

# GARGOYLE

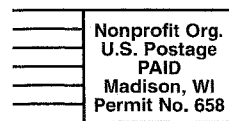
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UNIVERSITY OF WISCONSIN LAW SCHOOL FORUM



VOLUME XXV NO. 3

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



# GARGOYLE

UNIVERSITY OF WISCONSIN LAW SCHOOL FORUM

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*Cover photo: A new face on Bascom Hill—Law School renovation and addition is completed!*

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## FROM THE DEAN

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***Well, the ol' clock on the wall  
is saying "that's all!"***

By now I am sure that most of you have heard that I have submitted my resignation as Dean of the Law School. I will continue to serve until my successor is appointed and, at that time, I will return as a full-time faculty member. By the time you read this note, Chancellor David Ward will have appointed a search committee and I hope that they are hard at work identifying a new dean.

It has been my pleasure and privilege to serve as your dean for the past seven years. I have worked hard to represent the Law School and the University. As I have traveled around the country and the world meeting many of you, I have become even more proud of counting myself as a fellow alumnus of the Law School.

Thanks to you, a great deal has been accomplished. We have a newly-renovated building made possible by six million dollars in alumni contributions; there are four new endowed professorships that have allowed us to recognize and retain some of our most distinguished faculty members; and we also have new support for scholarships, lecture series and any number of other programs and initiatives that have been vital to the overall improvements of the Law School.

Alumni support for our Law School has grown as you rallied to meet our needs. At the beginning of the



Building Fund drive, few experts gave us much chance of success. In the great Wisconsin tradition, however, thousands of alumni made significant contributions so that the absence of one or two blockbuster gifts did not doom our efforts.

At the same time, there is still much more to be done if our Law School is to maintain its stature as one of the elite in legal education. I have served for over twice the national average for law school deans and it is time to pass the baton to someone else who can continue the momentum that could only have been created as a result of loyal alumni support for the School.

From Rice Lake to Racine, from New York to San Diego, from Geissen, Germany, to Sydney, Australia, alumni of this School have greeted me with open arms (and wallets, too). Each of you should have the opportunity I have had to witness, first hand, the accomplishments and achievements of our fellow alums. This, truly, is a remarkable School — one we can all be proud to share.

Since I will continue to serve until my successor is appointed, I look forward to seeing all of you again during my "farewell tour" so that I can thank you in person for your generous support and warm encouragement.



# MEMORIES, DEAN DANIEL O. BERNSTINE: 1991-1997



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# Political Extremism: Is It New? Is It Different? Is It Curable?

▼ ▼ ▼

Introduction of Abner Mikva by Robert Kastenmeier '53  
March 1, 1996

It's a great pleasure, as well as a privilege, to introduce an old friend—going back many many years—a true son of Wisconsin, someone who in that context was honored last year by the University of Wisconsin. He's a person who attended this great institution; a person who was born and raised in Milwaukee and who has done great honor to this state. Ab Mikva has spent nearly 40 years in the service of this country from the Illinois state legislature, in the practice and teaching of law, and in the Congress, the Federal judiciary and as counsel to the President. He has a fully unique, I think, career in that regard. I first remember when he came to the Judiciary Committee in 1969 and what we were able to accomplish together in those years, before Ab went on to other things. The subcommittee of which we were members had very broad jurisdiction. It dealt with crime, prisons, privacy, civil liberties, the courts, the federal court system, and intellectual property. But I believe when Ab was a member of that committee, the thing that I take the greatest pride in and give him the greatest credit for, was repeal of Title 2 of the Internal Security Act. Young people, particularly, do not remember that we at one time in this country not so many years ago authorized detention of Americans in "concentration" camps without due process of law, as commonly understood. We successfully



repealed that. It came out of the subcommittee and it was due largely to Abner Mikva that we achieved that, even in the Nixon administration. All the Nixon administration wanted in the final analysis was statutory language to preserve the constitutional powers of the president as the commander-in-chief. We refused to do that. We said if a president ever on his own initiative imprisoned Americans in such a fashion, he would not have any congressional or statutory authority to so act. He would have only the Constitution itself to rely upon.

Subsequently Abner Mikva came back to the Congress and the Ways and Means Committee and then, I think, in a bold move elected to go to the Court of Appeals of the District of Columbia. There are federal judges here. I know that our good friend John Reynolds is in the crowd, as well as Tom Fairchild, who was Chief Judge of this circuit. But I have

always said that Abner Mikva was the tenth ranking judicial member in the country. I say that because, as Chief Judge of the Court of Appeals for the District of Columbia, with all its jurisdiction was superior in a practical sense to the other geographical circuit jurisdictions as well as to the Supreme Courts of the several states. Some may challenge that, but that's my opinion. Other than the nine justices of the Supreme Court, I always felt that Ab had that much authority and power and he served magnificently. He surprised people by ultimately going to the White House as Chief Counsel to the President. But in a sense that was a fulfillment, at least in my sense of Abner Mikva because we long singled him out as the one person we could see in the congress who could serve equally, with great distinction in the executive branch, in the judicial branch or in the legislative branch. As a matter of fact, he proved that.

And now, he joins me and others in retirement. I can only say that we are very honored and privileged to have Ab Mikva here to share his thoughts with us at this lecture. I present to you my friend Judge Ab Mikva.



## Robert W. Kastenmeier Lecture, University Of Wisconsin The Law School, March 1, 1996

BY ABNER J. MIKVA

This is a very special occasion for me. First off, Madison remains one of my favorite towns. I have reconstructed my undergraduate days here as halcyon beyond measure. I have forgotten completely that I went from straight A's before the war at the Milwaukee Extension of U.W. to straight C's at Madison after the war. I remember the 3.2 beer at the Union, the sailing, the simplicity of the decisional process: should I go to class or not?

But it's a special occasion because it gives me an opportunity for the first time since he left the Congress to say to his constituent base how grateful everybody in the Congress and elsewhere in the country was for you sending us Bob Kastenmeier. There are Members of Congress who are renowned for the legislation that bears their names. The Smoot-Hawley tariff bill, the Dyer Act which made it a federal offense to joyride an automobile from Chicago to Gary, Indiana, the Volsted Act which gave us Prohibition. The Members whose names accompanied those laws are remembered appropriately for their contributions. Bob Kastenmeier passed a lot of legislation, some of it very vital to our justice system, to our intellectual properties law. But those contributions paled into insignificance compared to one of the great qualities he brought to the House Judiciary Committee and the Congress.

There are a lot of bad proposals that are *not* the law of the land because of the commitment, the tenacity, the decency that Bob brought to his work as a Member of and as Chairman of one of the key subcommittees of the House Judiciary Committee. He kept a flag-burning amendment from being added to the Constitution; he kept *Roe v. Wade* from being overturned by a constitutional amendment; he kept the constitutional prohibition against prayer in the schools. There were dozens of such issues, large and small, where Bob used a unique quality that in Milwaukee was called "zitsfleish" to keep the forces of evil from prevailing. I'm not sure that his constituency ever appreciated what a national treasure he was to the Congress. Indeed, the House of Representatives has not been the same since he left, which leads me to the topic of the day.

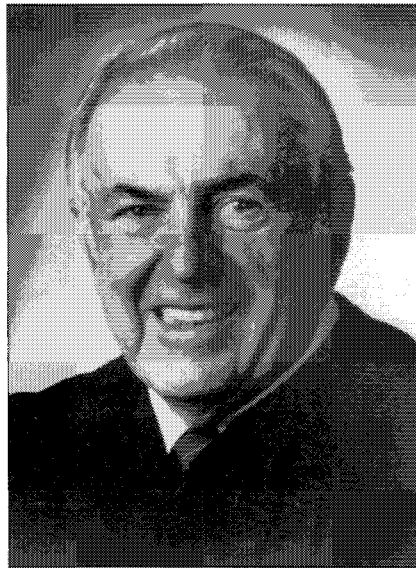
There were extremists in the Congress even when Kastenmeier and I were there. They were easier to deal with and had less of an impact for a number of reasons. First of all, there were fewer of them. And none of them achieved any important leadership positions. No one ever accused John McCormack of being an extremist—or Tom Foley, or Dick Gephardt. I remember when the current Speaker first was elected to Congress. I safely predicted he would be a one-termer, because he was much too radical for the country. Most voters fall between A and B on the political landscape; the notion that as a country we tolerate people all the way to Z is not historically accurate. Some of the South-

erners called Abraham Lincoln an extremist, but he was elected without committing himself to abolition, without laying down any gauntlets to the nullification talk of the South, indeed without any of the rhetoric which became the propaganda of the Civil War. He was not even sure of what to do about the defense of Fort Sumter, when the rebels fired on it, and you will recall that it was lost. We are and always have been a country of moderates. When one looks at the genealogy of the leaders of the Revolutionary War, all save a very few could have happily lived out their lives as colonial citizens quite loyal to the Crown. It was the excesses of King George, the framers of the Declaration of Independence remind us, that forced the severance of the ties between the colonies and England.

