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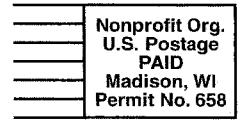
GARGOYLE

UNIVERSITY OF WISCONSIN LAW SCHOOL FORUM



VOLUME XXV NO. 1

University of Wisconsin Law School
236 Law Building
975 Bascom Mall
Madison, WI 53706-1399



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UNIVERSITY OF WISCONSIN LAW SCHOOL FORUM

VOLUME XXV NUMBER 1

SUMMER 1995

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Cover Photo: By mid-July 1995 the majority of new construction had been roughed in. Work was beginning on closing in the Bascom Hill side. The new, main reading room for the Law Library, on the top floor, will feature floor to ceiling windows, offering a spectacular view of Bascom Hill.

Twelve months to go! One more year of construction until the new, improved Law building welcomes its first students and looks forward to a Grand Reopening for all its friends! Even though this summer is, perhaps, the hardest time of all, we can see the proverbial "light at the end of the tunnel."

Talk about difficult times! There is no airconditioning anywhere in the building this summer, except for a few small units we have tried to install to prevent the staff from melting altogether. During several hot spells this summer, some areas inside the Law Library, which continues to

function during construction, hit 97 degrees. The faculty tower has no elevator and no restrooms, so the few who have to work, climb to the fifth or sixth floor, drink soda to quench their thirst, and then have to climb back down to use the remaining restroom before starting the cycle all over again. However, generally, faculty have the option to work at home during the summer. On the other hand, secretarial and support staff have had to endure these hardships because they do not have the option of working elsewhere. I want to take this opportunity to commend and thank them for their patience and cooperation during these arduous times.

I am also fortunate because I have to spend a good deal of my time visiting with alumni as we seek to wrap up the fund-raising for the building. These visits always involve meeting interesting people in pleasant and comfortable surroundings. To those of you whom I have seen and who have made a commitment to the building project—thank you. To those of you who I have yet to meet with—please accept my call or invitation to one of our many alumni events.

Recently the State Building Commission gave us some good news and some bad news. The good news is that the Commission approved a request to restore some funding which was cut last summer and increased the funding to conduct asbestos abatement. However, the bad news is that the Commission also raised our share of the project from \$5 million to \$6 million, which means that we still have to raise \$1.3 million to reach our goal.

Most contributions have been in the form of five-year pledges and have come from individuals and those giving through law firm or class gifts. We are working to conclude the fund raising with regional fund-raising efforts, several of which are now under way in Wisconsin. Local committees have been formed and are reaching out to alumni throughout the larger communities in the state. We hope to expand these regional efforts outside Wisconsin to areas where significant concentrations of alumni exist.

The final phase will include phone calls and mailings to



Dean Daniel O. Bernstine



New construction facing Bascom Hill

every Law School graduate who has not yet contributed to the building project. This phase is scheduled for summer and fall of 1996 and will give each alumnus a final opportunity to make a commitment to the future of the Law School.

One of the benefits of the alumni funds for the project, however, is that it allows us to upgrade some of the most public areas in the building. As Tom Palay, chair of our faculty building committee, says, "We need a building that raises expectations rather than dampens them. We need a building at least as good as the quality of our students, faculty and alumni." With your help, we will soon have it.

While construction goes on around us, the Law School continues its business. We welcomed Steve Barkan as our new Law Librarian, replacing Blair Kauffman who took a

similar position at Yale Law School. Michael Smith, a scholar at the Vera Institute of Justice, has joined us as a professor in the criminal justice area. After both have settled in, we will interview them for this publication and share their accomplishments with you. As you will read in this issue, long-time duplication czar, Ruth Saaf, has retired. In addition, Nancy Hubacher, who worked here for more than 25 years, the last 19 in Career Services, also retired. While you might think that I, as Dean, run the Law School, those of us within the School know it is really the people who teach the courses and engage in outstanding research and public service as well as those people who keep the paper flowing, the students registering, and the budget balanced who are really in charge.

Speech to UW Board of Visitors

MARCH 19, 1995

JOHN SKILTON

The first time I set foot in the University of Wisconsin Law School was in September, 1951. Then, as a seven-year-old, I accompanied my father, Robert Skilton, and my brother, Bob, then nine, as we proceeded up Bascom Hill and into that old Red Law Building. I close my eyes, I still sense it:—the leather dust from old books—spiced with the unmistakable smell of old pipe smoke—the squeaks of old wooden floors. I liked that building. I felt welcome there and I believe I knew *at the time* that I would some day grow up to be a lawyer. From that time on, I held on to that dream. I still have that dream and I hope that I will never grow up.

In 1966, I was admitted into the UW Law School Class of 1969. I accepted—but not without some trepidation. My father was then in his prime as a teacher. And that, of course, presented us both with some “special challenges.” After much soul-searching about attending Northwestern, the day came for me to confirm my decision to attend, or lose my spot. Gordon Baldwin was then Dean of Admissions and had known my brother Bob well. Now Bob had just graduated from the UW Law School and had done very well: *Order of the Coif*, *Law Review*, blah, blah, blah. I entered Gordon’s office and placed my acceptance on his desk; he reviewed it silently (puffing on his pipe); he then looked up and without cracking a smile



John S. Skilton ('69)

or, I might add, opening his jaw, asked: “When’s your sister coming through?”

Nor did my father help the situation. (Those who knew him may well remember his unique sense of humor and how much he enjoyed his own jokes.) He particularly liked to poke fun at vanity: “We will cast a twenty-foot-high bronze statue, in your perfect likeness—place it on a pedestal in the middle of the town square—and on the pedestal of that monument we will inscribe in gold embossed letters: “NO TALENT.” (Humor, he said, was like a bunch of naked barbarians standing around a fire uproariously laughing when one of their peers stepped on a hot coal.)

And so it was that he could not resist telling me on the day I started law school about Bill Foster’s irreverent account of the *first* pair of faculty sons to go through the UW Law School. (For good reason, their names shall remain anonymous.) The first

son, Bill said, had had great difficulty; he barely passed, and took five years to graduate. And the second son, Bill caustically noted, was “even dumber than the first.”

Nevertheless, I persevered—and, I daresay, so did my father. Indeed, in a perverse way we came to enjoy each other’s mutual predicament, and also shared many precious hours together during that intensive three-year period.

And I always knew when my father was in the building—you could smell the pipe smoke almost as you entered the building.

I became a lawyer in 1969. After clerking for a year, I entered the practice. On August 7, 1995, I will have completed 25 years as a practicing attorney—13 years in Milwaukee and 12 years in Madison—not that I’m counting. And yes, I am very proud of this accomplishment. (I can hear my father: “That, and 25¢ will get you a cup of coffee at Horn & Hardart’s.”)

The practice of law has changed greatly in that 25 years. To begin with, there are many, many more lawyers—fighting for what seems like relatively fewer clients. Law firms have become bigger. Clients have become pro-active and sometimes hostile; the rising cost of representation is of paramount concern.

No doubt the practice of law has become much more bottom-line oriented—and less fun. Billable hours drive the day. (When I started in 1970, I asked Marv Klitsner, my boss and mentor, how many

hours the firm expected of me. He replied, "between 1,400 and 1,500 hours." Today our firm, like virtually every other firm in the country, requests our associates to bill between 1,900 and 2,000 hours a year.) In 1970, bills were sent quarterly and were one line statements. Today, the detail required is enormous; and bills are often scrutinized with painful precision by clients.

In 1970, professionalism and civility were assumed, perhaps more accurately, taken for granted, although, I will confess, sometimes honored in the breach. Today, we hear about what some label as a "crisis"—in civility, in ethics, in professionalism. There is some truth in this, but, I believe, there is also some hyperbole.

And there is a profound change in who is practicing law, or, even more to the point, who *will be* practicing law in the future. My class, for example, graduated four women and no minorities. Today, as many women as men enter the practice. And so we confront serious issues of gender bias and "glass ceilings."

But for all of this, we have yet to solve the problems of under-represented minorities and still fail to provide adequate legal services to large segments of our population—not only the poor, but also to the middle class. This seems sadly paradoxical in light of the fact that today we have more lawyers.

No recounting of the history of the practice of law in the last 25 years, no matter how summary, can ignore the "information" and technology explosion. This explosion has necessitated increased specialization, not to mention a host of problems swirling around the question of unauthorized practice of law. If lawyers cannot or will not provide services at a reasonable price, others will step in and do it for us. Thus, we now see the ever increasing encroachment of non-lawyer delivery of "legal services," for example, in the forms of businesses, or more recently in computer "Kiosks."

