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Spring
1970
Vol. 2 No. 3

Alumni Bulletin of The University of Wisconsin Law School

Return address:

The Gargoyle

Law School
University of Wisconsin
Madison, Wisconsin 53706

LAW PROFESSOR
U OF W
MADISON WI 53706

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Dear Alumni of the Law School:

We are sometimes led to believe that relations between the academic community and the outside community—as well as between the young and the older generations—have deteriorated so that communication is no longer possible. In my opinion this was not true with lawyers, the Law School, and law students in the year 1970. The past year brought increasing interest of the alumni in the Law School, and the growing support that accompanies it. There is, in fact, a new receptivity on all sides which stimulates communication to the benefit of all groups.

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John C. Tonjes, Chairman
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Spencer L. Kimball, Dean



John Tonjes

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Ruth B. Doyle, editor

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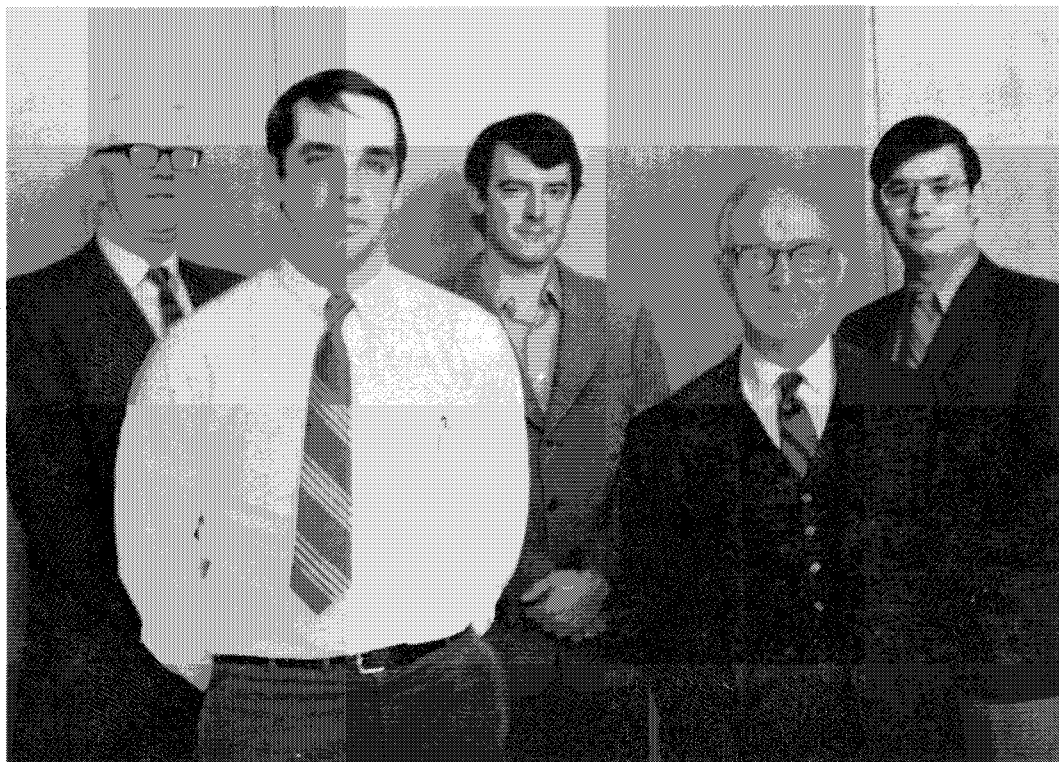
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MOOT COURT PROVIDES EXPERIENCE IN ORAL ARGUMENT



1970 Moot Court Team

Left to right: Prof. Helstad, William Lewis, Fred Leatherman, Prof. Brodie, Howard Eisenberg.

When the Wisconsin Law School was established in 1868, the course of study included, along with the customary lectures and textbook discussions, weekly moot courts for the argument of cases. Throughout the Law School's history, efforts have been made to incorporate into the curriculum practical experience in the trial of law suits and in the preparation and argument of cases on appeal.

The National Moot Court competition provides the annual culmination of these efforts for over 120 law schools in the United States. Each year, the national championship rounds are sponsored in New York by the Young Lawyers Committee of the Association of the Bar of the City of New York. After regional tournaments throughout the country, the 16 winning teams gather for the final rounds in No-

vember each year, and a national champion team is selected.

The Wisconsin Law School has won the regional competition and hence has participated in the New York tournament twelve times since the establishment of the national competition in 1950. In 1969, the Wisconsin team won its only national championship, though on several other occasions, the Wisconsin team has reached the semi-finals. In November, 1970, the team defeated the University of Texas in the first round, but was eliminated in the second by New York University.

Regional tournaments precede the national championship rounds. For many years, the Milwaukee Junior Bar Association played regional host. In 1970, the regional tournament was shifted to Chicago.

Each participating law school

travels a different route to the championship rounds in New York. Although Wisconsin teams have been among the most successful in the competition over the years, appellate advocacy, at least in the competitive sense, is less emphasized at Wisconsin than at many other law schools. At some schools, intra-school competitions, such as the Ames competition at Harvard, involve up to 100 students in the extra-curricular practice of appellate advocacy.

In many law schools, moot court competitions were traditionally organized through moot court clubs, which had social and fraternal as well as competitive purposes.