So, is this outbreak of radicalism in the Congress a unique circumstance occasioned only by the absence of Bob Kastenmeier to serve as one of the great moderators of the institution? Not exactly. I need hardly tell a Wisconsin audience that extremists get elected from the strangest places and at the strangest times. Take Wisconsin in 1946, for example. The country was finally returning to a post-war normalcy. There was reasonably full employment, the dollar was stable, and Wisconsin had been ably served by several generations of LaFollettes, young Bob being the current senior Senator from Wisconsin.

As a further sign of the moderation of the times. Senator LaFollette decided to return to the Republican Party, since the "populism" of the Progressive Party which he had been elected from, seemed out of step with the normalcy of the times. I was a student at Madison at the time, and we Democrats had a splendid candidate for the senate by the name of Howard MacMurray, a political science professor here at the University. We knew it would be virtually impossible to beat anybody named LaFollette in Wisconsin. We decided to take advantage of the open primary law in Wisconsin, and even though most of us were too young to vote (it was before 18 year old voting) we urged all of our Democratic friends to cross over to the Republican primary and vote for an obscure, upstate divorce judge from Appleton, by the name of Joseph McCarthy. I can still recall wearing a McCarthy button, and thinking it all too clever. Years after we reaped our primary success, and our Autumn failure, I thought of the consequences of that escapade and guilt still abides. I remember that when another McCarthy, Gene McCarthy, made his effort to win the Democratic nomination, I winced every time I saw a Democrat wearing a McCarthy button.

Joe McCarthy did not have too many real allies in the Congress. Aside from Richard Nixon, Martin Dies, and a few other opportunists, the anti-communist extremists were few in number. But they struck fear into hearts of a lot of people who should have known better. President Eisenhower chose Richard Nixon as his running-mate *because* it appeased the right wing of the Republican party. Newspapers, with the possible exception of the *Cap-Times*, went out of their way to avoid clashing with McCarthy and his ilk. And a lot of good moderate citizens, in and out of Wisconsin, while thinking that perhaps McCarthy went too far, believed that it was necessary to bell the Communist cat, and that he and his tactics were worth the price. It is not too similar from some of the apologies I hear made from some of my former colleagues who end for



extreme proposals, knowing they are bad, but feeling it is necessary to bell the big government cat, (or the Socks cat), and therefore Gingrich is good for the country. Now I want to make it perfectly clear that I am not comparing Speaker Gingrich to Joe McCarthy. McCarthy never called himself a radical. And Newt Gingrich did nothing to help Phil Gramm stay out of the Army. I merely point out that extremist rhetoric and extremist proposals in the Congress can come about (indeed usually do come about) in perfectly normal times, when the body politic ought to be reasonably happy with their government. It is paradoxical that when the political system really is in extremis—the Great Depression, the earlier economic disasters, the corruption scandals of a Teapot Dome or a U.S. Grant or a Richard Nixon—the electorate are more likely to turn to moderates for leadership and for membership in the Congress. I realize that there are some who still think that Social Security or rural electrification are radical proposals, but for the rest of us) the New Deal was a moderate shift in our economic system that preserved its capitalism roots.

The biggest difference in today's radicalism is that the civilian counterpart of the extremists in government *seem* more dangerous than their predecessors. There always are counterparts: the McCarthy movement had its auxiliaries among some

of the veterans' groups, among some of the ethnic groups that were vigorous opponents of the Soviet Union and its role in Eastern Europe. But the violence was by and large in the rhetoric. Extremists during the post-Reconstruction era were pretty vigorous. Whether one looks at the Ku Klux Klan which came into prominence somewhat later, or the Klan's antecedents—the armed, masked riders who formed lynching parties to distribute justice their way—they were pretty scary. But they did not seem to be engaging in frontal attack on the institutions of government.

But when a national campaign official of one of the leading candidates for President says that the Oklahoma City bombers descended to the level of the FBI—that is pretty frontal. When the various militia groups around the country emphasize their authority with their large arsenals of guns and their paramilitary training, that is frontal and scary. I will admit that I am afraid of guns. I was afraid of them when I handled them in the Army, and I am even more afraid of them just from seeing their impact on our society. I am also afraid of them politically. I have seen—and felt—the power of the National Rifle Association in our electoral politics.

Wisconsin always has been a harbinger of all kinds of political tidings—it is hard to find a state that had a succession of U.S. Senators as varied as Robert LaFollette, Joseph McCarthy and William Proxmire, one after the other. If this were not my home state and I didn't know better, I would think that Wisconsin voters almost exult in their perversity. But Badgers certainly do come in bright colors when it comes to extremism. Wisconsin has some militia groups in the western part of the state that have organized their own Supreme Court. And they threaten to enforce their orders "*vi et armis*"—by force of arms as it was explained to us in law school. This Wisconsin court claims its legitimacy comes from the Constitution, the Magna Carta and the Bible. I have carefully examined my copy of my contract with America, the Constitution of the



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United States, and I can't find any encouragement for the lawlessness of the current Wisconsin group or any of their counterparts.

But there is no question that the present is more fraught with clear danger. One need only look at the bloody calamities involving the Branch Davidians in Waco, the extremists at Ruby Ridge, Idaho and the Oklahoma City bombing to realize that this current bout with extremism in our country is more violent and more squarely challenging the very bedrock of our government.

We can't be too surprised at the escalation of radical expression and action both in the public and the private sectors. When one looks at the 1994 election results, almost without exception, the successful challengers to incumbents were those who challenged not only the incumbent and his or her record, but challenged the very notion of government as well. Many of the freshmen members of Congress came to Washington having run against the Congress, against the federal government. Most of the issues on which they campaigned were hostile to government: term limits for elected officials suggest that the people need to be protected against their weakness in reelecting incumbents too often. The proposed balanced budget amendment to the Constitution is premised on the notion that the people need protection against representative government—that you cannot trust government officials to do the right thing. The two shutdowns of the federal government both came about because many of the freshmen members of the house think that stalemate is good for the country—that we can get along without government very well. (flat earth society story about balancing the budget.)

The House of Representatives is taking great pride in their proposal to sell off one of the House buildings—any building, just so they can show that they have shrunk government.

One need look no further than Iowa, New Hampshire and Arizona to note that the primaries for the 1996 election, at least on the Republican side, have escalated the rhetoric of nihilism, anarchy, anti-anybody who has ever been to Washington. Mr. Forbes takes great pride in the fact that he has never held any office of any kind. Mr. Buchanan pretends that he was never an insider, hoping that people will forget his long tenure with the Nixon Administration. Governor Alexander hopes that by wearing a plaid shirt, he can prove that he has nothing to do with the political establishment. It is true that he never wore such a shirt to work when he was Secretary of Education, or even while he was Governor of Tennessee. And Mr. Buchanan seems to have set the tone of the primaries so far by his soundbite which covers all situations where he disapproves of decisions that have been made, whether they deal with trade, with Bosnia, with affirmative action, whatever. Says Candidate Buchanan, "What would our ancestors have done when confronted with such a decision by government? They would have said 'Lock and load.'"

Someone opined to the late essayist and newspaperman, Robert Benchley, that people get the kind of government they deserve. "Wrong," said Benchley: "They get much better government than they deserve." It is pretty hard to find a measuring stick that has any creditability for measuring the efficacy of government today. Most political scientists would say that government is not functioning very efficiently, but most would still defend the structure as basically sound. What seems to be wrong with government mostly is that the electoral process is being used as a protest vehicle rather than as a means for electing effective officials. The most recent elections seem to be saying that the people don't want anybody who will do it right—they don't think it *can* be done right. I would even say that a political malaise has overtaken the electorate, except that the last Democrat who said that lost the next election, one Jimmy Carter.

I think that the biggest problem with the electoral process is the way it is financed. One of the reasons that government is held in such low repute is that people sense that their elected officials are not responsible to their constituency as much as they are responsible to their financial patrons. If I had to seek a single reform measure to push, it would be a campaign reform measure that broke the lock between big money and elections. When a Huffington can spend over 40 million dollars in a senatorial campaign, and barely lose only because a very creditable incumbent was able to spend \$36 million, something is wrong. When a Steve Forbes is able to come from nowhere and almost upset the frontrunner personally and does upset him vicariously by spending a good piece of his personal fortune in a few states, there is clearly a need for reform. The problem is that some of the reforms being suggested are not going to do very much, if anything.

