheck** ('86) has been elected as a Fellow in the American College of Legal Medicine. Mr. Tauscheck also has a medical degree from the University of Wisconsin, and practices civil personal injury litigation and medical malpractice in Madison.

**Terrance C. Mead** ('81) has received the Robert R. Mills Member of the Year Award from the Maricopa County Bar Association. Mr. Mead practices with the Phoenix firm of Gust, Rosenfeld & Henderson, and has assisted with the publication of "A Consumer's Guide to Arizona Law."

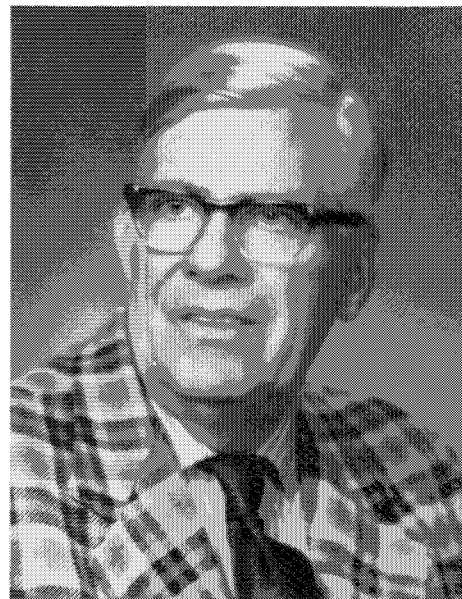
**Anne Taylor Wadsack** ('71), John C. Albert ('73), Kathleen J. Quinlan ('76) and Stephanie C. Stoltman ('83) have joined the Madison firm of McBurney, Perina, Wyngaard, Wilson & Raymond.

**Justice Shirley S. Abrahamson** ('62) has been elected as a vice president of the American Judicature Society, an independent organization of more than 20,000 citizens working to improve the nation's justice system.

**William A. Chatterton** ('51), a partner in the Madison firm of Ross and Chatterton and a member of the Board of Directors of the Real Estate Section of the American Bar Association, is serving on the ALI-ABA Committee on Continuing Professional Education. Another member of this committee is Prof. Stuart G. Gullickson.

While not, in fact, an alum, our adopted son **Robert C. Lovejoy** (Michigan, '42) died in July. Bob Lovejoy was a prominent Janesville attorney and a good friend of the Law School. He was particularly supportive of our practice-oriented courses. He not only taught in the General Practice Course on a number of occasions but served as co-director of the course from 1977 to 1982. As further evidence of his strong commitment to this type of education, he left a bequest to the School "to help defray the cost of the General Practice Course or one or more clinical courses similar to [that course] . . ." He was well-known throughout the Wisconsin legal community for his many bar-related public service activities.

**G. Stanley Joslin** ('39) died last December. Mr. Joslin had been a member of Emory University Law faculty for 32 years prior to his retirement in 1979. Before going to Emory, Mr. Joslin had practiced law in Portage, Wisconsin, and taught at the University of Kentucky.



Robert C. Lovejoy



## Editor's Note

30 October 1988: Last night the temperature in Madison dipped into the teens. A week ago, we had our first official snow, although it did not accumulate to cat-tracking depth. All this, it seems, only weeks after one of the hottest summers ever. My theory is that the extremes in the weather are tied to the increased use of duplicated materials in law classes. It probably has something to do with the chemicals in the ink!

Yesterday was also homecoming and the football team remains as cold as the weather. After losing to Purdue, the Badgers are now 0-8. Long ago law students were eligible for intercollegiate play. In the 1890's, one of the stars of the football team was law student Pat O'Day. He was a kicking specialist who still holds several records including a punt of 102 yards. Perhaps Coach Morton should stop over at the Law School and see if he can find anyone who begins his conversations with "G'day."

Our series of Appreciation Dinners continues. In August we joined a group of lawyers in Baraboo; September's dinner was here in Madison, with the largest number of honorees of any event; and in November we will be in Kohler and Milwaukee. At each dinner we honor teachers from the General Practice course, lawyers who have taught regular courses as visitors, and other practitioners who have done special services for the Law School. While the presentations are nice, the opportunity to exchange views with members of the bar is important for the School.

Another opportunity for exchange also just occurred. The Board of Visitors has conducted its annual inspection of the School. This year's format was somewhat different because we are in the midst of a self-study. Seeking the formal input of our alumni, the Board of Visitors heard presentations from a number of faculty on curriculum, research and resources. Perhaps the highlight of the event, however, came at the end of the two day session when Chancellor Donna Shalala came to meet the Visitors. You will be reading more about the Visit as they finish their report for presentation to the faculty.