All of these intensive intramural and interscholastic efforts have the stated purpose of providing to law

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MOOT COURT CON'T.

students an opportunity to gain experience in all aspects of appellate advocacy, including research, brief-writing and oral argument. In addition, of course, participating students have chances to meet and associate with outstanding students from other law schools and outstanding members of the Bench and Bar.

All first year law students at Wisconsin are enrolled in a Legal Writing course in which they write memos and briefs. Late in the second semester, students are divided into teams of two, to present oral arguments following the submission of briefs on problems prepared by the Legal Writing instructors. Legal Writing instructors and members of the local Bar serve as judges on these occasions.

Appellate Advocacy is a second year course, which culminates in an intramural tournament presided over by Wisconsin Supreme Court justices at the time of the Spring Program each year. In addition, a seminar in Appellate Procedure is offered to advanced law students. Now conducted by Wisconsin Supreme Court Justice Nathan Heffernan, it was formerly under the direction of Justice George S. Currie.

Students interested in being selected to represent the Wisconsin Law School in the regional and national tournaments receive the record of the case to be argued in the late summer each year. The hypothetical trial record is prepared by the Young Lawyers' Committee. In recent years, the cases selected have all involved constitutional questions. In 1969-70, the national championship team argued a case dealing with student discipline at a private university. Recent controversy over the records presented has caused Harvard and the University of Chicago to withdraw from the competition. Prospective team

members prepare briefs on one side or the other, which are judged in the regional and national competitions separately from the argument. Intramural competitions determine which teams will represent Wisconsin at the regional tourney. Initially, student competitors prepare only one side of the argument.

Teams winning the regional competitions then must prepare to argue either side, as assigned in the national rounds.

Costs to entering schools include mimeographing of briefs before the regional rounds. All participants read and receive each brief. Regional victors have the additional costs of printed briefs, as well as travel and other expenses. Moot Court expenses at Wisconsin are borne by grants of Wisconsin Law Alumni Association funds.

The 1970 Wisconsin team was composed of Howard Eisenberg and William Lewis, Jr., Madison, and Fred Leatherman, Jr., Bethesda, Maryland. Participation in the national rounds is a very exciting experience, according to Mr. Eisenberg, who represented the Law School in 1969 (when Wisconsin was Champion) and again in 1970. The Chief Judge of the National Moot Court is always a U.S. Supreme Court Justice, and sitting with him are other Federal Judges and distinguished members of the Bar. Approximately 1000 people attend the final arguments. Social occasions accompany the arguments, and on the night of the final rounds all participants are entertained at dinner. Prizes to winning teams, to winning briefs and winning individuals are numerous.

The tremendous amount of time required to participate in Moot Court probably deters many students from taking advantage of this opportunity. A small amount of academic credit is given as partial compensation for the investment. The opportunity to study an area of law in depth, and the developing

poise that accompanies growing experience are other irreplaceable compensations.

Mr. Eisenberg feels that the Legal Writing experience is viewed as drudgery and not as a challenge, and few students choose to continue their study of appellate advocacy after the Legal Writing course. There should be greater effort to acquaint first year students with the values of the Moot Court experience.

There seems, however, to be little correlation between the number of students who enter the intramural rounds and the success of the team which ultimately represents the school. Although Wisconsin's intramural competition is smaller than that of most other schools, its teams have performed well, and are considered to be among the best every year, for their briefs as well as for their oral arguments.

For many years Prof. Samuel Mermin and Prof. Abner Brodie served as advisors to the Moot Court competitors. This last year, Prof. Orrin Helstad has replaced Prof. Mermin.

HAVE YOU MOVED?

PLEASE LET

US KNOW

WHERE.

GARGOYLE

PROFESSOR KATZ RETIRES

The end of the first semester brought to a formal close the long and distinguished teaching career of Professor Wilber Katz, who has been a member of the Wisconsin Law School Faculty since 1962. Professor Katz was graduated from the University of Wisconsin in 1923, and earned his law degree and an S.J.D. at Harvard Law School. During his student career, he was elected to Phi Beta Kappa and Order of Coif. He served as Note Editor of the *Harvard Law Review*.

Following several years of private practice in the New York firm of Milbank, Tweed, Buckner & Ballantine, he served as a member of the University of Chicago Law School Faculty from 1930-1961, where he was also Dean from 1939-1950.

Professor Katz has taught Corporations for forty years.

Professor Katz has recently been the George I. Haight Professor of Law, occupying a special chair established by the friends and admirers of one of the Law School's most distinguished alumni.

During 1970 he served as a special hearing examiner for the University in numerous student discipline cases which grew out of the student protest demonstrations in the spring.

A leading Episcopal layman, Professor Katz is a nationally-recognized expert on church-state relations. During 1970, for example, his article *Radiations From Church Tax Exemption* was published in the *Supreme Court Review*. Along with Harold P. Southerland (Class of 1966), he is the author of an *amicus curiae* brief in the U.S. Supreme Court on behalf of the American Council on Education, the Association of American Colleges, the Association of American Universities, the National Association of State Universities and Land Grant Colleges and other groups in an appeal from a three Judge decision in the Federal District Court of Connecticut in a case in-



Wilber G. Katz

volving federal aid for non-religious purposes to secular and non-denominational private colleges.