We need to recognize that it is no more likely that an elected official can take money from a lobbying interest and still make his decisions on the merits as it is that a judge can accept expensive presents from a litigant and still make his decisions on the merits. I would bar anyone from making a contribution to any candidate who can have an input into a decision that will benefit the contributor financially. And I would bar elected officials from voting on any matters where their contributors, past, present or future, are involved. The details and the enforcement would be complicated, but nowhere near as complicated as some of the Mickey Mouse campaign finance laws we now have on the books.

Would campaign finance reform diminish extremism? Not directly. But anything that breaks down the cynicism of the present body politic is an absolutely necessary condition precedent to doing anything about the problem.

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# Report on the East Asian Legal Studies Center

PROFESSOR CHARLES IRISH  
*Volkman-Bascom Professor of Law*

*The Center was established in April, 1990, with several areas of focus related to the law and East Asia: student assistance; scholarly exchange; outreach and research; and curriculum and library enhancement.*

## Student Assistance

The core of the Center's assistance to students lies in its ability to help structure individualized study programs for students from East and Southeast Asia who come to the Law School for advanced legal studies. Most of these students are degree candidates in the Legal Institutions program (MLI), a coursebased master's in legal studies which allows students to select widely from Law School courses as well as from the offerings of other departments at the University. With minimal mandatory courses and a broad range of University-wide course offerings, students are afforded great flexibility to design a customized program of course study and research.

The Center is also able to provide special training programs to those who are admitted, with the permission of the Dean of the Law School, as non-degree students at the Law School. The course of study and research for non-degree students is more flexible than that of the MLI candidates, because of not having to meet specific degree requirements.

The Center also assists students from East Asia who are interested solely in research and writing who are LLM candidates. Many of you have occasionally had MLI students in your classes, and many of you also have acted as advisors to MLI candidates, as well as LLM and SJD candidates.

The Center helps JD students who are interested in Centerrelated topics by acting as a general clearing house of information and resources. In addition, it has encouraged JD students to consider projects involving East Asia by offering travel grants to those interested in doing research on legal issues involving countries of East Asia and Southeast Asia, as well as trying to link students with professors in East Asia who are able to advise them regarding a specific topic. With travel assistance from the Center, JD students have done field research in Vietnam, Malaysia, Hong Kong, China, Japan, and Thailand.

The Center was also instrumental in the Law School is receiving a grant from the UW's Office of International Studies and Programs for its Fund for International Education Program. This Program, with seed money from OISP, offered JD students a one-semester study abroad opportunity. The grant was from 1992-1995, and led to exchanges with Portales Law School in Santiago, Chile, as well as exchanges with Osaka University and Aichi University (near Nagoya) in Japan.

## Scholarly Exchange

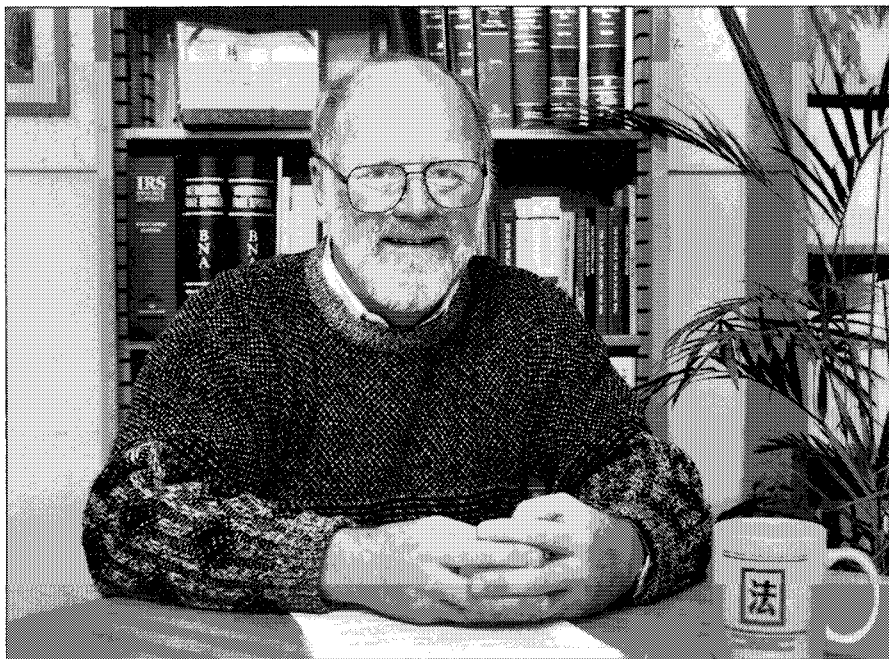
In working to promote scholarly exchanges between the Law School and universities of East Asia, the Center has invited several professionals to be Visiting Fellows and has sponsored visiting professors who have come to the Law School to lecture.

During 1991-92, the Center hosted Professor Seokin Huang of Seoul National University and Professor Koichiro Fujikura of the University of Tokyo, both of whom gave lectures at the Law School. In the

92-93 academic year, the Center helped bring attorney Craig Ehrlich, now practicing in Seoul, Korea, to speak at the International Law Society's Symposium. The Center was delighted to help the Law School be a Japan Foundation Visiting Professorship recipient; in the spring of 1993, Professors Itsuko and Yoshiharu Matsuura were Japan Foundation Visiting Professors at the Law School and taught a three-credit J.D. seminar, "Introduction to the Japanese Legal System." Last year, the Center hosted Wang Feng-yuan from the East China University of Politics and Law, Shanghai, as a Visiting Fellow.

Several distinguished visiting faculty have come to the Law School for short periods to teach a 2 credit course entitled "Asian Law" that was offered in the spring of 1995 for J.D. and master's candidates. Invited faculty were Takao Tanase (Kyoto University), Satoru Osanai (Chuo University), Seokin Huang (Seoul National University), Chen Zhidong (East China University of Politics and Law, Shanghai), Pisawat Sukonthapan (Thammasat University, Bangkok), Masaki Abe (Osaka City University), and Itsuko Matsuura (Aichi University, Japan).

Other visitors at the Center have included C.C. Yen from Taipei, Jeong-Oh Kim from Yonsei University, Yungho Kim from Dong-A University, Peter Wesley-Smith from University of Hong Kong, Zhang Qiang from Nankai University, Yusuke Kikuchi from Asahi University, Hee-Tae Suk from Kyonggi University, Sun Chao from East China University of Politics and Law, Xu Xianghua from East China University of Politics and Law, Wang Chenguang from City University of



Hong Kong, and Fumitoshi Tamakuni of Meiji Gakuin University.

The Center has also tried to assist the Law School's faculty and academic staff find possibilities for lecturing and doing research in East Asia. We have compiled a booklet of those interested in teaching in East Asia; I have used this booklet when I have met with university officials in Korea, Japan, Taiwan, Indonesia, Thailand, and China, as well as in Australia. Thus far, members of our faculty who have given lectures in East Asia are Dan Bernstine, Arlen Christenson, Larry Church, Linda Greene, Beverly Moran, and Gerry Thain. In addition, under the Center's sponsorship, Linda Greene gave a professional presentation at the Conference on Non-Governmental Organizations recently concluded in China.

The Law School recently signed an agreement with Chuo University, a private university in Tokyo, for a law faculty member to teach a short course on American Law beginning in 1995. Arlen Christenson will be the first participant, beginning this fall. We also have good working

relationships with Seoul National University, Korea University, and Yonsei University in Korea; Chulalongkorn University and Thammasat University in Thailand; University of Indonesia in Indonesia; National Taiwan University, National Cheng Chi University, Soochow University, and the Ministry of Finance in Taiwan; Hong Kong University and City University of Hong Kong in Hong Kong; Aichi University and Osaka University in Japan; and the East China University of Politics and Law, the Ministry of Justice, and the State Bureau of Foreign Experts in China. During the summer of 1995, the Center hosted a delegation of Chinese professors working with the State Bureau of Foreign Experts.

## Outreach and Research

The Center has involved itself in several educational outreach ventures. In the summer of 1991, the Center organized and co-sponsored an international conference on the Taxation of Tax-Exempt Organizations. The conference was held in Taipei with presentation of papers by scholars from nine countries; the proceedings were subsequently published in the Bulletin

from the International Bureau of Fiscal Documentation (The Netherlands).