I am pleased to note that increasingly the legal profession, as it must, is aggressively responding to this state of affairs. The ABA has been particularly proactive. Two recent reports—that of the Task Force on Law Schools and the Profession: Narrowing the Gap (known as the "*MacCrate Report*") and the "*Just Solutions Report*" bear special mention. The Mac-

Crate Report, issued in July 1992, suggests that the profession—the bar and the academy—has not been wholly successful in providing needed tools: that new lawyers, for example, are not given adequate skills-and-values training and that *both* the academy and *the bar* should take steps to improve this situation. It pays particular attention to the differences in practice settings that lawyers find themselves in, and focuses on different needs that flow therefrom. Its basic conclusion is stated at page 320:

... Increasing concern has been expressed as to the competence of lawyers and as to their adherence to professional values. Despite the increased attention in the law schools to preparing lawyers for practice and wide-ranging efforts by the organized bar to enhance lawyer competence and professional responsibility, calls have persisted for a more comprehensive response focused upon the entire process, from before law school, during law school and throughout lawyers' professional lives, by which lawyers acquire and refine their lawyering skills and professional values.

We have concluded that the time has come to focus upon the interrelationships and the linkage between the several phases of lawyers' education and also upon the interdependence of law schools and the practicing bar.

The MacCrate Report concludes with numerous recommendations as to how to improve legal education and professional development. I will mention but a few:

1. *Recommendation C.4.* The interpretation of [ABA Accreditation] standard 302(a)(iii) should expressly recognize that students who expect to enter practice in a relatively unsupervised practice setting have a special need for opportunities to obtain skills instruction.

2. *Recommendation C.8.* Each law school should undertake a study to determine which of the skills and values described in the Task Force's Statement of Skills and Values are presently being taught in its curriculum and develop a coherent agenda of skills instruction not limited to the skills of "legal analysis and reasoning," "legal research," "writing" and "litigation."

3. *Recommendation C.19.* Law school deans, professors, administrators and staff should be concerned to convey to students that the professional value of the need to "promote justice, fairness and morality" is an essential ingredient of the legal profession; the practicing bar should be concerned to impress on students that success in the practice of law is not measured by financial rewards alone, by a lawyer's commitment to a just, fair and moral society.

4. *Recommendation C.24.* Law schools should assign primary responsibility for instruction in professional skills and values to permanent full-time faculty who can devote the time and expertise to teaching and developing new methods of teaching skills to law students. In addition, law schools should continue to make appropriate use of skilled and experienced practicing lawyers and judges in professional skills and values instruction with guidance, structure, supervision and evaluation of these adjunct faculty by full-time teachers.

The "Just Solutions" conference looked at broader, but related, questions concerning the delivery of legal services and suggested that each state shape and determine its own solutions to what the "Just Solutions" conference clearly identified as a crisis.

I have had the privilege of serving on Alumni Boards of this law school since 1980. In 1988, I chaired the Law School's Board of Visitors. At that time the Visitors were asked to comment on the Law School's "Futures Report." We did so. You may remember that Report. For some of us—the alumni—some of the Futures Report's proposals seemed "radical." Nevertheless and, I might say, with some lingering concerns, we concluded (1988 Visitor's Report, at 17–18):

What do the Visitors view as the mission of the Law School? No Visitor wants the Law School to be turned into a "trade" school (if that be defined as a school whose sole mission is to train students how to practice law). On the other hand, the Visitors are concerned lest the Law School be "academized" or "criticized," *i.e.*, that it become another "graduate school" committed to the study of abstract (or even so-

called empirical or normative) concepts of social justice and fairness.

Law is decisional: it resolve disputes. Students must continue to be thoroughly grounded in the rules of law as developed and applied by the courts. *Stare decisis* is not irrelevant. What the Visitors advocate is *balance*—balance between the “core” and the “frontier”—the “classroom” and the “clinic”—case law and “law-in-action.”

It is our view that the Law School has historically succeeded in maintaining that balance—however imperfect and imprecise—certainly while we were privileged to attend it. And it is our hope and firm recommendation that a similar balance—appropriately massaged and adjusted to accommodate changes in the law and the times—will be maintained in the future.

For in the end, the Law School, like the Law, cannot be all things to all people. The student body is not homogenous. The Faculty is not homogenous. Times change. Causes change. Values change. Power changes. If the Law School can continue to train a student to “think like a lawyer,” and equip him or her to be able to effectively deploy this special skill, the rest will follow: it has done quite enough.

(As an aside, I will tell you that I have recently read the book *Poisoned Ivy*—a purported study of the problems at Harvard Law School in the last four years. I recommend this book to each person in this room. Regardless of the book's obvious shortcomings, I believe it displays a profound difference between this Law School's approach to issues of gender and racial diversity and that of a so-called “more prestigious” institution—ranked number 1 or number 2 by *U.S. News & World Report*. Not here, thank you very much. Not here!)

In separate meetings last spring, this Law School was confronted by lawyer members of the University of Wisconsin Board of Regents with fairly strident criticism—largely founded on anecdotal evidence—to the effect that it, the Law School, was failing in its duty to properly train law students to become practicing lawyers. As president of the WLAA, I was

invited to attend these meetings to hear the criticism and to offer my perspectives. I also heard the forceful and appropriate responses of Dean Bernstine and Stewart Macaulay, among others.

Because of the intensity of this criticism, I felt that the Regents' concerns needed to be communicated to the Law School's alumni. Thus, at their 1994 meeting, our Visitors considered a list of criticisms gleaned from the Regents' meetings, talked with faculty and students and issued a report. That report is now published in the most recent *Gargoyle* and, I believe, you, the faculty, will find it largely supportive of your efforts.

Last spring, at the time of the first meeting of the Regents, I was running for President of the State Bar. By the time of the second meeting, I had been elected. At the second meeting, I told the Regents that as State Bar President I would form a commission which would also address the issues and recommendations of the MacCrate Report, many of which seemed to be similar to the concerns expressed by the Regents.

Thus, and as a result of the coincident confluence of the recommendations in the MacCrate Report and the concerns expressed by the Board of Regents, last summer I appointed a 30 member State Bar Commission on Legal Education. This Commission is chaired by Chief Justice Heffernan; the Vice Chair is Judge Pat Gorence; the Reporter is Erica Eisinger. Three UW law faculty member serve as members: Gerry Thain, Stuart Gullickson and Ralph Cagle. Three Marquette law faculty members also serve, including Past Dean Frank DeGuire; distinguished members of the judiciary, the academy and the bar fill out the ranks.

This Commission has undertaken its task with great enthusiasm and commitment. Triggering on the MacCrate Report's format, it is examining and will articulate a statement of skills and values, and how these skills and values can be taught to prospective and current members of the bar. Its study includes training at the law school level but it is not limited to that. Committees are studying and will make recommendations concerning post-graduate training.

This Commission will issue its preliminary report in March, 1996. That report, in turn, will be submitted to the State Bar

Board of Governors for comment at its April, 1996 Board meeting. The final report will be issued in June, 1996.

I predict that the final report will be constructive and supportive of the work that is already going on in this law school and at Marquette. Hopefully, too, it will offer meaningful, concrete recommendations on how to improve upon what the MacCrate Report aptly styles as the “common enterprise” of the development of lawyers. Like the MacCrate Task Force, the underlying premise of this Commissions' work is that of shared responsibility.

Conversely, I do not expect any attempt to micromanage the law schools or encroach upon the appropriate prerogatives of their faculties.

I believe that you will also be interested to know that I have also appointed a Commission on the Delivery of Legal Services which, under a similar track, will make recommendations as to how Wisconsin lawyers can improve the delivery of legal services. I chair that Commission. Pam Barker (a member of the WLAA Board) is Vice Chair. Maureen McGinnity is the Reporter. Justices Abrahamson and Geske are Commission members and are joined by other distinguished members of the bar including Lane Ware (another member of the WLAA Board) and Louise Trubek, of this faculty.

As with the Legal Education Commission, it is my expectation that this commission will ultimately offer constructive and creative recommendations which will improve the access to, availability and affordability of, legal services to the citizens of the State of Wisconsin.

My term as State Bar President will end July 1, 1996. By then, hopefully, the two Commissions will have issued their reports. By that time, too, hopefully, my daughter, Laura, will have completed her second year at this law school. And by that time, God willing, when she starts her third year, it will be in a completed, state-of-the-art law building.

And by that time, I hope to be still welcome to visit that building. And if I am, I will search out Gordon Baldwin's office—to see whether he will ask me, “When's your other daughter coming through” and, I might add, to sniff just a little bit of his pipe smoke.

Thank you very much.

Presentation of the U.W. Law Alumni Association's
Distinguished Service Award on March 18, 1995 to

Rodney O. Kittelsen ('40)

REMARKS BY STUART GULLICKSON ('51)

It is a privilege for me to sketch the career of my friend Rodney Kittelsen that earns him this year's *Distinguished Service Award* for a judge or practicing lawyer.

Our Alumni have presented that award for twenty-eight years. During that time, it has grown into a most significant symbol of professional excellence. Its stature reflects the major achievements of the prior recipients of it. Some of those illustrious honorees are in the audience this evening.

One who celebrates Rodney Kittelsen must include a touch of levity because he's blessed with such a great sense of humor—usually the self deprecating kind. When I called him to congratulate him on receiving this honor, I told him, "I think it's a special one because of the excellent reputations of previous honorees." Rod replied, "If they give it to me, it just shows you how far they have slipped this year."