On the occasion of his retirement, the *Gargoyle* asked Professor Katz to reflect on his many years in legal education, responding to the question, "Would you do it all over again?" And he replied:

"If I were starting over, I'd make a radical shift of strategy. I'd scrap my long held notions of what students and I should respectively contribute to the educational enterprise and I'd substitute a text for the massive book of "Cases and Materials." Following the lead of colleagues Foster and Bunn, I'd adopt a basic strategy of student self-teaching and assign weekly problems for written reports and discussion.

"For many years, my variant of the case-statute discussion method worked fairly well. But it presupposed a kind of regular, thoughtful preparation and class participation which too few of today's second year students are willing to deliver. Possibly the student slow-down is justified. Possibly the pre-class reading of judicial opinions (often poorly written) and statutes (often poorly drafted) is just too frustrating. Possibly class participation means opening one's self to Socra-

tizing which is just too humiliating. But it is no certainty that a viable substitute for the "case method" can be found for classes of 50 to 100 students.

"A method built around problems assigned for written reports raises many difficulties. The reports must be carefully read and their specific inadequacies effectively communicated. This kind of communication, whether oral or in writing, I have found always difficult, and often apparently impossible. And the time required presents a major hurdle. Perhaps each student might have only a third of his papers read and criticized by the professor and teaching assistants might be used for the remainder.

"Were I starting over, I would also reluctantly yield to the demand that professors come out from behind the Socratic pose of the ignorant man. I'd not only express definite preferences more frequently, but I'd try to show the "relevance" of Corporation Law by articulating more systematically my ethical, economic, and political convictions bearing upon the modern corporation and Corporation Law. Perhaps it's just as well that I don't have the fifth decade. Old dogs seldom teach themselves a new repertoire of tricks."

LAW SCHOOL FUND

2nd Annual Report

The second annual report of the Law School Fund covers contributions received between February 1, 1970 and January 31, 1971. Efforts to organize the drive more effectively continued through the year. Class agents, appointed by Class Agents Vice-Chairman Robert Curry, addressed letters to their classmates urging support of the Fund.

For the second time, Mr. George Cleary, Scholarships Vice-Chairman, solicited funds from alumni who had received scholarships.

Dean Kimball wrote to a group of potentially large contributors late in the year. All Alumni received a follow-up appeal in December, in the form of a letter from John S. Lord and Carroll Heft. In addition, all members of the State Bar of Wisconsin received solicitations on behalf of the Legal Education Opportunities Program.

Dean Kimball, sometimes accompanied by other members of the Faculty, attended alumni gatherings during the year to discuss the Law School, its promise and problems. These meetings were related only incidentally to the Fund Drive, but nevertheless served as important alumni contacts and can be considered as responsible in part for the growth of the Law School Fund. They were held at Superior, Ashland, Eau Claire, Hudson, Minneapolis, Fennimore, Janesville, Fond du Lac, Sheboygan, Washington, D.C., Racine, Chicago, and Wisconsin Dells.

During 1969, the Law School Fund and related gifts produced \$60,378.69. Not included in that total was an anonymous gift of over \$21,000 earmarked for the Legal Education Opportunities Program. In 1970, on the same basis, except that the total included a comparable large endowment gift of \$30,000, the proceeds of the Fund totalled \$113,173.32.

In addition, endowment gifts to the University of Wisconsin Foundation totalled \$17,178.00. This total does not include the Smongeski bequest (*Gargoyle*, Vol. 2, no. 1,

page 14) which amounted to over \$400,000. Income from this estate is earmarked by the Foundation for the benefit of the Law School.

The deferred insurance program, made available to graduating law students, eventually to be used for the benefit of the Law School, enrolled 18 students. Ultimately their contribution will total \$90,000. (\$5,000 each).

Following are the results of the drive: (Detailed analysis of gifts by class, region, and amounts has slight discrepancies, since the bookkeeping system was changed during the year).

REPORT ON GIFTS TO THE LAW SCHOOL

February 1, 1970 - January 31, 1971
Wisconsin Law Alumni Association

Annual Giving

Law School Fund		
General	\$ 17,328.75	***
Earmarked	34,257.21	
Benchers	10,100.00	
WLAA Memberships*	1,964.50	
To Regents for Law School		
Use	15,997.86	\$ 79,648.32

Endowment Gifts to WLAA

General	none	
Hagenah Fund	2,500.00	
Beuscher Fund	1,025.00	
Cleary Fund	30,000.00	33,525.00

Deferred Endowments through Insurance Program**

15 students at \$5,000	(75,000.00)	
Total Gifts to WLAA		\$113,173.32

OTHER GIFTS

Endowment Gifts to U.W. Foundation

Smongeski	+	
Dietze		15,000.00
Burlingame		2,178.00
		17,178.00

*This represents memberships received February 1, 1970 - January 31, 1971. The figure is low because last year most were received before January 31, 1970, while this year most will be received after February 1, 1971.

**This figure represents the ultimate commitment to the Fund, based on \$5,000 per participant. It does not represent income received.

***The total of these three approximate total of direct gifts of alumni and non-alumni, not including endowment gifts. For breakdown, see analysis below.

+ The Smongeski bequest to the University of Wisconsin Foundation, which provides some scholarships and a rotating research professorship for the Law School, amounted to over \$400,000. Exact figures are not now available.