Since 1991, the Center has worked with the Public Finance Training Institute, a governmental agency in Taipei, to cosponsor a 14-week international training program for customs officials from Taiwan and several other countries. The program's lecturers covered current issues of international trade relevant to customs officials.

This past year, the Center was involved with the establishment of the China International Lawyers Training Center in Shanghai, a nine-week training program on international commercial law for Chinese lawyers.

In the near future, the Center is planning to co-sponsor professional training programs in Hong Kong (with the City University of Hong Kong) and Bangkok (with Thammasat University).

## Curriculum and Library Enhancement

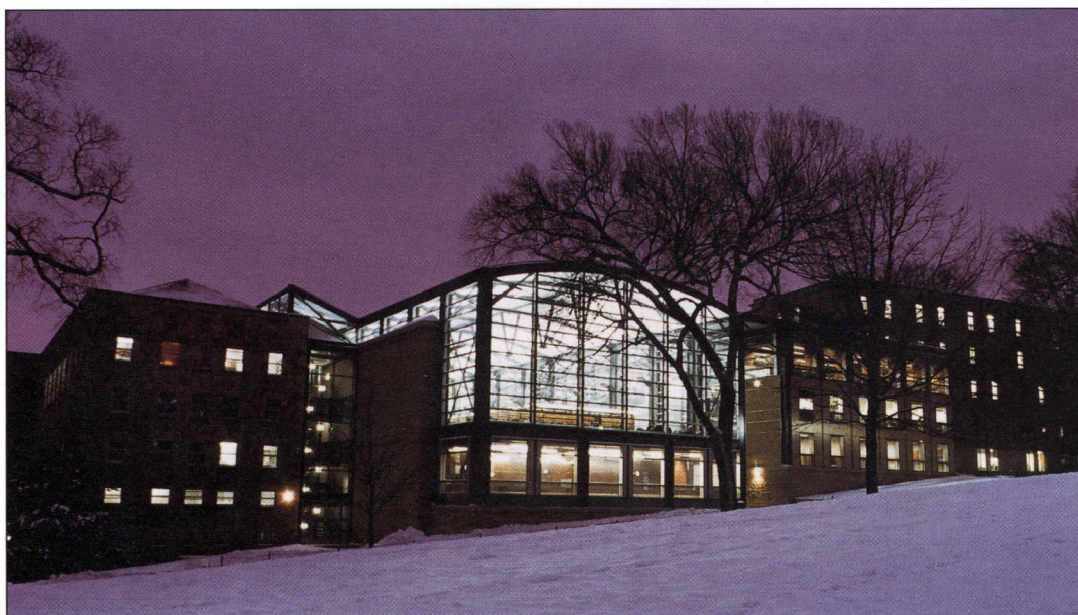
During the past five years, the Center has been instrumental in having several new courses added to the Law School's curriculum. Some were for a limited time only, such as Chinese Law, International Negotiations, Introduction to the Legal System of Japan, and Asian Law. Others have become regular offerings of Law School; these are Legal Issues between Countries of North America and East Asia, Contemporary Issues in American Law, Legal Sources, and Legal Writing for Foreign Students.

To supplement the Library's East Asian collection, the Center has underwritten subscriptions to various periodicals and journals from with East and Southeast Asia, as well as a number of looseleaf services, books, and reference materials.

Please give me a call if you want any additional information about the Center's projects.

# GALA CELEBRATION!

A Law School for the  
21st Century



*Join us for the Dedication  
of the New and Renovated  
Law School Building*

*Saturday, April 26, 1997  
6:30 to 10:00 pm*

Refreshments  
Entertainment  
Tours  
Dedication Ceremony





Dean Daniel O. Bernstine cordially invites you to the Dedication of our new and renovated Law School building. The \$16.1 million project, begun in the fall of 1994, is now completed. Students, faculty, and staff are now enjoying what must be one of the finest teaching and research facilities in the world of legal education.

We will be proud to have you attend our ceremonies. For more information, contact:

Edward J. Reisner, Assistant Dean  
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# Remington Receives Distinguished Service Award October 21, 1994

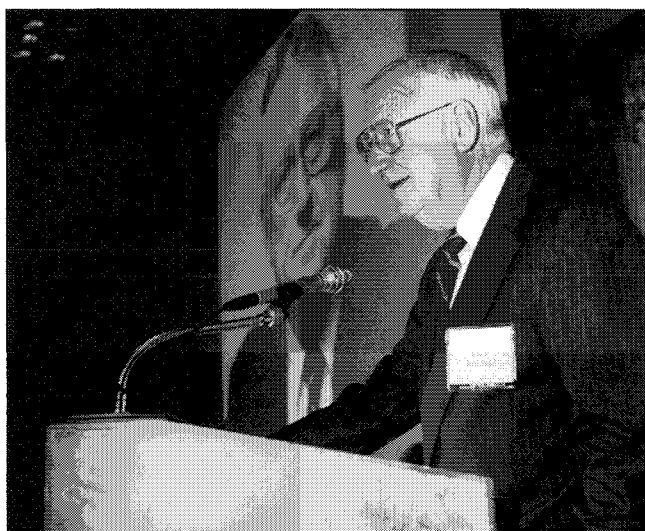
EMERITUS PROFESSOR MARGO MELLI

*Editors note: In the last issue, we noted the death of Professor Frank J. Remington and promised an appropriate memorial to his life and service to this Law School, to his country and to his contributions to the development of criminal law. Perhaps nothing shorter than a book could cover such an ambitious project. The article below, prepared for the presentation of the Wisconsin Law Alumni Association's Distinguished Service Award, captures the high admiration we had for Frank and the great humility he had for his own accomplishments.*

**T**onight, the Wisconsin Law Alumni Association honors both an alumnus of this law school and a long-time member of its faculty in giving the Alumni Association Distinguished Service Award to Frank J. Remington. For almost half a century Frank has been a part of the life of this institution. He entered the Law School in January 1947 and graduated first in his class in January 1949. He began his teaching career on the faculty in September 1949 and retired after 43 years in June 1992.

A Distinguished Service Award is a very appropriate title for an honor bestowed by this Law School on Frank because that is an excellent brief description of his career at Wisconsin: distinguished service.

Frank has given distinguished service to the criminal law, his academic specialty. His research and writing has helped shape its intellectual directions and dimensions. As a result of his experience with the American Bar Foundation Survey of Criminal Justice Administration, he pioneered new ways of thinking about the



**Professor Frank J. Remington**

criminal law. Instead of concentrating on doctrinal issues (although he has certainly made major contributions there) he has viewed the criminal law as an administrative system for the processing of alleged offenders, a system made up of police, prosecutors, judges, corrections officials and characterized by the necessary exercise of discretion. Controlling that discretion, making it accountable and fair, became a focus of Frank's work and a major contribution of his scholarship.

Frank has given distinguished service to his students and his law school. He has always carried a heavy course load. His routine assignment—as anyone who has gone to law school in the last 40 years knows—is a large class at 7:45 a.m. His conceptualization of a criminal justice system which included the exploration of issues with the police and corrections as well as those in the judicial trial of a case

has expanded the criminal law curriculum and made Wisconsin a leader in the criminal justice field.

He has sought new ways of teaching criminal law and founded one of the most successful and prestigious clinical programs in the country: The Legal Assistance to Institutionalized Persons Program (LAIP).

He has promoted programs for minority students. His work was recognized by

the students at the Legal Education Opportunities Program banquet in 1992 with a tribute to "Campus Legend," Frank Remington.