In a similar vein, Rod tells of his exploits as a bench warmer on his high school basketball team. Early in a big game, some fans chanted, "WE WANT KITTELSEN—WE WANT KITTELSEN." They repeated that chorus intermittently as the game wore on. They roared it at a crucial moment near the end when his team's star player fouled out. Over the din, his



harried coach glared down the bench and shouted, "Kittelsen!" Rod leapt to his feet eager to save the day. The coach rasped, "Kittelsen, go over there and see why those crazy people want you."

Rod is a Wisconsinite to the core. He was born on a farm in Green County, worked his way through undergrad and law school at the UW-Madison, and married Pearle upon graduation in 1940. The couple are justly proud of their three outstanding sons, only one of whom, Rod drolly explains, failed and became a lawyer. In 1940, he practiced briefly in Milwaukee and then joined the F.B.I. for a six-year stint. He returned to his home county in 1946 to establish the law firm in

Monroe that is now Kittelsen, Barry, Ross, Wellington and Thompson.

Our honoree has been admitted to the bar of the United States Supreme Court, elected to membership in the American College of Trust and Estate Counsel, presented the State Bar's *Charles Goldberg Award* for public service, and given the Wisconsin School Attorney's Association's *Distinguished Service Award* for this contributions to school law.

Rodney is a leader, and he generously gives of himself for long stints of public service. He's a former state president of the Future Farmers of America, president of the State Bar of Wisconsin, and president of the Wisconsin Bar Foundation. He

taught in our General Practice Course for three years, and served as District Attorney of Green County for six years, as General Counsel for the national Ex-FBI Agents Association for the last nine, as a member of the Monroe Board of Education for fifteen—twelve of them as president, and as a member of the Monroe Police and Fire Commission for forty-eight years—the last thirty of them as its chairperson.

While he presided over the Monroe School Board, he directed the construction of four new school buildings.

When his city needed a new library, he worked behind the scenes to enable it to receive a gift of a prime site on its down-

town square. Then he quietly helped to raise private funds and to secure referendum approval of the electorate.

Monroe recently expressed its appreciation for his public service when the Jaycees honored him as the community's outstanding senior citizen.

Good lawyers contribute to the improvement of society through their professional work, as well as through public service. To me, such efforts are the most significant of all. I'm indebted to Carl Ross, my confidant and one of Rod's partners, for telling me how Mr. Kittelsen, with the help of his firm, once saved Monroe's telephone company.

They represented a group of owners who challenged the utility's chief executive for mismanagement. They succeeded. The deposed executive reacted by plunging the company into bankruptcy. Mr. Kittelsen presented the bankruptcy court with an imaginative plan to continue telephone service and to pay the creditors in full. It pivoted upon obtaining approval of

the Public Service Commission for, of all things, a rate hike requested by the consumers! The Commission scheduled a hearing in Monroe on the petition for the increase. The proponents had to show that the customers actually wanted to pay more to have the benefit of the Kittelsen plan. He, in turn, devised conduits through which that support could be made known. He explained the merits of his proposal to the local newspaper. It wrote a front page editorial that justified the raise. He informed the local radio station and it presented a call-in show to educate the citizenry. He arranged for supporters to attend the hearing. They packed the auditorium. That unified community action resulted in a favorable PSC ruling. Telephone service continued, but with new, competent management. All creditors, most of whom were local, received payment in full.

The area benefited immensely from the skilled professional services of those good lawyers.

Rodney Kittelsen, the jester, happens to be Norwegian. His son, Jeff, practices law in Korea. Rod visited Jeff during the summer Olympics in Seoul. He returned to the U.S. shores proudly bearing a gold medal. "I won it," he explained, "as a member of the Norwegian javelin team. I was their catcher!"

Being a heroic Viking, he is the unfortunate victim of occasional disparaging "pillaging and plundering" jibes from some of his roguish friends. He defends himself well with his rapier-like wit. On various occasions, he has declared that, "Jack DeWitt could walk into an empty room and blend right in"; that "Myron LaRowe looks better in cheap clothing than anyone I know"; and that "George Steil's rise to fame and power came as a surprise to all who knew him!"

Rodney, on behalf of our more than ten thousand alumni, I am honored to present to you our 1995 *Distinguished Service Award*.

Presentation of Distinguished Service Award to

Professor James E. Jones, Jr. ('56)

BY HAROLD JORDAN
(’77)

The purpose of the University of Wisconsin according to the faculty mission statement “is to provide an environment in which faculty and students can discover, examine critically, preserve, and transmit knowledge, wisdom, and values that will help ensure the survival of the present and future generations with improvement in the quality of life.

I have the distinct privilege tonight to present the *Distinguished Service Award* to Professor James E. Jones, Jr., the embodiment of its mission, and a true son of this institution.

Professor Jones was born in Little Rock, Arkansas, in 1924. After serving in the Navy during World War II, he matriculated at Lincoln University and in 1950 graduated *Magna Cum Laude*. He then attended the University of Illinois, where in 1951, he was awarded a Masters Degree from the Institute of Labor and Industrial Relations.

Upon leaving the University of Illinois, Professor Jones began a career in labor relations that has spanned five decades. He took a job as an Industrial Relations Analyst at the U.S. Wage Stabilization Board for Region Seven, where he worked between 1951 and 1953.

Leaving the Stabilization Board in 1953, Jim continued his slow academic trek northward which finally brought him to



Harold Jordan (l) with Professor Jones (r).

Wisconsin and the University of Wisconsin Law School. During his years as a law student, Jim distinguished himself and was the first black student selected to serve on the *Law Review*.

After graduating from the law school, Jim, impelled by his personal love and interest, continued to pursue the practice of labor law. That interest led him to the *puzzle palace* on the Potomac that I call my home, Washington D.C.. He took a job as Legislative Attorney for the U.S. Department of Labor in 1956 and served in that position until 1963, interrupted briefly in 1958 to serve on the Research staff of the Pulp, Sulphite and Paper Mill Workers of the AFL-CIO.

During his service as Legislative Attor-

ney, Jim had the good fortune, or the misfortune, to have been given the task of drafting the regulations concerning affirmative action goals and timetables. He has been dealing with that issue in one way or another ever since.

In 1963, Jim was tapped to serve as Counsel for Labor Relations for the Department of Labor. He continued his rise in status at the Labor Department, and in 1966, was named the Director of the Office of Labor Management Policy Development. In 1967, Lyndon Johnson named him Associate Solicitor of Labor in the Division of Labor Relations and Civil Rights.

In 1969, Washington got Richard Milhouse Nixon, and the University of Wisconsin Law School got James Earl Jones, Jr. In my totally unbiased opinion, Wisconsin got the far better deal.

Jim has served this institution in a great number of ways since joining the faculties of the Law School and the Industrial Relations Research Institute. Although the list of all of his contributions are too numerous to mention tonight, a few are particularly notable.

In the area of University governance, Jim served on the Presidential Search and Screening Committee in 1979 and the Search Committee for the Vice Chancellor for Executive and Legal Counsel. He served eleven years in the University Sen-

ate, and over twenty years on the Athletic Board. He was the Ombudsman for the UW Police and Security Department and on the Board of Regents Ad Hoc Committee on Minority and Disadvantaged Students. This service was in addition to the yeoman's work that he performed on law school and institute committees.

Inside the law school, Jim served as the Faculty Supervisor of Clinical Legal Education for Labor Law clinicals and Faculty Supervisor for the NAACP Legal Defense Fund Jackson Fellows.

During his tenure, he found time to educate a generation of labor lawyers. Jim, along with Nate Feinsinger, Abner Brody and others, established the University of Wisconsin Law School as an intellectual center for the study of labor law.

Jim has been a much sought-after lecturer around the country and has made significant contributions to literally dozens of conferences and workshops.

In addition, Professor Jones was instrumental in establishing two programs at the Law School which have had a significant effect upon this institution.

First, Professor Jones was the fine hand behind the creation of the Legal Education Opportunities (LEO) program, through which literally hundreds of minority students have become attorneys, myself included.

Second, and not unrelated to the needs created by the first, he conceived the *Hastie Fellowship*, a program which has brought outstanding minority law graduates to the UW Law School to pursue advanced degrees, providing a strong basis from which to pursue careers in teaching. The success of this program is in no small way evidenced by the fact that the first *Hastie Fellow* currently serves as the Dean of this law school. Many others have also gone on to successful academic careers.

Jim is one of the nation's foremost authorities on Affirmative Action. He has a body of work that I would strongly recommend to anyone who has an interest in the subject beyond the sound bites and political posturing. He goes about proving something that we all know but sometimes do not want to acknowledge, and that is that for every complex problem, there is a simple solution that is usually wrong. Jim, through his scholarly work,

has been able to make the intellectual case for affirmative action. His work should be instructive to those out there who do not yet realize that the plural of anecdote is not data.

Jim has served the public beyond the confines of the academy. In Madison, he has served on the School District Affirmative Action Advisory Committee and the Police and Fire Commission, two years as President.

At the state level, he has served on the Manpower Planning Council, the Governor's Task Force on Comparable Worth and the Wisconsin Federal Nominating Commission.