ANALYSIS OF ANNUAL GIFTS BY ALUMNI BY REGION

Milwaukee	82 Contributors	10,907
Dane County	61 Contributors	9,608
Wis. Outside Dane		
Co. & Milwaukee	133 Contributors	13,941
Other States	121 Contributors	10,078
		44,534

ANALYSIS OF ANNUAL GIFTS BY ALUMNI BY SIZE OF GIFTS

0 - 99	213 Contributors	5,559
100 - 200	118 Contributors	12,836
200 - 499	51 Contributors	13,039
500 - 999	7 Contributors	3,600
1000 & over	8 Contributors	9,500
		44,534

ANALYSIS OF ANNUAL GIFTS BY ALUMNI BY CLASS

Class	No. of Contributors	Total Amount of Contributors
1905	1	2,500
1907	1	100
1909	1	100
1910	1	100
1912	2	200
1914	1	230
1917	1	10
1920	1	100
1921	1	100
1922	4	752
1923	4	1,400
1924	2	300
1925	5	887
1926	3	410
1927	4	235
1928	3	550
1929	5	400
1930	8	1,375
1931	8	1,045
1932	11	715
1933	14	2,135
1934	9	1,125
1935	11	2,545
1936	14	980
1937	9	1,000
1938	6	585
1939	7	1,200
1940	10	1,540
1941	16	1,030
1942	8	885
1943	2	100
1944	2	75
1945	2	35
1946	4	285
1947	15	1,748
1948	13	1,070
1949	11	894
1950	18	2,040
1951	12	1,635
1952	15	1,445
1953	10	1,010
1954	3	303
1955	6	725
1956	4	105
1957	8	330
1958	7	1,300
1959	8	340
1960	4	140
1961	6	510
1962	8	2,035
1963	7	811
1964	8	205
1965	7	1,096
1966	8	640
1967	11	295

continued on page 7

ANNUAL REPORT CON'T.

1968	20	660
1969	5	50
1970	15*	
1971	4*	118
		<hr/> 44,534

*1970—all contributors to deferred insurance program.

1971—3 contributors to deferred insurance program.

Additional gifts—
Contributors who are not alumni 17,562

SPECIAL NOTE

Several alumni did respond to the Gargoyle's plea for volunteers to develop a summer clerkship job market. It is expected that the WLAA Board of Directors will form a committee from these volunteers and set the program in motion.



Brian E. Butler

Brian Butler Teaches Property

Added to the Law School staff as Visiting Assistant Professor during the second semester is Brian Butler, who is teaching Property. A native of Hibbing, Minnesota, Mr. Butler is a graduate of Dartmouth College and was awarded his law degree at Northwestern in 1968. A Hardy Scholar at Northwestern, Mr. Butler was awarded the Lowden-Wigmore Prize for legal research for a comment in the Northwestern Law Review. During his summers in law school, Mr. Butler worked as a legal interne on the General Counsel's staff in the Agency for International Development and as a public service trainee in the office of Rep. Donald Fraser (D., Minnesota).

Since 1968, Mr. Butler has been associated with the firm of Hale and Dorr, Boston. In September, 1971, he will begin work on an SJD in law and development, under Professor Robert Seidman. He and his wife are the parents of two children.



Representative John W. Byrnes (R-Wisc.) is shown above receiving from Defense Secretary Melvin R. Laird a framed resolution praising Byrnes for having observed twenty-five years in Congress, at a joint reception and dinner of the Wisconsin State Society and the University of Wisconsin Law School Alumni Association of Washington, D. C., held in Washington on December

12, 1970. From left to right are Casey Ireland, Arlington, Va., President of the Wisconsin State Society; Byrnes; Laird; and Jerome O. Hendrickson, Arlington, Va., President of the University of Wisconsin Law School Alumni Association of Washington, D. C.

Approximately 150 persons were in attendance on this occasion.

LOST OR STRAYED

A FEW UNIVERSITY OF WISCONSIN LAW SCHOOL ALUMNI

(All can be easily identified because they are distinguished and have the WISCONSIN LOOK.)

ANY INFORMATION LEADING TO THE WHEREABOUTS OF THE FOLLOWING WILL BE APPRECIATED BY THE GARGOYLE:

Name	Last Known Location	Class
Richard I. Aaron		'62
Marvin J. Anderson, Oakland, Calif.		'42
Frederick Bayer, Buena Park, Calif.		'53
Noel D. Bergeron, Chippewa Falls, Wis.		'51
Edward G. Chambers, St. Paul, Minn.		'46
Matthew M. Corry, Milwaukee, Wis.		'46
Thomas M. Cromartie, Chicago, Ill.		'56
George M. DeBruin, Chevy Chase, Md.		'54
Joseph W. Denissen, Dayton, Ohio		'53
Edmund H. Drager, Jr., Chicago, Ill.		'60

SIMILAR LISTS WILL BE PUBLISHED FROM TIME TO TIME IN THE GARGOYLE.
EDITOR.

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1970	15*	
1971	4*	118
		<hr/> 44,534

*1970—all contributors to deferred insurance program.

1971—3 contributors to deferred insurance program.

Additional gifts—
Contributors who are not alumni 17,562

SPECIAL NOTE

Several alumni did respond to the Gargoyle's plea for volunteers to develop a summer clerkship job market. It is expected that the WLAA Board of Directors will form a committee from these volunteers and set the program in motion.