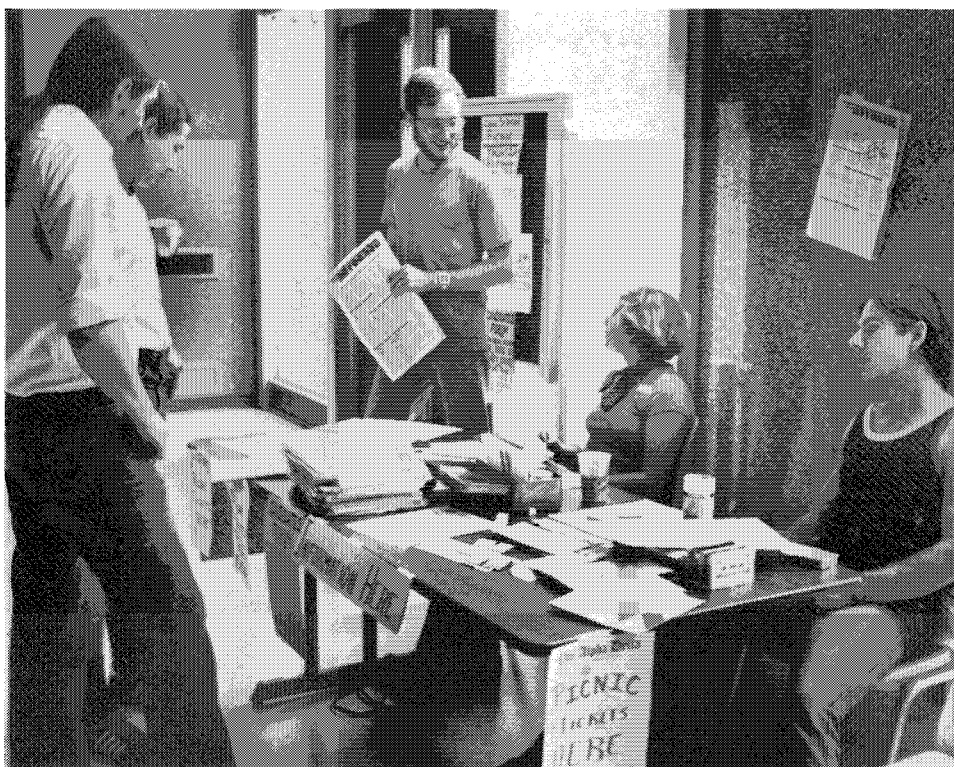
Another event worth noting is the entry of the new class of first year stu-

dents. Ordinarily this might not be considered notable, but this year is an exception. Our target for the size of the class is 285 students. In a "bad" year, we might be a couple of students under the target or four or five over. A month before this class was to enter, it looked like we might have 340 students! Law schools across the country, last year, reported amazing numbers of applicants. Law schools across the country applied its normal admission procedures to this large pool of applicants. Law schools across the country were surprised when greater numbers of students accepted offers of admission and did not reject to go to other schools which were already overfull as well. Well, by the first day of classes we still had 317 new first year

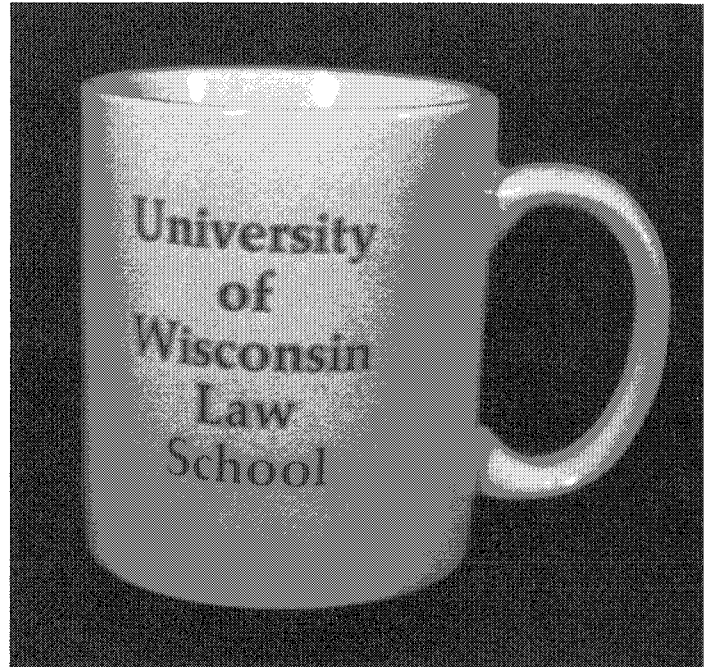
students, 11% above our target but not as bad as some schools where there are as many as 50% more.

Law schools continue to search for the cause of this surge of interest. The pool of persons in the "normal" age pool has not increased so some pundits are referring to this phenomena as the "LA Law" factor. Could one television show have influenced so many career plans?

Since I have been talking about the entering class, it is only fair that the mystery picture shows registration activity in the main lobby of the Law building. Incidentally, one of the persons pictured is also mentioned in the Alumni Notes section of this issue, but let's see if others will be able to identify the characters. One more hint: the time is the late 1970's.



Mystery Picture



# The Law School Mug

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