Nationally, Jim has served as a member of the Public Review Board International Union, of the United Auto Workers, the National Advisory Board of the IR Law Journal, and as a member of the Advisory Committee of the National Research Council of the National Academy of Science. He has served as a member of the Fact Finding Panel, National Mailhandlers and U.S. Postal Service Dispute in 1984. And, Jim has been a member of the Federal Mediation and Conciliation Arbitration Panel since 1973. Under the Carter administration, he was a consultant to the President's Reorganization Task Force on Civil Rights. The list of his service activities goes on, but from this short list, you can get a taste for the breadth of Jim's contributions to society.

He has received numerous awards for his teaching, including the UW-LEO Students Professor of the Year Award in 1986. The Hilldale Award for 199-91, as the outstanding professor in the Social Science Division of the University and the C. Clyde Ferguson Award, of the AALS Minority Section as the teacher of the year for 1993, were also granted to him.

I never took a course from Professor Jones because I never had an interest in labor law. And now that I own businesses with several hundred employees, I have even less interest in labor law. No, his impact on me was similar to that which he had on many students, both black and white, but especially black. He served as a role model, a cheerleader and a hard taskmaster.

The word among the black law students of my day was that Professor Jones

was extremely demanding of black students, and some suggested that perhaps he was unnecessarily harsh. But Jim's form of tough love conveyed to us, regardless of whether we acknowledged it or not, that he expected a lot of us and from us. He conveyed to us his belief that we were capable of fulfilling his expectations.

I always thought that I was something of a disappointment to Jim because I never really showed the intellectual interest in the law that he thought I was capable of. I insisted on treating law school like a trade school. He would always talk to me about putting on the hair shirt, and I would talk to him about almost anything else. Yet his persistence was not totally lost on me, and although I never pursued an academic life, I still measure many of my successes in light of the high standards that he always urged.

When I measure my accomplishments by his standards, I usually come up wanting. However, on the rare occasion when I think I have fulfilled some of the promise he saw in me, I, like so many of my contemporaries, give Jim a call and without saying so directly, say thank you for believing in us. And, thanks for being the role model that you have been.

Moreover, Jim, you have always fought the good fight, whether it be against racism, sexism, homophobia or any other manifestation of ignorance. You have been a tireless worker for labor justice, civil rights and human rights.

If someone were to ask me how I, and many others, are able to stand chest deep in the metaphorical troubled waters caused by the current rising tide of small minded, and mean-spirited policies and actions. I would have to answer that the waters are not too deep because I am standing on the shoulders of Jim Jones.

So, as a representative of the Alumni of the University of Wisconsin Law School, I present to you, Professor James E. Jones, Jr., the 1995 *Distinguished Service Award* as a partial recognition of a life of service to this institution, which I know you love, and in anticipation of many more years of service.

May It Please The Court:

UW Moot Court teams earn recognition nationally

BY PAUL S. DRAYNA

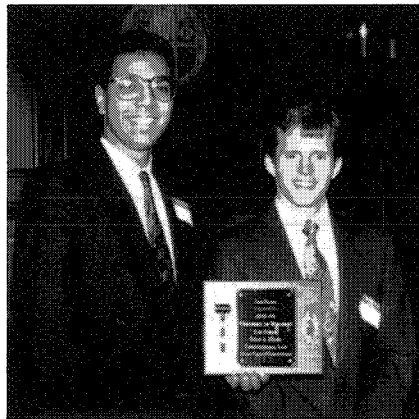
The University of Wisconsin Moot Court teams enjoyed a highly successful season of competition during the 1994-95 school year. Seven of Wisconsin's ten teams advanced to the quarter final level, and three teams to the final rounds of their competitions. In addition, three students earned "Best Oralist" honors, and one team was recognized for "Best Brief." (See sidebar for complete results).

I. HISTORY OF THE MOOT COURT BOARD

While many lawyers complain that law schools provide inadequate practical training, Moot Court gives students extensive experience in research, appellate brief writing, and oral argument skills while they are still in school. The program earns praise from practitioners, judges, and faculty alike for its unique contribution to the law school experience.

Nationally, the Moot Court program goes "way back," said Professor Carin Clauss, who formerly served as faculty advisor to the Moot Court program from 1981-1993. Clauss said the National Moot Court competition -one of the largest and most prestigious tournaments -has been around for at least forty to fifty years.

The first Moot Court teams formed at the UW nearly 30 years ago. Before a formal structure existed, individual faculty members would volunteer to coach loosely organized teams, Clauss said. At that time, the UW participated in only two competitions -the Jessup International tour-



Oscar Herasme and Dixon Gabnz, Class of 1995

namment, and the National Competition. For five years Clauss supervised the teams, and implemented a formal tryout process that involved careful review of writing samples, transcripts, and oral presentations.

As more and more students expressed interest in the activity three more competitions were added. The program was rapidly growing into more than one person could manage, Clauss said, and a committee was formed to examine Moot Court programs at other schools, and propose a solution for the UW. Upon recommendation of this Committee, the Law School founded a Moot Court Board in 1985. The student Board has a formal constitution and bylaws, and is run by an Executive Committee comprised solely of third year law students elected to five executive board positions. In 1986, the Moot Court Board added five competitions bringing the total UW teams to ten, Clauss said.

The UW's program is distinguishable from that of many schools where Moot Court is a loosely organized activity and any student may participate. Admission to the UW's Moot Court board is granted only through formal tryouts, and is considered a very high honor, said current Board president Laura Dunek. The Board endures today, and now administers a program recognized nationally for its excellence and innovation.

II. ADMISSION TO THE MOOT COURT BOARD

Students gain admittance to the board through three formal tryout processes. First year students may try out during the spring semester by submitting a short brief, and presenting an oral argument before a panel of judges. Generally 150 to 200 first years compete for only about 30 spots on the board, so competition is fierce.

Second year students who did not make it first year, or were unable to compete in the spring process, can try out through an intramural oral advocacy competition during the fall semester. For the fall competition, participants present a series of arguments based on a pre-written brief. Unlike the first years who tried out in the spring semester, competitors must argue both as petitioner and respondent. The two finalists in the Fall competition are admitted to the Moot Court Board, and compete during their third year.

Finally, second year students not yet admitted to the board may participate in a semester-long appellate writing and argument seminar, which culminates in the



Gerald Fox and William Boulware, Class of 1995

Heffernan competition, named after Chief Justice Nathan S. Heffernan of the Wisconsin Supreme Court. The top two to four finalists are admitted to the Board, and compete during their third year.

Once admitted to the board, members are assigned to one of ten teams and compete in just one specific competition. The tournaments attended by UW teams are held throughout the country. The subject matter of each competition is focused to a particular topic, and ranges from environmental law, to products liability, to evidence, to constitutional law. Members are allowed to select which competition they prefer to attend, based on their individual interests.

III. PREPARING FOR COMPETITION

Preparing for a competition is a work and time-intensive undertaking, usually absorbing the participants for two months. The problem for a competition is generally mailed to participants one month before briefs are due. Problems are sometimes hypothetical cases, and sometimes real cases which are working their way through the appellate system at the time. After one month of intensive research and writing, the briefs are served upon the competition organizers, and all other competing teams. After serving their briefs, participants usually have about one month to prepare their oral arguments.

While preparing for competition, team

members are coached by third year students who competed the year before. This practice of students coaching students is rare, and distinguishes the UW's program from that of most other law schools where third year competitors are coached by faculty or practitioners. The UW's structure does not disadvantage its teams, says president Laura Dunek. "The student coaches provide very practical advice about how the competitions are run, and what is expected. They are able to sympathize with much of what the competitors face, having gone through it just a year earlier." Dunek says other competitors are often surprised to learn that the UW teams are second years with student coaches. "The quality of our teams often surprises other schools, especially when they learn that most of our competitors are only second years, coached by other students. Most schools send third years to these competitions, and they just don't expect to be given a run for their money by second years."

The practical experience shared by student coaches is augmented by substantive feedback from faculty members and area practitioners, who also serve as judges during the extensive oral argument practices. All competitions require that the teams argue not only from the side they briefed, but also the opposing side as well.

Finally the competition arrives, and participants put their skills to the test against other students from across the country. Wisconsin teams have historically



Maureen Boyle ('94) and Lisa Judson ('94)

done very well, and this year's competitors were no exception. See the sidebar article for results.

IV. DEVELOPMENT OF ORAL ADVOCACY AND ADVANCED LEGAL WRITING SKILLS

When all is said and done, Moot Court participants gain much more than a line on their resumes. The experience of becoming immersed in an issue, and arguing a case before judges is quite different from the usual law school experience. "The most exciting part of the competition was when it finally all came together," said Christina Plum, a 3L whose team won best brief at the Administrative Law Competition this year. "We felt confident, and we were lawyers arguing before the court."

Plum continued, "One of the most valuable parts of the competition came after we completed our oral arguments. It was then that the judges and practitioners gave their feedback. It's immediate feedback - something that is rare in law school."