Brian E. Butler

Brian Butler Teaches Property

Added to the Law School staff as Visiting Assistant Professor during the second semester is Brian Butler, who is teaching Property. A native of Hibbing, Minnesota, Mr. Butler is a graduate of Dartmouth College and was awarded his law degree at Northwestern in 1968. A Hardy Scholar at Northwestern, Mr. Butler was awarded the Lowden-Wigmore Prize for legal research for a comment in the Northwestern Law Review. During his summers in law school, Mr. Butler worked as a legal interne on the General Counsel's staff in the Agency for International Development and as a public service trainee in the office of Rep. Donald Fraser (D., Minnesota).

Since 1968, Mr. Butler has been associated with the firm of Hale and Dorr, Boston. In September, 1971, he will begin work on an SJD in law and development, under Professor Robert Seidman. He and his wife are the parents of two children.



Representative John W. Byrnes (R-Wisc.) is shown above receiving from Defense Secretary Melvin R. Laird a framed resolution praising Byrnes for having observed twenty-five years in Congress, at a joint reception and dinner of the Wisconsin State Society and the University of Wisconsin Law School Alumni Association of Washington, D. C., held in Washington on December

12, 1970. From left to right are Casey Ireland, Arlington, Va., President of the Wisconsin State Society; Byrnes; Laird; and Jerome O. Hendrickson, Arlington, Va., President of the University of Wisconsin Law School Alumni Association of Washington, D. C.

Approximately 150 persons were in attendance on this occasion.

LOST OR STRAYED

A FEW UNIVERSITY OF WISCONSIN LAW SCHOOL ALUMNI

(All can be easily identified because they are distinguished and have the WISCONSIN LOOK.)

ANY INFORMATION LEADING TO THE WHEREABOUTS OF THE FOLLOWING WILL BE APPRECIATED BY THE GARGOYLE:

Name	Last Known Location	Class
Richard I. Aaron		'62
Marvin J. Anderson, Oakland, Calif.		'42
Frederick Bayer, Buena Park, Calif.		'53
Noel D. Bergeron, Chippewa Falls, Wis.		'51
Edward G. Chambers, St. Paul, Minn.		'46
Matthew M. Corry, Milwaukee, Wis.		'46
Thomas M. Cromartie, Chicago, Ill.		'56
George M. DeBruin, Chevy Chase, Md.		'54
Joseph W. Denissen, Dayton, Ohio		'53
Edmund H. Drager, Jr., Chicago, Ill.		'60

SIMILAR LISTS WILL BE PUBLISHED FROM TIME TO TIME IN THE GARGOYLE.
EDITOR.

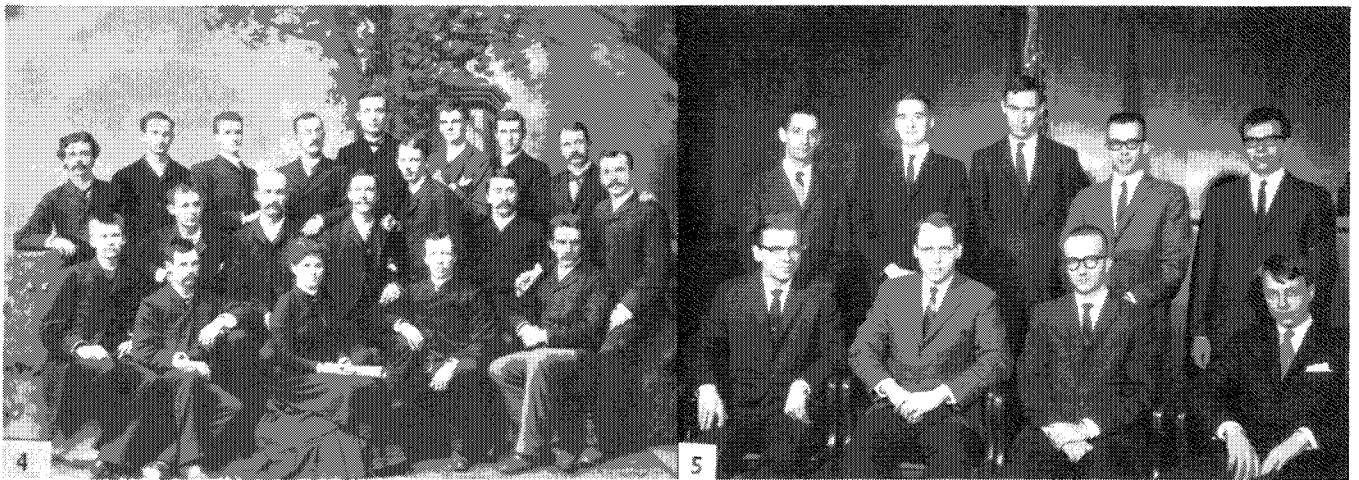
HAIL, HAIL, THE



1. 1952
2. 1920
3. 1892
4. 1885 (Mrs. Belle Case LaFollette in center, the first woman graduate)
5. 1966
6. 1917

2

GANG's ALL HERE



Law Graduates — Flight and Migration

If they were residents of Wisconsin when they were Law Students, most of them are residents now, five and six years later. If they were non-residents as students, most of them are non-residents now. A surprising number of the graduates of those years are practicing law in the same towns in which they graduated from high school.