He has done yeoman service in the Law School serving on innumerable committees. He has been a major force in the development of many law school programs and services. One of his most noted successes, was a coup he pulled off as chair of the Faculty Appointments Committee. The Chancellor had announced a plan, called the Madison Plan, to increase diversity on the Madison campus. It involved a carrot; an additional faculty position was made available for any department that had a need it could fill with a highly qualified minority faculty person. Frank and his Appointments Committee came up with not one, but four superbly qualified minority candidates. Although the law school did not have

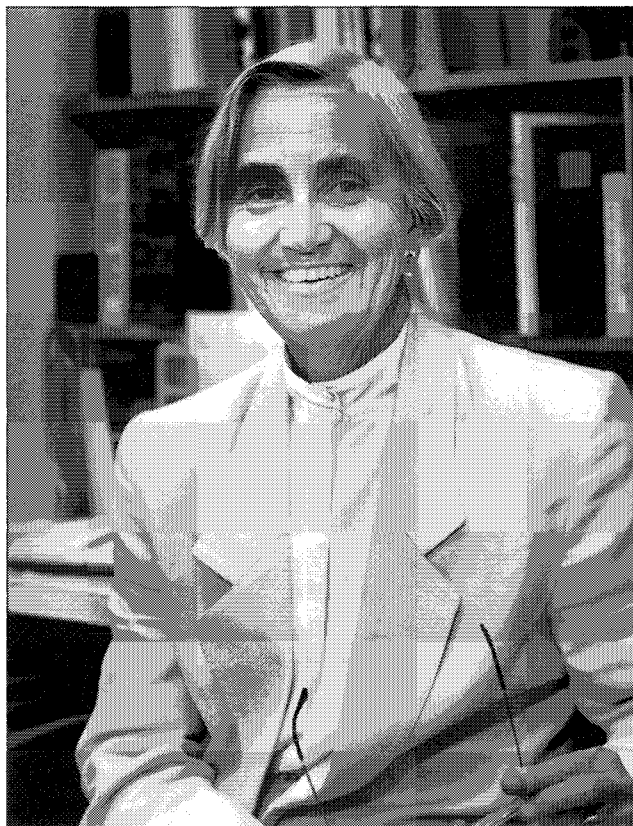
four vacancies, we got all four appointments.

Frank has given distinguished service to the state of Wisconsin, epitomizing the Wisconsin Idea of cooperation between the university and the state. He chaired the drafting committee that developed the Wisconsin Criminal Code. Wisconsin was the first of the common law states to systematically codify its substantive criminal law. He then helped create the Wisconsin Jury Instructions Committee to aid in implementing the Criminal Code. That committee combined the talents of trial court judges and university faculty to establish model instructions in criminal cases, an innovative approach to standardization of the law at the trial court level.

He has given distinguished service to the criminal justice system at the national level, serving as a consultant on the American Law Institute Model Penal Code project, as director of the American Bar Foundation Survey of the Administration of Criminal Justice, as reporter for the Federal Rules of Criminal Procedure, and as consultant to numerous national projects, including the President's Commission on Law Enforcement and Administration of Justice and the National Advisory Commission on Civil Disorder (Kerner Commission). In these and countless other ways, he has played a major role nationally in the development of the criminal law in the latter part of the 20th Century.

Frank has given distinguished service to his community—his country, his university. For his service as a pilot in WWII he was awarded the Distinguished Flying Cross. From 1954–1961 he served as a Captain in the Judge Advocate General Corps.

For the University he has advised many chancellors, served on countless committees including the Committee on Non-Curricular Life of Students, which he chaired, and the Committee on Nondiscrimination and Affirmative Action in Faculty Employ-



*Professor Margo Melli*

ment. For many years (1959–1986) he served as the Faculty Representative to the Big Ten, a position that fitted well with his life-long interest in sports. Being Faculty Representative led to his involvement with the National Collegiate Athletic Association and service, among other activities on its Infractions Committee, which he also chaired for several years. As Frank's next door neighbor (my office was next to his) I often marveled at the stream of visitors to see him that this generated.

Finally, Frank has given distinguished service as a colleague—which is an awkward way of saying he is a splendid one. I should know. I have known Frank Remington since we both began law school back in January 1947. I have worked with him on a variety of projects, the Wisconsin Criminal Code being the most famous. I have served with him on more committees than either of us would like to remember. For 20 years or so my office was next to his.

Frank is a considerate and intellectually exciting co-worker. His feedback on drafts or manuscripts is legendary. He never criticizes what you have done. He just leans back in his chair and begins to suggest other things you might have said. He is a bottomless pit of ideas.

As a committee member he is invaluable. He has a remarkable ability to cut through the haze generated by his fellow committee members and get to the core of the issues. I remember countless meetings in which everyone—myself included—would have much to say around the issue. Frank characteristically had little to say at first. But when he spoke up, he often had the issues sorted out and the beginning of a solution to propose.

In spite of his involvement in so many things, Frank is never too busy to help you sort out issues in a problem, to listen to you blow off steam at some aggravation or just to chat about the state of the world.

My favorite story about Frank as a colleague has nothing to do with the law, but it does involve another of Frank's interests—sports. As you know, Frank is a superb athlete. I am not. But at the age of 45 I decided to take up downhill skiing because my four children—ages 5–11—wanted to ski and I knew I would have to take them. So one weekend, the Mellis went up to Ironwood, Michigan and armed with borrowed equipment, I was going to learn to ski. The Remingtons were there also and Frank tried to be of some help, taking me up the chair lift and grabbing my elbow as I started to fall getting off. The next Monday morning Frank stopped in my office.

He sat down, looked me in the eye and said, "This noon I think we should buy you some good ski equipment."

"That's a waste of money," I said. "I have no athletic ability."

"That's what I mean," said Frank. "You need all the help you can get."

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# Jacob H. Beuscher (1907–1967)

EMERITUS PROFESSOR ARLEN CHRISTENSON

*Editors Note: Recently long-time UW Law School Professor Jake Beuscher was nominated for the Wisconsin Conservation Hall of Fame. Emeritus Prof. Arlen Christenson prepared the following material for the nomination.*

## Introduction

For 32 years, from 1935 until his untimely death in 1967, Jacob H. (Jake) Beuscher was a leading member of the University of Wisconsin law faculty where he personified the “Wisconsin Idea” that the boundaries of the campus are the boundaries of the state. Governor Gaylord Nelson called him “one of the most important resource experts on whom I relied.” Governor Warren Knowles, within a week of Beuscher’s death, paid tribute to him as he signed one of that sessions most important conservation bills. Former Speaker of the Assembly and leading conservation legislator Norman Anderson called Beuscher “a well-spring of creative ideas about how things could get done [who] made a great contribution to the environmental laws of this state.” The Wisconsin legislature, in a joint resolution, pointed out that he “donated countless hours to serving as a consultant and member of committees advising the Wisconsin legislature and state government generally” and that “he played a major role in . . . drafting a water pollution control law and the comprehensive law which was enacted in 1966 was a reflection of his efforts.”



**Professor Jacob H. Beuscher**

Jake Beuscher was a scholar, a teacher and a participant in public policy. His eminent colleague Professor Willard Hurst, said of him: “To law teaching and research . . . he brought the hardheaded insistence on relevance, the pragmatic skills in problem solution, and the disciplined work habits of the capable lawyer. It was natural to his qualities of mind that he steadily developed his work beyond concern with familiar questions of market transactions in land titles, to inquiries into the relations between the general economy and legal controls on the uses of land, an then into questions of the proper public policy to guide the use of all natural

resources, and especially of water as well as of soil and land surface.” Highly respected, indeed beloved, as a teacher Beuscher considered himself first and foremost a scholar and researcher. But he was not just a library researcher. He was one of the inventors of what has been called the study of “law in action.” He wanted to know how the law really worked and how it interacted with the economy and the community. This interest, as well as his love of the outdoors, led him inevitably to his deep involvement with the state legislature, state agencies and with natural resource conservation policy.

## Education and Academic History

Born April 4, 1907, in Cudahy, Wisconsin, Jacob H. Beuscher was the son of a practicing lawyer and a member of a family of Judges and lawyers. He graduated first in

his class from the University of Wisconsin Law School in 1930 and went on to earn an SJD as a Sterling Fellow at Yale Law School 1932. After a stint in private practice in the family firm he began a 32-year career as a law professor in 1935, taking time out only for service in the OPA and the U.S. Navy during World War II. As a professor at the University of Wisconsin Law School he pioneered in the field that later came to be known as environmental law. He created the first course at the law school in Land Use Regulation, taught a River Basin Planning Seminar and a variety of other seminars and courses that

combined study of traditional legal principles with other disciplines concerned with issue of land and water protection. He was instrumental in creating an inter-disciplinary approach to the problems of land and water conservation and was one of the founders of the university's successful Water Resources Management Program. That program was the first of the many programs now under the auspices of the Institute for Environmental Studies. Professor Beuscher was one of the most respected members of the University Faculty at the time of his sudden death in 1967. But he was much more. He was lover of the out of doors, an activist and a leader in formulating and implementing natural resource conservation policy.

## Conservation Contributions

Professor Beuscher's contributions to resource conservation policy are well summarized by Fran Thomas in her monograph entitled *Law in Action: Legal Frontiers for Natural Resource Planning. The Work of Professor Jacob H. Beuscher* (Land Economics Monograph No. 4, UW-Madison 1972):

For thirty years "Jake" as he was known to his associates, *wrote*, and *reviewed*, and *proposed* legislation. His primary continuing affiliations were with various committees of the Natural Resources Committee of State Agencies (NRCSA), the Department of Resource Development (DRD), the Wisconsin Legislative Council, and the state Soil and Water Conservation Committee.