The lessons of moot court are not left behind upon graduation, however. Team members carry their experiences into real court rooms, and say the skills they developed transfer directly into the practice of law. Discussing oral advocacy, Maureen Boyle, '94, Assistant District Attorney for Walworth County, Wisconsin said, "It's a hard thing for people to do, actually. Most people think that all lawyers can just stand up and speak eloquently. They



Chicago Bar Moot Court Competition. UW Law Students Lisa Judson and Elizabeth Donley hold the trophy

can't. And that's where Moot Court training is essential."

Boyle continued, "Most of what I do is oral argument. Every day I have to think on my feet and answer questions from the judge, other attorneys, and members of the jury. Thus for me, Moot Court skills translated directly into practice."

Faculty members also recognize the value of moot court in enriching the law school experience. Prof. Clauss, a former Solicitor General of the United States, says that the skills developed by Moot Court participants are impressive.

Employers who hire moot court members agree that practice makes perfect. Many law firms interviewing on campus now request applicants with Moot Court experience. "Top 30%, Law Review or Moot Court" is a common sight on the

bulletin board outside the placement office today. While many law firms recognize Moot Court as an equal to law review, some people still consider it a runner-up. Not so says Maureen Boyle. "For me it was such a clear choice between Moot Court and Law Review. With Moot Court I could sink my teeth into skills which I knew I would apply later in my career. For people who want to litigate, Moot Court is invaluable."

Through research, writing, oral advocacy, and coaching the UW Moot Court Board helps prepare students to enter court rooms as competent and polished advocates. Recognized by the bench, the bar, and the faculty for its outstanding contribution to legal education, Moot Court has earned a firm place in the overall law school experience.

Board President Laura Dunek is both proud and optimistic. "I am particularly proud of the fact that our students gain nationwide exposure through our competitions. Not only are they developing legal skills which will directly translate into the practice of law, but students develop these skills with guidance from judges and lawyers who practice in nearly every federal district in the country. The opportunity and exposure for UW law students is golden."

Although the law school's current construction project is draining funding, with a new appellate court room planned in the renovated law school, the UW's Moot Court teams will be pleasing courts well into the 21st century.

The competitions attended by UW Moot Court teams are held all across the nation, and cover many substantive areas of law. Here is a summary of the competitions attended this year.



University of Cincinnati Administrative Law Competition: includes Christina Plum (4th from left) and Bruce Nilles (5th from left)

National Competition Regional, held in Milwaukee. Constitutional Law. Two teams, six people attended. One team advanced to Quarter finals.

Chicago Bar Competition, Chicago. Constitutional Law. Three teams, nine people attended. Teams took First and Second overall (Wisconsin v. Wisconsin in the final round!). Omar Megahead, 2L, best oralist.

Pace Environmental Law Competition, held at Pace University, NY. One team, three people attended. Joanna Glowacki, 2L, best oralist for preliminary round.

Minnesota Civil Rights Competition, held at University of Minnesota. Two teams, four people attended. One team advanced to Quarter finals.

Administrative Law Competition, University of Dayton, Ohio. Two teams, four people attended. One team advanced to semifinals. Best Brief. Christina Plum, 3L, second best oralist overall.

Spong Constitutional Law Competition, William and Mary College of Law,

Virginia. Two teams of four people attended. One team advanced to Final round. Second place overall.

Brooklyn Evidence Competition,

Brooklyn Law School, NY. One team, three people. This was Wisconsin's first year attending this large competition of over sixty teams. Wisconsin's team was eliminated in the preliminary rounds.

Evans Competition, Madison. Second annual competition hosted by the University of Wisconsin Law School! Two teams, four people attended. Both teams quarter finalists. Cory Nettles, 2L, second best oralist overall.

Products Liability Competition, University of Cincinnati, OH. Two teams, four people. Wisconsin's team was eliminated in the preliminary rounds of this large competition. Last year the UW team won Best Brief.

Vanderbilt Constitutional Law Competition,

Vanderbilt University, Nashville, TN. Two teams, four people attended. Both teams eliminated in prelim rounds. This was the UW's second year attending this very large competition.



Chicago Bar Moot Court Competition team consists of Nelida Cortes, Omar Megahed and Kela Fry, Class of 1996.

First Annual Evan A. Evans Moot Court Tournament

FEBRUARY 25 & 26, 1994

BY LISA KAISER

Despite a three-day snowstorm that prevented one of the expected teams from arriving, the first Evan A. Evans Moot Court Tournament was a resounding success thanks to the top-notch competitors, prestigious judges and a challenging constitutional law problem.

William Boulware and Gerald Fox of the University of Wisconsin Law School captured the prize for Best Oral Argument edging out the team from San Joaquin University School of Law in the final round held at the Wisconsin Supreme Court Chambers. Boulware and Fox also won the award for the Best Brief.

Ann Whalen of the University of Dayton School of Law won Best Oralist and Oscar Herasme and Dixon Gahnz of the UW Law School won third place in oral arguments.

The UW Law School placed two teams in the competition, as did the University of Dayton. George Mason University School of Law, John Marshall School of Law and San Joaquin University School of Law each sent one team.

The team from Vanderbilt University School of Law was unable to reach Madison in the cross-country snow storm that forced the San Joaquin team to spend an unexpected night in Cincinnati and arrive in Madison a day later than planned.

The final round of competition was judged by four Wisconsin Supreme Court Justices: Chief Justice Nathan Heffernan, and Justices Roland Day, Janine Geske and Jon Wilcox. The justices grilled the UW team of Boulware and Fox along with their competitors from San Joaquin, Steve Els-

berg and Mark Pasculli.

"You could tell that the justices were prepared for the competition because they knew the problem inside and out and asked us good questions during the arguments," said Fox. "It showed a high level of commitment on their part."

The justices invited the finalists into their chambers after the round to discuss their arguments and presentations.

"They were warm, humorous and generous," said Elsberg about the time spent with the justices. Being able to argue in front of the justices was the reason why the San Joaquin team decided to enter the Evans competition and Elsberg said that it was an honor to be a part of the finals.

Boulware said that he learned from their comments, "Their critiques were really constructive without being degrading."

The justices were not the only judges involved in the competition, however. Judges of the preliminary rounds included: Senior Circuit Judge of the Seventh Circuit Court of Appeals Thomas Fairchild; Seventh Circuit Court of Appeals Judge Richard Cudahy; Dane County Circuit Court Judges Jack Aulik, Richard Callaway, Moria Krueger and George Northrup; U.S. Magistrate Judge Stephen Crocker; Wisconsin



Court of Appeals Judges Daniel Anderson, Daniel La Rocque and Charles Dykman; and Milwaukee County Circuit Court Judge Laurence Gram, Jr.

Prominent attorneys from Madison and Milwaukee also judged preliminary rounds, including Walt Zimmerman, now with Foley & Lardner in Milwaukee, who conceived the idea of honoring Evans with a moot court competition a few years ago. Pat

Roggensack of DeWitt Ross & Stevens, a moot court alumna who helped set up the tournament also judged one of the early rounds.

The awards were presented by Evans Vice President Maureen Boyle at a banquet following final arguments. Moot Court President Lisa Judson said that Boyle's efforts resulted in a great start for the annual tournament.

"We were extremely happy with Evans," Judson said. "We got lots of compliments from all the participants, they thought it was really well done and well organized and had an interesting problem. Our goal was just to get through it in the first year and work out the kinks next year, but we actually did well. I think we exceeded our expectations."

Lawyer with 'drive to give back' drives back to teach

ADAPTED FROM
THE CHICAGO LAWYER,
DECEMBER 1994

It happens every payday. The checks go out to the Law School faculty and Instructor Harry Ruffalo ('67) gets zip.

But Ruffalo is not being slighted. He teaches a weekly course on a pro bono basis as a way to meet an old debt.

"If you want to get mushy about this, the Law School provided me with a wonderful career, and this is my way of paying it back," said Ruffalo, managing partner of tax for the worldwide operation of Arthur Andersen & Co.

Once a week during the fall semester, Ruffalo leaves his Deerfield, Illinois, home at about 5:00 am and drives to Madison to teach.

"I get to Madison between 7:00 and 7:10 am," he said. "I prepare for class, then teach from 8:50-10:50. I usually get back to the office around 1:15."

Not only does Ruffalo teach for free, he also doesn't ask to be reimbursed for the 280 miles that he logs each week driving to and from Madison.

"It's totally free," he said.

If his compensation—or lack thereof—is unusual, so is his course. Called **The Business of Practicing Law**, it focuses on how to manage a law firm.

The course syllabus includes managing for profitability, practice development, ethical and professional considerations, defining a firm's vision, marketing strategy, client segmentation, communications, understanding client psychology, establishing client referrals, networking and engaging new clients.

"A dose of reality is what it is," Ruffalo said. "The students tell me that this is probably one of the more practical courses they've had."

College courses that concentrate on the business side of law are relatively rare and often are addressed only in non-credit workshops or seminars.

The course, which Ruffalo said could have been called **The Business of Being in the Professional Services Business** is designed to be interactive.

"I give them reading the week before," he said. "Then, I make up some vignettes, hand them out, and get them to think about it. It's really a discussion on what they would do and how they would handle it. We talk about the fact that they have to be practice developers, they have to create relationships. We talk about the concept of how to serve your clients or at least meet their expectations."