* * * *

These revelations surprised the *Gargoyle* during a recent check of the whereabouts of the 1965 and 1966 Law School graduates. They seem to contradict the figures presented in the last *Gargoyle* (*How're You Going to Keep Them Down on the Farm?* vol. 2, no. 2, p. 9). There are a couple of factors which may distinguish the two groups of students checked: 1) it may be that a certain number, after service outside Wisconsin as law clerks or soldiers or associates in big city firms eventually come back home to settle. This number added to those who settled in Wisconsin from the beginning

produces the larger percentage who are permanent Wisconsin residents now; 2) it may be that the recent graduates are more mobile than were their predecessors. One must wait five years to compare the patterns, since it takes that long for a clear picture of a class's location to emerge.

It appears that, to the extent that residents and non-residents have traded places, Wisconsin has gained. A larger percentage of non-residents become residents than vice-versa.

* * * *

Next the *Gargoyle* will try to find out the answer to the question: where have they been in the meantime? When we have that information, we will prepare a brief definitive work on the Flight and Migration (including the Homing instincts) of the eagle-beak, beady-eyed, Wisconsin Law School Alumnus.

* * * *

Here is what we have recently discovered:

Class of 1965:

There were 136 graduates.

104 were residents of Wisconsin in 1965.

- 88 are residents now.
- 15 are non-residents now.
- 1 is unknown.

30 were non-residents of Wisconsin in 1965.

- 24 are non-residents now.
- 6 are residents now.

2 were undetermined in 1965.

- 1 is a resident now.
- 1 is a non-resident now.

Class of 1966:

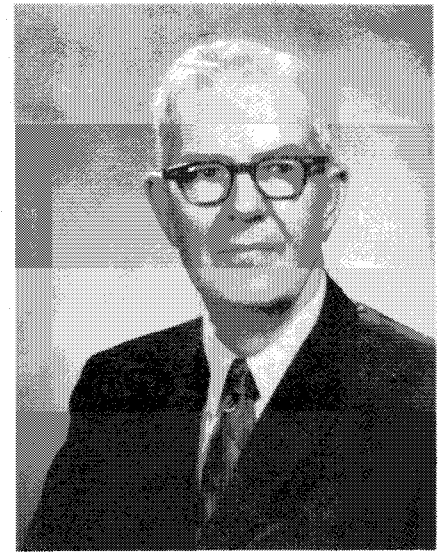
There were 153 graduates.

118 were residents of Wisconsin in 1966.

- 95 are residents now.
- 21 are non-residents now.
- 2 are unknown.

35 were non-residents of Wisconsin in 1966.

- 18 are non-residents now.
- 14 are residents now.
- 2 are unknown.
- 1 is deceased.



George E. Cleary

GEORGE E. CLEARY SCHOLARSHIPS ESTABLISHED BY CLEARY, GOTTlieb, STEEN AND HAMILTON

An endowment of \$30,000 has been established in the Wisconsin Law Alumni Association by Cleary, Gottlieb, Steen and Hamilton, of New York, in honor of the firm's founding partner, George E. Cleary, Class of 1914, on the occasion of the 25th anniversary of the founding of the firm. Mr. Cleary was a former partner in the well-known firm of Root, Clark, Buckner and Ballantine. He and three other Root, Clark partners established Cleary, Gottlieb, Steen and Hamilton in 1946. Now one of New York's most distinguished law firms, Cleary, Gottlieb has 120 partners and associates.

The Fund from which the scholarships will be awarded is called "The George E. Cleary Scholarship Fund which was established in his honor by his law partners." Scholarships will be awarded from the income of the Fund, on the basis of need and academic achievement. Mr. Cleary's partners state that the Fund is open-ended, and that partners and others may make individual contributions to it at any time.

Mr. Cleary himself designated the use to which the gift made in his honor was to be put.

Law Graduates — Flight and Migration

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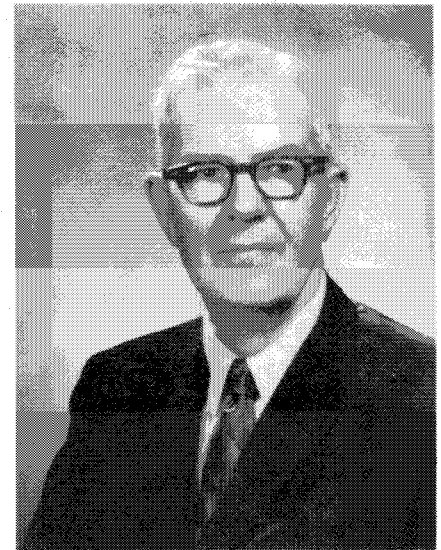
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THE LIBRARY—BACKBONE OF THE LAW SCHOOL

Maurice Leon, Librarian

A law school without a law library of its own is incongruous today, but for many years after its founding the University of Wisconsin College of Law had only a small and shabby collection of treatises it could call its own.

These were the early days when the College existed precariously in downtown Madison, sometimes in rented quarters and then in the State Capitol.

In 1874 The Wisconsin *Cardinal* reported:

The recitations, lectures, courts, etc., [of the Law College] are held in Gurnee's Block, opposite the Vilas House, where there is a small law library belonging to the University of about 150 or 200 volumes.

The law students could and did use the State Law Library in the Capitol, but perhaps the real reason why the College had no good library of its own was the complete lack of money for one. The school relied entirely upon student fees to pay all of its expenses.

In 1893, when the College of Law moved into its own "commodious" new building half way up the Hill on the campus and away from downtown, it became crucial for the school to have its own law library.

The 1891 legislative act which funded the new building also provided for its equipment. This provision and the \$1000 that the Legislature added for law books in the years up to and after 1898 gave the library its real start.