Under NRCSA, from 1951 to 1967, he prepared reports and worked on legislation relating to a possible water use code, underground water, water pollution, flood plain zoning and shore land regulations. As a member of the Wisconsin Development Commission, Professor Beuscher was in 1958 requested by the Governor to write a proposal [which led to] legislation creating the

Department of Resource Development . . . . Within the DRD he was asked to supervise a study regarding the place of land use controls in the State Plan. He was on the Water Resources Advisory Board of the DRD and assisted in a shore land study.

He was a vice-chairman of the Governor's Advisory Committee on State Resource Planning, a group charged with creating a "plan for planning;" a member of the Governor's Committee on Wisconsin Water Resources, a group called upon to review and recommend water legislation; and he worked with the Governor's Committee on Eminent Domain.

As a member of the Wisconsin Legislative Council's Water Resources Committee he and others wrote legislation regarding water use, watershed control, and drainage laws. On the Urban Problems Committee of the Council he was involved in drafting incorporation standards, regional planning and counting planning and zoning. He worked with others on a revision of Chapter 236, Wisconsin's Subdivision and Platting Code.

His concern for planning for the future and his interest in the conservation of natural resources combine in some of his region-wide memberships, such as that on the Fox River Valley Regional Planning Commission, on which he and others wrote legislation to create multiple-purpose conservancy districts, and on various committees relating to the Wolf River basin. The Wolf River Basin Study which he provided to the Wisconsin Legislature served as a beginning subject matter for a River Basin Planning Seminar to train young planners, engineers,, political scientists, economists and lawyers in a real-life setting. He was in charge of preparing two reports—one on water law in southeastern Wisconsin and one on land use controls—as a

member of the Southeastern Wisconsin Regional Planning Commission, a seven-county regional planning commission which he helped "propagandize . . . into existence" and which exemplified his belief that decompartmentalized planning would yield valuable results. (Emphasis in original)

There was little, if any, conservation legislation adopted by the Wisconsin legislature between the late fifties and Professor Beuscher's death in 1967 that did not bear his stamp. Among the laws with which he was intimately involved were the following:

- ▶ Chapter 442, Laws of 1959 creating the Department of Resource Development
- ▶ Chapter 427, Laws of 1961; the *Outdoor Recreation Act* (ORAP) using funds from cigarette taxes to acquire and develop for public use lands for sport recreation, access and scenic and other easements.
- ▶ Chapter 253, Laws of 1963: barring future dams from the Wolf River north of the south boundary of Shawano County.
- ▶ Chapter 263, Laws of 1965; providing for the purchase of easements over shore land along the Wolf River.
- ▶ Chapters 274 and 573, Laws of 1965: authorizing participation by Wisconsin in interstate boundary waters commissions with Minnesota and Michigan respectively.
- ▶ Chapter 445, Laws of 1965: requiring for the first time state permission before an industry could discharge new or additional wastes into the surface waters of the state.
- ▶ Chapter 502, Laws of 1965: providing for water studies, data collection and research. The University of Wisconsin Water Resource Center which Professor Beuscher helped establish, was to oversee the studies.
- ▶ Chapter 614, Laws of 1966, the monumental water resource protection law, enacted to "organize a comprehensive program under a single state agency for the enhancement of the quality,

management and protection of all the waters of the state, ground and surface, public and private" was, no doubt, Professor Beuscher's crowning achievement. This landmark law included the fundamental water protection provisions that continue to be law today and formed the foundation for the impressive water clean up that has occurred in Wisconsin in the last thirty years. In addition it included the precedent setting provisions still in place for flood plain and shore land zoning. Governor Gaylord Nelson said about this legislation, "It was a new beginning for Wisconsin's fight to protect water resources and Jake Beuscher played a crucial role."

Jake Beuscher's final contribution to Wisconsin's natural resource protection laws came in the last year of his life during the legislative battles surrounding the enactment of the *Kellett Bill* and its massive reorganization of the executive branch of state government. When the bill was stalled due to the opposition of conservationist to the elimination of the Conservation Department as a voice on behalf of protecting natural resources, Beuscher's idea for a state Public Intervenor to play that role was critical to making the bill law. It was also a visionary idea that produced great benefit to the cause of resource conservation. For almost thirty years, until its powers were taken away in last year's budget bill the Public Intervenor led the fight for public rights in natural resources. Without the Public Intervenor in the bill, Governor Knowles government reorganization plans would have failed. With Jake Beuscher's idea the bill was saved and the public's voice in natural resource protection continued to be heard for thirty more years.



***Emeritus Professor Arlen Christenson***

## Conclusion

Professor Beuscher was indeed a "fountain of ideas." He publicized those ideas in more than 150 books, papers and articles published over almost 40 years. Characteristically many of those publications were not in the usual academic journals but in places like *Hoard's Dairyman*, the *Highway Research Board Bulletin*, *Local Planning Administration* and the *Municipal Law Service Letter* where his ideas were accessible to the people who could put them into practice. A true scholar and a widely admired academic, Jake Beuscher wanted to make things happen. He cared deeply about the environment and about natural resources and he saw it as his duty to do something about the growing threats he saw much earlier than most people.

Jake Beuscher's ideas were innumerable and they were also prophetic in the true sense of that word. Here is what he told us more than thirty years ago when, in the words of his biographer "he listed the three most serious problems facing us both at present and in the future, all three springing from our affluence, mobility and expanding population:"

- (1) An increasing demand that open spaces, outdoor amenities, and esthetically pleasing surroundings be preserved. To these ends there must be orderly growth, prepared for through planning, in part by the use of regulatory tools used singly and in combination.
- (2) "Staggering demand"—and demands that will continue to increase—for open, clean water for every legitimate use. . . .
- (3) A "growing a deep-rooted concern about the quality of our environment and the threats to this quality from residues and wastes of our onrushing technology"

This prophecy was pronounced before Earth Day, before Rachel Carson's book, before the National Environmental Policy Act and before there were more than a handful of people who thought about these things. To say that Jake Beuscher was a man ahead of his time is to state the obvious. He was one of a kind. No one in the history of the University of Wisconsin has matched his contributions to the state in which he was born and to which he devoted a life time of accomplishment. A truly gifted teacher he introduced a generations of students, in law, agriculture, planning and environmental studies to his disciplined and scholarly approach to problems—legal, policy and political, and to his love of the natural world around him. Professor Jacob H. Beuscher personified conservation leadership. His leadership produced concrete results in legislation, administrative policy and education. His memory lives on in the lives and works of those he influenced so much and it is fitting that he be recognized by being enshrined with other leaders, so many of whom he knew, worked with and inspired.



## NEWS OF THE SCHOOL

**Professor Roger C. Cramton** of Cornell Law School will be the first Warren P. Knowles Professor at our School. The estate of the late **Governor Knowles** ('33) created the professorship in the area of ethics in government and law. Proceeds from the professorship will be used to bring distinguished visitors to the Law School for teaching and scholarship. Prof. Cramton will be here in the fall of 1997. A former clerk to U.S. Supreme Court Justice Harold Burton (1956-57), former dean at Cornell (1973-80), and noted author, Prof. Cramton is a most appropriate choice to inaugurate this professorship.

U.S. Attorney for the Eastern District of Wisconsin, **Thomas P. Schneider** ('72), recently negotiated a substantial "gift" to the Law School as part of a sentencing package in a federal conspiracy case. Schneider included a "community service payment" of \$100,000, equally split by Wisconsin's two law schools, to fund programs on business law ethics.

**Prof. Frank Tuerkheimer** reports that **Kim Mayer**, a current third-year student, recently won a reversal for an indigent defendant. Mayer was supervised by Tuerkheimer on the appeal of a case to the Seventh Circuit Court of Appeals under the Criminal Justice Act. The issue involved sentencing procedures.

**Charles F. Luce** ('41) recently made a major gift to the Law School to complete funding of the J. Willard Hurst Professorship in Legal History. Luce, Hurst's first student research assistant, retired as chairman and chief executive officer of Consolidated Edison in New York in 1982.

The Consumer Law Project announces that **David Vladeck**, an attorney with the Public Citizen Litigation Group, will be the consumer-advocate-in-residence in early March 1997. Mr. Vladeck, a graduate of Columbia University Law School, will give a general law school talk, meet with faculty, and be available to guest lecture in a number of classes during his stay.



(From l to r): Dean Sergio Illanes, University of Diego Portales Law School in Chile; UW exchange students Thomas Martin and Sara Fiscus; Professor Joseph Thome; Felipe Gonzalez, professor at Portales and advisor to UW students.