"A typical student's reaction to the coursework is 'My God, how can one person be expected to do all this stuff?'" Ruffalo said.

Ruffalo said his students are hungry for war stories and as Arthur Andersen's manager of tax operations, he has plenty.

"We have 7,000 tax professionals in about 90 countries. My job is making sure our standards of practice are upheld worldwide."

Because of his global responsibilities, Ruffalo occasionally misses class.

"I'm on an airplane about 60 percent of my life," he said. "That's another factor that comes into play. Fortunately, my partners have substituted for me. I think that's good for the students to get different perspectives."

"I'm in the process of packaging this course," he said. "I'm packaging it as a course that prepares people to work in a service environment. This can be a prototype that could be taught by our people in just about any major law school."

Dean Daniel O. Bernstine, who helped bring the course into being now is pleased with its benefits.

"Law schools need to help introduce students to all the various 'real worlds' that lawyers will practice in. Harry's course is a great introduction for the majority that will be engaged in private practice. And, of course, no one minds getting a quality course and instruction for free!"

WILLIAM T. RIESER ('57)

BY LISA KAISER

"I had no intention of becoming a lawyer after I knew how hard my father worked," said William T. Rieser ('57), son of Robert M. Rieser, who received his law degree from the Law School in 1914.

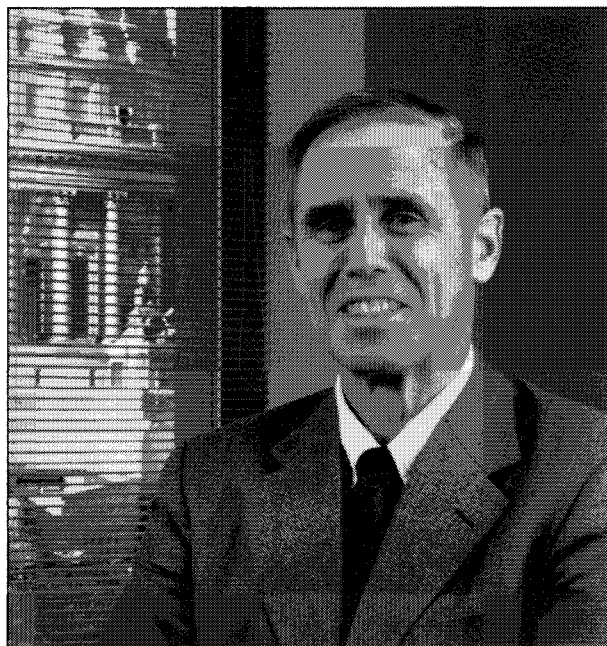
Although the two Riesers became lawyers, they went about it in different ways. Robert became intrigued by the law when he was 14 years old and had some time to kill while visiting Baraboo in 1902. He wandered into the courthouse and saw a case argued by two of Wisconsin's most prominent attorneys—John Olin and Robert LaFollette. He then decided he wanted to practice law.

"The interesting thing is that my father ended up being a partner with John Olin in 1923, in the firm Olin & Butler," Rieser said. The firm was one of the largest and most prestigious in the state. "It was a small world for this kid from a farm."

Rieser remembers his father talking about his experiences in law school, his efforts as the only one in his rural Blackhawk area family who was able to get an education.

"He used to tell us about law school when we were young," Rieser said. "It took him a long time to get through law school because he was working at the same time. He also took time off to sell books, traveling around the midwest."

Bill Rieser studied geography for a while, switched to economics, and focused on business courses in the hopes of



becoming a stock counsellor. It was not until Rieser was in the military that he decided to become a lawyer. He was defense counsel in a court martial despite his lack of legal knowledge—the prosecution and the judge were not lawyers and did not know anything about the law either. The proceedings were a mess. "The judge kept ruling against me and I was frustrated because I thought he was wrong," Rieser said.

He later found a manual for court martials with its highly praised evidence section, found he was right after all and was hooked. "I just became fascinated with it," Rieser said. He entered law school and was quite successful, earning Order of the Coif and being selected for the Law Review.

Rieser said that his father did not try to influence him in deciding on a career. "He had a stand-off attitude when it came to my career," Rieser said. "My brother tried law

school and he didn't enjoy it. I think my father decided that pressure wasn't the way to go. He was pleasantly surprised when I decided to become a lawyer, and when I succeeded in law school. There are natural inclinations for things, and I just found I could do well in the law."

His father's career only affected him when he was looking for his first job. "I had trouble finding a job because everybody assumed that I would work for my father, even thought I didn't expect to," Rieser said. Eventually he accepted the offer made to him by his father's partner at the firm of Rieser, Mathys, McNamera & Stafford in Madison, now Stafford,

Rosenbaum, Rieser & Hansen.

"We worked together for five years," Rieser said. "He never looked over my shoulder. I was amazed. It was great, though. I could ask him questions at any time and he was always there to help."

Rieser and his wife Gretchen are also contributing to the Law School by setting up a scholarship fund through a charitable remainder trust—the Robert M. and William T. Rieser Fund—for law students who came from a rural background or would like to study legal issues that affect rural areas.

Rieser said that contributing to the School still surprises him. "The interesting thing about my involvement with the Law School is that I've always wanted to be involved and participate but I never thought that I'd be doing it in the capacity that I am," Rieser said. It's just another surprise in his career.

Ruth B. Saaf Retires

This spring a bit of history disappeared from the Law School. For the first time since the 1940's, neither Nellie Davidson nor her daughter, Ruth Saaf, could be found working in the Law School!

Ruth Saaf, who worked for the Law School full time since 1958 and had run the School's Duplication Service for many years, retired on March 31st. But, let's let Ruth tell her own story:

As I have had something in common with the Law School since about age five, I have always considered the School a "home away from home". I remember coming to the School on Saturday mornings to play on the Hill while my mother, Mrs. Davidson, worked. It was always fun and yet a learning experience as well. While still in high school, I passed the Civil Service test so that I could work in the Law Library during the summer months.

During the summer of 1958 a full time position opened. I learned that I would have to take another test for the new posi-

tion. After passing it, I had to be interviewed. This meant going through the Personnel Department. I was interviewed by Verna Baertschy, the Librarian, and by Dean Ritchie. The third interviewer should have been my mother but she sent me directly to the Dean. Dean Ritchie was stern and business-like. I will never forget



his last question, "How would you address Mrs. Davidson, who will be your supervisor?" I was surprised and hesitated before saying, "Mrs. D", just like everyone else." He smiled for the first time and told me I had the job.

Over the years I have worked for seven Deans and four Supervisors. That's enough! Along the way I decided that I wanted to work for the Law School longer than my mother had. I reached that goal and then some.

Retirement looks much better on the outside looking in. I'll have plenty of fresh air and be able to see outside whenever I want. Travel in Wisconsin will be high on my list of things to do. The prospect of being

able to pick up and go without asking someone for permission to take vacation will be a new experience.

We all wish Ruth bon voyage and hope to see her somewhere along the road.

Marlin M. Voltz ('40, SJD '45), a professor at the University of Louisville Law School, has been elected for inclusion in *Who's Who in the World*. Prof. Voltz was a member of our faculty from 1946-1950.



Catherine Cleary

Catherine Cleary ('43), former chair of the Board of First Wisconsin Trust, has established the Michael J. Cleary Scholarship Fund at the UW Law School to honor her father, a 1901 Law School graduate.

Chief Justice Nathan S. Heffernan ('48), retired from the bench on August 1, 1995. Heffernan joined the court in 1963 and became Chief Justice in 1983. He was honored by the State Bar of Wisconsin recently with the Charles Goldberg Distinguished Service Award.

Alvin F. Friedman ('59), has been appointed Chair of the National Committee of Hadassah Associates. The Committee represents 26,000 men throughout the United States, and supports various medical projects at the Hadassah Medical Center in Jerusalem, Israel.

Richard Krooth ('62) has received the 1994 Outstanding Book on Human Rights award from the Gustavus Myers Center for the Study of Human Rights in North America. Krooth co-authored *Race and the jury* with Hiroshi Fukui and Edgar W. Butler.

Daniel W. Hildebrand ('64), a partner

at the Madison firm DeWitt Ross & Stevens, has been elected to membership in the American Law Institute.

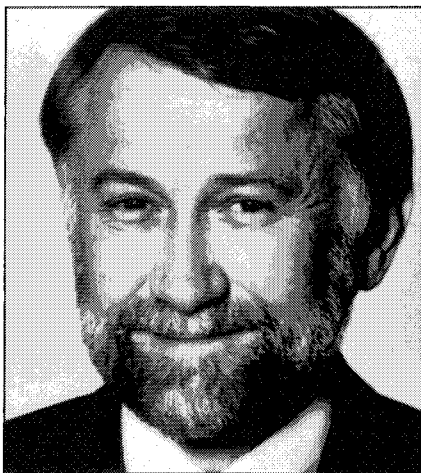
David J. Hase ('65) has joined the Milwaukee firm Cook & Franke as a partner.