By 1905 the new Law Library had as many as 8,000 books, but this was felt to be inadequate. In that year the University Regents set aside \$15,000 to build up what was to be "a working library equal to that of any law school in the United States." Then in 1906 the *College of Law Bulletin* advertised its Library as 14,000 volumes, a tremendous increase over the previously announced count.

Ten years later the Law Library had 24,000 volumes; in 1926,

35,000, and by 1938, it had 50,000 volumes.

Back in 1906 the College bulletin also proudly boasted that there was now a regular librarian in charge of the collection. This was Mrs. Sophie M. Briggs, who was to remain in charge for thirty years.

Although the official descriptions of the old stone law building continued to speak glowingly of its "accommodations," it was not long before its occupants discovered that the building was not designed to accommodate a growing book collection.

The second floor room that was the Law Library had built-in shelving around its semi-circular walls. These and a few added free-standing stacks soon proved inadequate, so a balcony was built on one side and this, too, was quickly filled.

By the time Dean Lloyd Garrison arrived in 1932, the situation was almost impossible. The books spilled out into the corridors, which soon became book-lined, and then on into faculty offices.





In 1937 Mrs. Briggs retired and an energetic young librarian and lawyer from Milwaukee, Philip G. Marshall, replaced her as Law Librarian.

During these depression years the state had no money to build. The Law School was not to be denied its need, however, faced as it was by an unceasing inundation of books, and with a loan from the Vilas Trust to match a federal PWA grant, a five story library wing was constructed on the east side of the Law School.

Several generations of later law students have reason to remember the Vilas Trust loan, for a ten dollar special library fee had to be added to law tuition to repay it. It was not until the 1960's that the money was repaid and the extra charge abolished.

Once the building was ready, the whole Law School pitched in to move the books on a Saturday moving bee in the winter of 1939. The crowd was led by the Dean in old clothes and rubber sneakers. Seven-

ty-one-year-old "Herbie" Page was there as well as over two hundred law students and their dates. In that one day 40,000 books were moved.

The new library wing was more than a mere book storage area to the School. It had what everyone thought was a most adequate reading room of 150 seats. It had a Burr Jones Room furnished with WPA handicrafted lounge furniture and intended for use as a recreational reading area.

Not the least of its attractions was a Ladies' Lounge, something completely lacking in the old building.

Access to the stacks was limited to faculty and Law Review editors. Since there were several faculty offices on the fourth level, admission to this area was through a door that could be unlocked only by a loudly buzzing device that aroused everyone on the floor.

With new quarters and new enthusiasm, the Law Library added a full-time cataloger and started recataloging its treatise collection. At the instigation of the librarian the library became the principal recip-

ient of a flood of federal documents from the Government Printing Office.

In 1941, a scaffolding was stretched across the north end of the reading room and artist-in-residence, John Steuart Curry, sat or walked on it while painting his giant mural "The Freeing of the Slaves." Underneath, surrounded and enfolded by painter's drop cloths, the circulation and reserve desk attendants carried on business as usual. Funds for this spectacular painting were donated in honor of Judge Augustus Backus of Milwaukee.

Suddenly the country was in World War II and the draft depleted the student body. The library staff left to take war-connected jobs. When Miss Verna E. Baertschy arrived to become acting librarian, a few students were running the shop.

After the war ended, Mr. Marshall went into the practice of law and Miss Baertschy became the Law Librarian. The library resumed its pre-war activities with the return of the veterans and the rejuvena-

tion of the Law School.

However, as the law student population of returned veterans climbed to 800, it became obvious that something more was needed in the way of space for studying and research. In addition, that old bug-aboo of librarians became evident in the stacks. Where was the library going to put all the books? The stacks built to accommodate over 100,000 volumes were beginning to get crowded.

In the more affluent years of the 1950's, money was made available so that a new large wing was attached to the south end of the now "old" library in 1961.

Potential book capacity was now tripled. The Law Library became "open" to student use and all levels could be utilized for studying and research. Twenty-two enclosed carrels were built along the walls; the new building also included a number of offices. Throughout the addition, over three hundred new study spaces for students became avail-

able, though many will eventually be replaced by stacks.

The library staff had scarcely time to move into its own new quarters in the addition before the old Law School was demolished and the faculty and staff moved into the library until a new school was built.

The new basement was divided between the Dean's administrative offices and the student lounge and locker facilities. Every available office as well as two typing rooms became faculty offices. The second floor study space was used for temporary offices.

A few classes were even held in the old reading room behind a sound-proof curtain. It was a compliment to the construction of the old reading room that sound carried so badly there that a temporary public address system was needed to enable the students in the back to hear the instructor.