**Clinical Professor Louise Trubek**, who was recently honored with the Sally Sunde Award for Social Justice by Community Shares of Wisconsin, has also recently published a new poverty law casebook.

**Prof. Alan Weisbard** was an invited participant in the U.S. Holocaust Research Institute's Conference on the Obligations of Medicine to the State. Weisbard's presentation was entitled: Devaluing Life: Does the Nazi Experience have Implications for Contemporary Health Care.

Four new faculty members joined us this fall: **Gregory Shaffer**, Stanford '88; **Bernard Trujillo**, Yale '92; **Heinz Klug**, Hastings '89 and U.W. SJD '96; and **Jane Larson**, Minnesota '85. Watch upcoming issues for a full report on these outstanding additions to our teaching staff.

**Prof. Joseph Thome** reports on the on-going success of our exchange program with the University of Diego Portales Law School in Chile. After visiting there recently, Prof. Thome returned with the photo reproduced here.

The **Institute for Legal Studies** recently hosted a major national conference on the Future of Punitive Damages. Over three days in October, experts in litigation, damages, and legal reform met and discussed the history, current status and future of punitive damages. **Prof. Marc Galanter**, director of the Institute, indicates that the conference was a great success in assessing information on punitive damages and suggesting the future of such awards.

## IN MEMORIAM

Harold J. Anue ('30), *Holcombe, Wisconsin*  
 Vernon A. Swanson ('31), *Milwaukee, Wisconsin*  
 William C. Aiken ('31), *Chicago, Illinois*  
 Bernice Lotwin Bernstein ('31), *Seattle, Washington*  
 Keyl Kenyon ('35), *Tonaw, Wisconsin*  
 Gilbert C. Dobinski ('35), *Lac du Flambeau, Wisconsin*  
 David Previant ('35), *Milwaukee, Wisconsin*  
 David Levin ('36), *Bethesda, Maryland*  
 Roy Glassow ('36), *Coos Bay, Oregon*  
 Donald E. Bonk ('37), *Chilton, Wisconsin*  
 Robert R. Fenno ('38), *Milwaukee, Wisconsin*  
 Victor H. Breitenfeld ('38), *Tonaw, Wisconsin*  
 James A. Nance ('41), *Milwaukee, Wisconsin*  
 Stephen M. O'Meara ('41), *West Bend, Wisconsin*  
 Harold W. Ingall, Jr. ('41), *Chicago, Illinois*  
 Arthur A. Cirilli ('42), *Superior, Wisconsin*  
 Thomas G. Godfrey ('47), *Elkhorn, Wisconsin*

Marian J. Wilhelms ('48), *Neenab, Wisconsin*  
 Harry F. Benkert ('48), *Madison, Wisconsin*  
 James G. Solberg ('48), *Menomonie, Wisconsin*  
 Martin B. Antaramian ('50), *Kenosha, Wisconsin*  
 Horace R. George ('50), *Milwaukee, Wisconsin*  
 Lillian Fortmann Schulz ('51), *Roseville, Minnesota*  
 William J. Schuh ('51), *Appleton, Wisconsin*  
 Melvin W. Nitz ('52), *Fresno, California*  
 Arthur H. Laun, Jr. ('54), *Milwaukee, Wisconsin*  
 Motroee N. Orman ('55), *Milwaukee, Wisconsin*  
 Roger T. White ('58), *Port Hueneme, California*  
 Kenton E. Kihner ('58), *Milwaukee, Wisconsin*  
 Lee Modjeska ('60), *Raleigh, North Carolina*  
 John W. Lillesand ('64), *Sbeboygan, Wisconsin*  
 Robert A. Nordby, Jr. ('64), *Des Moines, Washington*  
 Nicholas J. Meeuwse ('70), *Oshkosh, Wisconsin*  
 Susan Wiesner Hawley ('73), *Madison, Wisconsin*  
 Chuck Cell ('83), *Oregon, Wisconsin*

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## HAVE YOU HEARD?

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**Rudolph P. Regez** ('36) reports that his class held a 60th reunion recently in Madison. Attending were: **George Kowalczyk**, **Austin Smith** and Regez.

**Lloyd A. Barbee** ('55), a former member of the Law School's Board of Visitors, has received the seventh annual James Howard Baker Award from the Community Brainstroming Conference for his lifetime efforts in civil rights and equal opportunities.

**Patrick Dolan** ('61) has joined the Madison office of Reinhart, Boerner, Van Deuren, Norris & Rieselbach. Dolan will do labor and employment litigation.

### Wisconsin Supreme Court Justice

**Jon P. Wilcox** ('65) has been named a fellow of the American Bar Foundation. The selection recognizes outstanding dedication to the highest principles of the legal profession.

**Thomas J. Bauch** ('66) has retired as senior vice president, general counsel, and corporate secretary of Levi Strauss & Co. Bauch will remain with the company as a consultant.

**Patrick Jordan** ('67) has joined the San Francisco firm of Jeffer, Mangels, Butler & Marmaro.

**Prof. Robert J. Wright III** ('67), University of Arkansas-Little Rock School of Law, has been elected chair of the General Practice, Solo and Small Firm Section of the American Bar Association.

**Prof. John McCormack** ('68), Loyola University of Chicago School of Law, has been honored for twenty-five years of teaching service to his school.

**James G. Derouin** ('68) has joined the Phoenix office of Steptoe & Johnson.

**Paul H. Dawes** ('70) has been selected as chair of the litigation department of Latham & Watkins. Dawes is a partner in the San Francisco office of that firm.

**Thomas J. Kennedy** ('72) has joined the Phoenix firm, Ryley, Carlock & Applewhite, where he will practice labor law.

**Anthony J. Randall** ('73) has been sworn in as a U.S. Immigration Judge in Miami.

**Mark A. Nordenberg** ('73) has been appointed as Chancellor of the University of Pittsburgh. Nordenberg had previously served as Dean of that University's Law School.

**Mari Gursky Shaw** ('73) has joined the Philadelphia office of Akin, Gump, Strauss, Hauer & Feld as Managing Partner.

**William D. Harvey** ('74) has been named President of Wisconsin Power and Light and Vice President of Interstate Energy Corporation.

**Leon Z. Heller** ('74) has been named General Counsel & Secretary of EnviroSource, Inc., in Horsham, Pennsylvania.

**Sidney M. Nowell** ('75) has joined the Florida Aviation Management Development Associates (FAMDA) where he will focus on employment and management law matters.

**Jann Ozzelo Wilcox** ('77) has been named to the Board of Directors of Zomax Optical Media, Inc. Wilcox is senior vice president and chief financial officer of Marquette Bancshares, Inc., in Minneapolis.

**David G. Deininger** ('78) is the newest judge of the Wisconsin Court of Appeals.

**Mary Hanson** ('78), who practices business law in Torrance, California, announces that three of her business law articles have been licensed by Time magazine and can be found on their website at: <http://www.timevista.com>.

**Josephine V. Dye** ('81), chief attorney of the family and education law division of Legal Services of North Texas, has won the J. Chrys Dougherty Legal Services Award for her innovations in her field.

**Greg D. Richardson** ('81) has left the Justice Fellowship to establish and direct the Restorative Justice Institute in Washington, DC.

**Melanie Aska Knox** ('83), a shareholder in the Milwaukee firm Godfrey & Kahn, recently co-authored Pension Distribution Answer Book, her fourth book in the area of pension and benefit management.

**Brian R. Garves** ('85) has joined the new firm, Willmarth & Tanoury, in Detroit. The firm will do defense of medical malpractice, health care consulting and general liability defense.

**Vincent A. Thomas** ('86), a member of the Law School Board of Visitors, has been named Assistant Dean of Students at Hamline Law School in St. Paul.

**Will Morris** ('86) has been named Associate Head Men's Basketball Coach at California State University, Hayward, an NCAA Division II school. While in Law School, Morris coached the "Learned Hands," a team of women students and alumni.

**William Oemichen** ('86) has been named director of Wisconsin's Division of Trade and Consumer Protection. Oemichen had been deputy commissioner and chief legal counsel for the Minnesota Agriculture Department.

**Daniel T. Flaherty** ('86), formerly with the U.S. Attorney's Office in Milwaukee, has joined Godfrey & Kahn where he will concentrate in business litigation.

**Daniel L. Woehrner** ('87) has been named a vice president of Norwest Investment Management & Trust in Milwaukee. Woehrner will serve as a personal trust officer and offer estate and investment advice.