Walter W. Uhl ('67), vice president and head of the mutual funds department of New York Life Insurance Company, New York, New York, has been promoted to senior vice president. He is also vice president of NYLIFE Securities Inc.'s board of directors, and president and CEO of The MainStay Family of Funds.

John C. Klotsche ('67) has been nominated Chairman of the Executive Committee of Baker & McKenzie, the world's largest law firm. Klotsche, a tax practitioner, is currently Senior Partner of the firm's Palo Alto office.

Wayne E. Babler, Jr. ('67), a partner at the Milwaukee office of Quarles & Brady, has been elected a Fellow of the American College of Trial Lawyers. Babler, a past president of the Milwaukee Bar Association and the Wisconsin Bar Foundation, is currently in his sixth term in the House of Delegates of the American Bar Association.

Jon P. Axelrod ('68), a partner at the Madison firm of DeWitt Ross & Stevens, has been appointed to a three-year term on the Board of Attorneys Professional



Lawrence Jost

Responsibility. The appointment was made by the Wisconsin Supreme Court.

James R. Cole ('69) has joined the Madison office of Quarles & Brady as a partner. His practice emphasizes intellectual property, construction, communications and negligence law.

Lawrence J. Jost ('69), a partner in the Milwaukee office of Quarles & Brady, has been included in the latest edition of *The Best Lawyers in America*. Jost made the list in the real estate category.



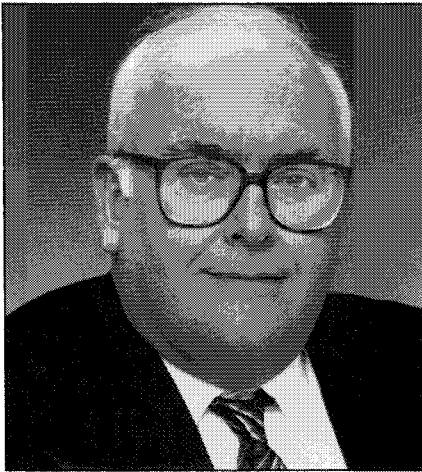
Fran Ulmer

Fran Ulmer ('72) has been elected Alaska's first female Lieutenant Governor. Ulmer had previously served as Mayor of Juneau and four terms in the Alaska House of Representatives.

W. John Pritchard ('72) has joined the Columbus, Ohio, firm of Proter, Wright, Morris & Arthur as a partner. Pritchard will concentrate in business, commercial and finance law. He previously practiced in Milwaukee.

Mark Nordenberg ('73) is the interim Chancellor at the University of Pittsburgh. Nordenberg is a member of the faculty at the University's Law School and had previously served as interim Provost.

Erica Moeser ('74), formerly director of the Wisconsin Board of Bar Examiners, has been selected as President and Chief



W. John Pritchard

Executive Officer of the National Conference of Bar Examiners. She is also serving as the Chair of the ABA Council of the Section of Legal Education and Admissions to the Bar, the policy-making arm of the group that accredits law schools.

Howard B. Tolkan ('75) has joined the Milwaukee firm of McCarty, Lenz, Doyle & Tolkan. His practice includes dealership law, business and consumer finance, real estate, employments and general litigation.

Robert Cattanaach ('75), a partner at the Minneapolis firm of Dorsey & Whitney, has co-authored *The Handbook of Environmentally Conscious Manufacturing*. The book shows companies how to design and market environmentally sound products.

Ann Walsh Bradley ('76), a Circuit Court Judge in Wausau, Wisconsin, has been elected to the Wisconsin Supreme Court. Judge Bradley will take office in August and will become the third female justice on the Wisconsin Supreme Court.

Barbara K. Polich ('76) has been named Private Lawyer of the Year by the Federal Bar Association of Utah. Polich is a litigation partner at the Salt Lake City firm of Parsons Behle & Latimer.

William K. Fahey ('77) has been re-elected vice-president of Foster, Swift, Collins & Smith, a Lansing, Michigan, law firm.

Nancy K. Splain ('77) has been elected president of the Board of Directors of the 200-member Scottsdale Bar Association. Splain is a solo practitioner in Scotts-



Anne Walsh Bradley

dale, Arizona, where she practices in the area of estate planning and probate.

Pierce A. McNally ('78) has been named chairman of the Board of Directors of Nicollet Process Engineering, Inc., in Minneapolis. McNally has been a member of the board for three years.

Howard S. Erlanger ('81), Voss-Bascom Professor at the UW Law School, has been elected as a national officer of the Law and Society Association, a major professional association of scholars interested in socio-legal studies.

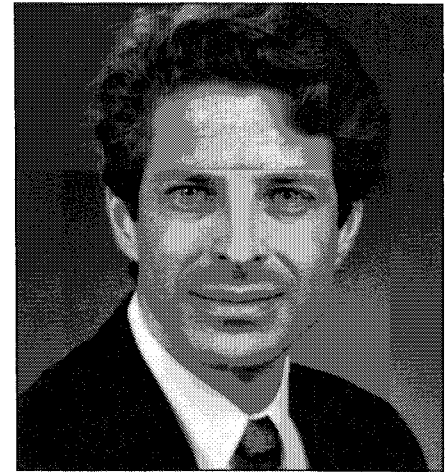
Greg D. Richardson ('81) has accepted the position of National Director for Policy Development of Justice Fellowship, a national criminal justice policy reform organization based in Washington, DC. Richardson has been with the Fellowship for eight years in various capacities in both the Washington and Chicago offices.

Benjamin Waisbren ('82), a partner at Lord, Bissell & Brook in Chicago, has become managing director of the investment banking department and head of the restructuring group at Salomon Brothers in New York.

Lauri D. Morris ('82) has joined the Madison office of Quarles & Brady where she will practice labor and employment, land use and zoning, and estate planning.

Thomas M. Pors ('82) has become Of Counsel to the Seattle firm of Foster Pepper & Shefelman. Pors practices in the land use, environmental and litigation areas.

John D. Franzini ('83), a partner in the Milwaukee office of Quarles & Brady, has been listed in the latest edition of *The*



Thomas M. Pors

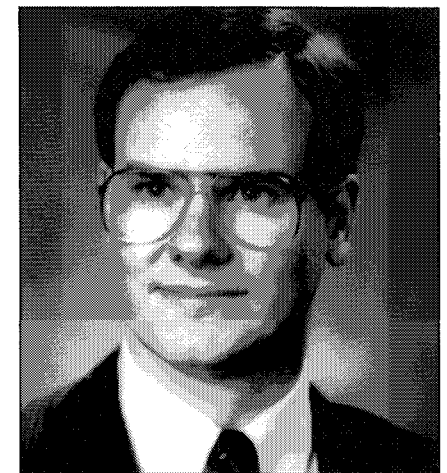
Best Lawyers in American in the intellectual property category.

Richard L. Bolton ('84) has joined the Madison office of Quarles & Brady where he will practice intellectual property, contracts and discrimination law.

Christopher J. Jaekels ('86) has become a partner at Cook & Franke in Milwaukee.

Carl D. Fortner ('86) has become a partner in the Milwaukee office of Foley & Lardner. Fortner concentrates his practice in the area of tax law.

Julia A. Oas ('86) has joined the Washington, DC, office of McCutchen, Doyle, Brown & Enersen. She specializes in advertising and trade regulation law. Oas was formerly with the Federal Trade Commission.



John D. Franzini

Mark Butterfield ('86) has been sworn-in as the first tribal judge for the Ho-Chunk Nation in Wisconsin.

Daniel S. Schneider ('87), a lawyer in the Criminal Division of Litigation Section, US Department of Justice, has received a 1995 Fulbright Award for study in Russia.

Noah Paley ('87) has become a partner at Dinse, Erdmann & Clapp in Burlington, Vermont.

Maria K. Myers ('87) has been elected a shareholder at the Milwaukee firm Davis & Kuelthau. Myers practices litigation.

Melville W. Washburn ('87) has become a partner in the Chicago office of Sidley & Austin.

Barbara Tretheway ('88) has become a principal at the Minneapolis office of Gray, Plant, Mooty, Mooty & Bennett. She practices employee benefits and health law.

Patricia L. Quentel ('88), of the Charleston, South Carolina, firm of Buist, Moore, Smyte & McGee, has been named to the Roper Cancer Center Advisory Board. She also serves on the American Cancer Society's Charleston Project Advisory Committee.

David J. W. Klauser ('88) has joined the Madison firm of DeWitt Ross & Stevens. His practice focuses on governmental and employment relations.

Kenneth Meister ('89) has joined the Milwaukee office of Foley & Lardner where he will practice corporate securities law.

Kenneth L. Port ('89), a visiting assistant professor of law at IIT-Kent College of Law, has received a 1995 Fulbright Award for study in Japan.

Leslyn Erickson ('90) is a senior instructor in the legal division of the Federal Law Enforcement Training Center in Glynco, Georgia where she teaches criminal and constitutional law and procedure. Erickson also edits the FLETC's national legal newsletter and travels extensively providing training to Federal Land Management Agencies.



Barbara Tretheway

Michael B. Schaedle ('92) has joined the Philadelphia-based firm of Blank, Rome, Comisky & McCauley as an associate in its Financial Services Department.

Christopher L. Rexroat ('93) has joined Meissner & Tierney in Milwaukee, Wisconsin.

Jerold M. Gorski ('94) has joined Haley Law Office in Middleton, Wisconsin, where he will practice business and employment law and business litigation.

Scott H. Richter ('94) has become an associate with the Washington, DC, firm of Elias, Matz, Tiernan & Herrick. He will practice in corporate, securities and banking law.

Arthur Gollwitzer ('94), **Steve E. Hansen** ('94) and **Sverre David Roang** ('94) have joined Jenner & Block in their Chicago office.

Jeanette Lytle ('94) has joined the Madison firm Solheim Billing & Grimmer where she will practice general business litigation and employment law.

Elizabeth L. R. Donley ('94) has joined the Madison office of Quarles & Brady where she will practice general business and corporate law.

Craig Fieschko ('94) has joined DeWitt Ross & Stevens, in Madison, where he will concentrate in intellectual property law.

DUNCING FIRST ANNUAL DEAN'S CUP!

Greetings University of Wisconsin Law School Alumni! This fall the Law School will be co-hosting the *1st Annual Dean's Cup*, jointly and severally with the UW Medical School. The event consists of a number of athletic competitions between students of the two schools, and doubles as a fundraising event for charity. Events include 3-on-3 basketball, volleyball, softball, running, tennis, flag football, darts, billiards, a faculty/alumni softball game, a blood drive and much more. The first events start on September 8 and will continue for about a week. Awards will be given for individual winners as well as a travelling Dean's Cup trophy to the school who wins the most events (although the trophy probably won't be travelling much, considering the athletic prowess of the Law School!).

The goal of the Dean's Cup is to provide a fun time for Law and Med students, and a socially beneficial project for the community. Proceeds from the nominal entrance fees and T-shirt sales will be donated to the Dane County Chapter of the American Red Cross and to The Rape Crisis Center in Madison. It is hoped that additional funding will be raised by donations from Madison business and alumni of the two schools.

Contributions will be greatly appreciated and can be sent, by check payable to "Medical School Class of 1998", to:

Tim Richer
Dean's Cup Medical School
Coordinator
1300 University Ave.
Madison, WI 53706

For more information, contact Tim Stewart at 608/284-1908 by August 14.

Thank you for your interest and participation. May the best school win!

IN MEMORIAM

Philip K. Robinson ('20), Atlanta, Georgia, at the age of 101.

Ralph E. Axley ('25), Denver, Colorado, a longtime Madison attorney.

Charles A. Winding ('31), Elmira, New York.

Floyd Wheeler ('31), Madison, Wisconsin.

Robert P. Pike ('33), San Antonio, Texas, US Army JAGC, Retired.

Max H. Karl ('33), Miami, Florida, founder of Mortgage Guarantee Insurance Corporation in Milwaukee.

John H. Shiels ('33, SJD '34), Madison, Wisconsin.

Leonard F. Roraff ('33), La Crosse, Wisconsin.

Floyd W. McBurney ('33), Madison, Wisconsin.

Samuel Miller ('36), Washington, DC.

Kenneth M. Orchard ('37), Madison, Wisconsin.

Robert A. Bablitch ('38), Stevens Point, Wisconsin.

Maurice B. Pasch ('38), Madison, Wisconsin.

Edward Weinberg ('41), Washington, DC, former Solicitor at the Department of the Interior.

William Bradford Smith ('42), Madison, Wisconsin.

Howard B. Woodside ('48), Stevens Point, Wisconsin.

George Shampo ('49), Bloomfield Hills, Michigan.

Irving S. Bemmann ('49), Waukesha, Wisconsin.

Robert K. Robinson ('52), Columbus, Ohio.

Joseph C. Kucirek ('56), Wausau, Wisconsin.

Forrest Brimmer ('58), Madison, Wisconsin.

Dean Grant ('58), Green Valley, Arizona.

Richard V. Graylow ('69), Madison, Wisconsin.

James A. Schwefel ('73), Beaver Dam, Wisconsin.

Professor Allen Redlich, a member of the UW Law Faculty in the late 1960's and early 1970's, passed away in Albany, New York, where he was teaching at Albany Law School. Professor Redlich was a graduate of Harvard Law School.

EDITOR'S NOTE

At 7:00 am it was 85 degrees in my office, which I reached by climbing four flights of stairs but I am NOT complaining. Now in my eighth office in a year, it looks like I can stay here, with a closable door and a window on Bascom Hill, until construction is complete.

To anyone who was not here the past year, the building would be unrecognizable now. Of course, B25 and 225 are gone and replaced by the new addition which features the Grand Reading Room. Recently I stood on the newly poured floor. Grand is the right name for the room. It is about 65 feet by 140 feet and 28 feet to the bottom of the trusses. On the north wall, the Bascom Hill end, the wall will be ceiling to floor glass allowing the most magnificent view on campus. To the left, Bascom Hall and the Lincoln statue. Across the Hill, Education (or, as some of you will remember it from the 'old days', Engineering) and the castle-like Science Hall (did you know that Frank Lloyd Wright worked as a draftsman on that building and allegedly signed his name to one of its revolutionary steel roof trusses?). From the northeast corner of our room, windows face almost directly down State Street. Right now you can't see it because of the leaves, but from October to April the Capitol will be clearly visible.

The fifth floor of the "new wing" of the Library has also changed dramatically. The circulation desk has moved to the north end of the room while the remainder is partitioned into Library staff offices. Stacks and seating from this area will be relocated to the Grand Reading Room. New elevators and interior stairways are taking shape in the Library as well.

The only classroom that has not yet come under the hammer is 136, a small room across the hall from what was, and what will be, the Career Services Office. Every other room is in some stage of remodeling. Gaping holes dot the floors in many places as new HVAC and electrical service are strung through. A layer of dust covers everything making dark suits definitely not recommended. Every corridor is torn up and somewhat dark since the ceilings and the lights have both been removed. Strings of temporary "festival

lighting" provide a weak glow through which move a dedicated and casually dressed group of staff who toil to keep services going under adverse conditions.

The Library staff receives the first direct benefit of the project. By late August they will be occupying the new offices on the fifth and sixth levels, albeit without air-conditioning. Duplication moves to its new home about November 1, allowing reconstruction of their temporary area for the new Career Services Office, complete with seven interview rooms. After Christmas, most administrative staff will move into new space on the north side of the building to allow reconstruction of their space. Remodeling of the Library below the fifth floor will continue throughout the rest of the construction schedule, hopefully concluding next July.

As the steel work comes to a close, as walls and windows begin to close in the structure so that work can continue inside throughout next winter, we are beginning to see the clear advantages of going through all this disruption. I have great compassion for the third-year students who had to endure the noise and dust last September. They experienced the problems without even a glimpse of what would rise, Phoenix-like, from the rubble.

I hope many of them, and many of the rest of you, will be able to come back next fall when we have our Rededication or anytime after construction is finished to see what we have all done. From the students, faculty and staff who have endured the problems to the senior alumni who never set foot in the last building but nevertheless contributed the funds necessary to create the next building, we will all have had a part in re-establishing the tradition of excellence in the University of Wisconsin Law School.

The mystery picture from Vol. 24, No. 4, taken in the courtroom (Room 150) brought just one letter. Kenneth Fall ('90), of Madison, wrote that it must have been during his second or third year, placing the probable date at 1988-1990. He recognized classmates Kathryn Struck, Janet Herzog, Gene Kirschbaum and Elliot Levine, and noted that, considering Elliot's hairline, it must have been closer to 1990.

For this issue, let's go back to George Young's deanship (1958-68). I am reasonably sure that this is the Alumni Association's Board of Directors and Board of Visitors, perhaps in the Wisconsin Center for a Spring Program meeting. Can you recognize any of this distinguished group?



Mystery Picture

The Gargoyle invites alumni to send news of interest such as a change of status within a firm, a change of association, or selection to a position of leadership in the community or in a professional organization.

We also ask that you notify us of address changes and that you allow us to help you with your hiring needs.

Please fill out the appropriate cards and return them to:

WLAA
UW Law School
975 Bascom Mall
Madison, WI 53706

Address changes by toll-free phone?

Call the University: 800/442-6469, and ask for Alumni Records.

Students often have questions about a field of law or geographic location. Would you serve as a resource person?

Alumni News

Name _____ Class _____

Address _____

_____ Telephone _____

News or Comments _____

Change of Address

Name _____ Class _____

Position, Firm _____

Office Address _____

Office Telephone _____

Home Address _____

Home Telephone _____

Placement

Anticipated opening for third-☐, second-☐, and/or first-☐ year law students or experienced attorney ☐.

Date position(s) available _____

Employer's name and address _____

Person to contact _____ Telephone _____

Please attach a position description if applicable.

☐ I am willing to serve as a resource or contact person in my area for School of Law students.

☐ Please list my request for an experienced attorney in the *Alumni Placement Bulletin*.

Submitted by _____ Class _____