**Kevin G. Fitzgerald** ('87) has been named a partner at Foley & Lardner. Fitzgerald practices in the insurance group at the firms offices in Milwaukee and Tallahassee.

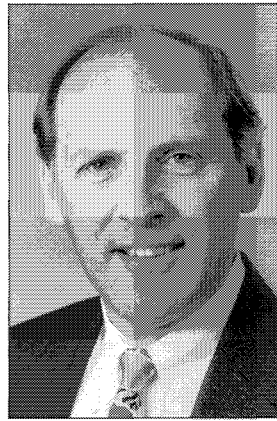
**Christopher C. Dickinson** ('88) become a partner at Jenner & Block, Chicago.

**Helen Abrams Winder** ('88), of Edina, Minnesota, has been certified as a real property law specialist by the Minnesota State Bar Association.

**Kristine M. Strodthoff** ('89) has joined the Milwaukee office of Godfrey & Kahn where she will practice in the Intellectual Property group.



**Catherine F. Conway**



**Eric Fonstad**



**Michele A. Powers**

**Raymond J. Ramsey** ('91), former law clerk to Judge Cecil F. Poole and former staff attorney for the U.S. Court of Appeals, Ninth Circuit, has joined the San Francisco office of Baker & McKenzie where he will practice in the corporate litigation group.

**April D. Madison-Ramsey** ('92), former staff attorney for the U.S. Court of Appeals, Ninth Circuit, has joined the San Francisco office of Morrison and Foerster where she will do corporate litigation.

**Kevin J. Palmersheim** ('92) has become a shareholder in the Madison firm of Haley Palmersheim. The firm does business law and business litigation.

**Claire Ann Resop** ('93) has joined the Hartford, Wisconsin, office of Mohr & Anderson.

**Joelyn Knopf** ('93) has joined the corporate legal staff of BR Health System in St. Louis. Knopf previously practiced with Pillsbury Madison & Sutro in San Francisco.

**Natalia C. Walter** ('94) has joined the Catholic Legal Immigration Network (CLINIC) as a staff attorney in El Paso, Texas. She will coordinate a new detainee representation program.



**Timothy C. McDonald**



**William R. West**

**Michele Powers** ('94) has joined the Los Angeles firm Pircher, Nichols & Meeks. Powers will do environmental and real estate litigation.

**Rachel M. Bacalzo** ('94) has joined the Phoenix firm of Yen & Pilch where she will do civil litigation.

**Nancy Noet** ('94) has joined the litigation department of Reinhart, Boerner, Van Deuren, Norris & Rieselbach in its Milwaukee office.

**Jacob P. Westerhof** ('95) has joined DeWitt Ross & Stevens, Madison, where he will do general litigation.

**Sarah E. Coyne** ('95) has joined the Madison office of Quarles & Brady. Coyne will do litigation.

**Michael D. Morneault** ('95) has joined the Pittsburgh office of Morgan, Lewis & Bockius where he will do corporate and securities law.

Quarles & Brady announces that **Scott L. Langlois** ('86) and **Francis H. LoCoco** ('86) have become partners in the firm's Milwaukee office while **Kevin A. Delorey** ('86) is a new partner in the Madison office.

von Briesen, Purtell & Roper, Milwaukee, announce that **Catherine F. Conway** ('86), **Timothy C. McDonald** ('84) and **William R. West** ('86) have become shareholders. Conway and McDonald will focus on employee benefits, West will do business and tax practice. Also joining the firm are: **David I. Nestingen** ('78), **Thomas J. Kammerait** ('81) and **Michael T. Byrnes** ('95), formerly of Prieve & Meyer; **Betty J. Juler** ('95), from the Reinhart firm; and **David P. Muth** ('96).

Boardman, Suhr, Curry & Field, Madison, announce that **Richard L. Schmidt** ('89) and **Anita T. Gallucci** ('89) have become partners while **Richard L. Bolton** ('84), **Jennifer S. Mirus** ('93), **M. Tess O'Brien-Heinzen** ('93) and **Susan L. Collins** ('95) are new associates.

The Financial Accounting Foundation, who helps set financial reporting standards for businesses, non-profit organizations and governmental units, has appointed **David Ruder** ('57) and **Paul Soglin** ('72) to its Board of Trustees. Ruder is the former chair of the U.S. Securities and Exchange Commission. Soglin is the Mayor of Madison, Wisconsin.

The Association for Women Lawyers, Milwaukee, announces that **Louise H. Stone** ('81), **Joan Bartels Farrell** ('87) and **Sarah J. Elliott** ('84) have been appointed to its Board of Directors. The Association also presented its Mentor Award to **Amy R. Seibel** ('80), in recognition of her contributions to the professional development of women lawyers. Seibel practices with Weiss, Berzowski, Brady & Donahue in Milwaukee.

Harnischfeger Industries, Inc., announces the promotion of **Eric Fonstad** ('73) and **Kim Kodousek** ('79) to associate general counsels.

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## FROM THE EDITOR

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As I write I am beginning my twenty-second year as Assistant Dean at the Law School. As I remembered that first day, it occurred to me how much has changed around me. I reported to the old Placement Office, an area that was renamed Career Services in the 1980's and gutted and rebuilt in the recent renovation. The old facility had four interview rooms. During the boom-years we had as many as eleven rooms going per day and averaged about seven during the fall interviewing season. The new facility has seven within the office, all nicely decorated and furnished.

The Law School in 1976 was only thirteen years old, at least the classroom portion. In fact, when I began as a student in 1969, it was only six years old. Even then it looked far older, worn beyond its years. By 1976, many of the classroom desks were "decorated" with duct tape and the wallpaper meant to cheer up the truly institutional hallways was about to be painted in yet another attempt to instill some life (later, Cliff Thompson would try plants in the wall mounted ashtrays, but there never was enough light). Two of our larger clinical programs were housed in the old state crime lab across University Avenue, next door to the old bank building that housed CLEW, our continuing legal education program.

Orrin Helstad was the interim dean who hired me. During my first year, Orrin became the first of the three deans I have worked with (so far). In 1984, Cliff Thompson arrived one morning in August. In the great Wisconsin tradition, Cliff arrived towing a U-haul trailer which he proceeded to unload by himself. In 1991, Cliff gave way to Dan Bernstine, who has announced his resignation elsewhere in this issue. This School has been blessed by a series of dedicated, talented deans who have each stayed almost twice as long as the national average giving this School an added measure of stability.

Our School has also been blessed by an unusually talented group of faculty, many of whom are still here serving our

students, the State and Nation, and the profession. Of those who left, most were lured away to Schools with larger endowments. Some of the great ones have retired and others have gone to their great reward: Bob Skilton, who entertained me with his recollections and writings until a week before his death; Frank Remington, who taught me about life over a cup of coffee before his 7:45 am classes; George Young, who found a joy to life that he could share with the twinkle in his eyes; and Abner Brodie, who inspired fear in the classroom and warmth everywhere else.

Fortunately, not everything has changed. Current faculty continue to inspire students to a wide variety of traditional and non-traditional careers. Students continue to report to the School with a variety of motivations reflecting the needs of our society. Alumni continue to give back to the School a measure of what the School gave to them. Recently the Dean, Chris Richards and I met with a donor who said, "I don't know why more people don't give, it's so much fun!" Our recent building project caused a large number of alumni to give, and give generously. While "fun" may not have been their original motivation, I hope they all discovered how pleasant giving can be. I hope so

because we may just ask them again, sometime in my next twenty-one years.

Four alumni from the 1950's helped identify the last mystery picture: Leon Sheehan ('50), La Crosse; Bob Consigny ('55), Janesville; Jim Vessey ('56), Minneapolis; William Dolson ('56), Louisville; and Hugh Hafer ('56) Seattle. Seated, from the right, were Dick Donaldson ('56), Seattle, and either Jim Vessey ('56), Minneapolis, Larry Hammond ('55), Milwaukee, or Judge Lincoln Neprud, who served the La Crosse Circuit court in the 1950's and 60's (one vote apiece and one abstention). Since Jim Vessey is willing to identify himself, I suspect that he is the person pictured. Standing in the back, from the right, were: Hugh Hafer, one of the identifiers; Dick Robinson ('56), Milwaukee; and Dave MacGregor ('56), also of Milwaukee.

In honor of my anniversary, I've decided to make it easy on you with this mystery picture. Any guesses of people not in the Class of 1950 will be automatically disqualified. Anyone in the Class of 1950 that can't identify at least three of these people will have their diplomas cancelled. And anyone who wants one of the pieces of art visible in the picture should write to the Wisconsin Center.