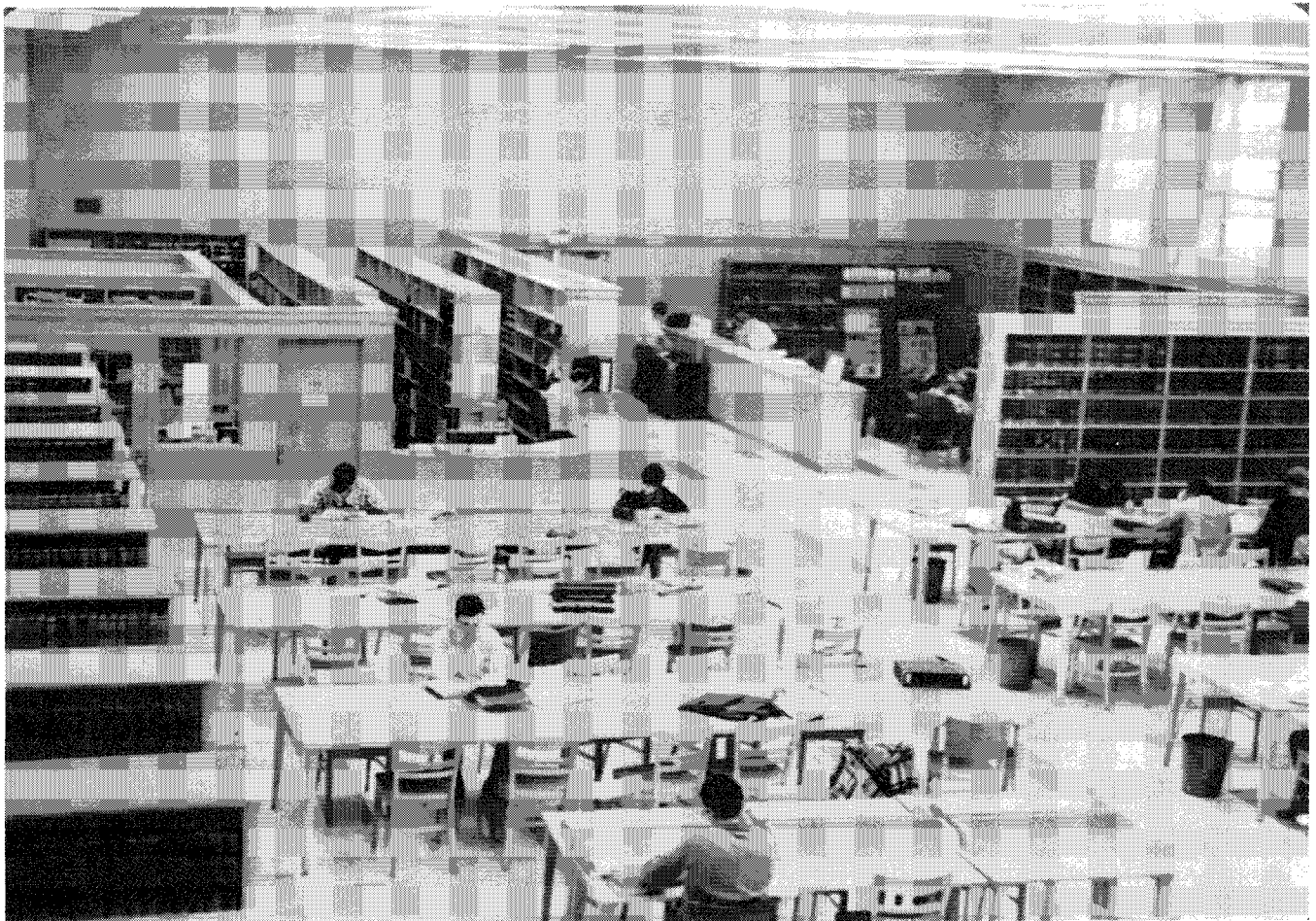
It was only after the Law School faculty and staff moved into the new Law Building in 1965 that the

library was able to utilize many of its facilities for student and research use. The former home of the administrative staff in the library basement became the offices of the *Wisconsin Law Review*. The typing rooms were reinstated. A long range water law project of the U.S. Department of Agriculture moved in.

A new degree program, Master in Legal Institutions, brought a continuing occupancy of research carrels and offices by foreign graduate students and scholars.

Within the last year the old Burr Jones Room, its former function replaced by other facilities, became five new offices. Here are presently lodged the various shifts from the University of San Marcos in Lima, Peru, engaged in a Ford Foundation sponsored project to adapt the legal education system of the United States for use in Peru.

New programs in the Law School as well as other factors beyond the control of the library began to have other noticeable effects upon us. It had been obvious for



years that legal research of law-in-action was no longer exclusively limited to traditional legal materials. The library began to acquire related materials in economics, sociology, psychology, government and business.

A strong but narrow interest in foreign law was developed by two specialists on the law faculty. To handle the carefully controlled acquisition program, a Foreign Law Librarian was added. She is now cataloging much of this material and foreign law titles are now represented in both the Law Library and in Memorial Library's Union catalog.

An increased student body and an expanding development of seminars brought increased pressures for not only more kinds of books but for more copies of important reporters and law reviews. New areas of legal education and research have been developed in the fields of criminal justice, poverty, environmental law as well as in other aspects of federal, state and local administration.

Financial aid from the Wisconsin Council on Criminal Justice created a Criminal Justice Reference and Information Center in the basement of the Law Library. Manned by its own personnel, the Center has the task of collecting the multifarious and highly fugitive material in the field, and indexing it so that it can be found and used by both the School's researchers and law enforcement personnel throughout the state. A large bibliography and supplement, listing by subjects the available pamphlets, periodicals, books and documents in the Center, was compiled and distributed to interested officials and agencies throughout the state.

The most exciting current subject area today is the ballooning field of environmental law. Through Extension Law and cooperating faculty we were able to hire in 1970 a half time Environmental Law Librarian to ride herd on the outpouring of legal and related materials in this field and spot those items most useful for our faculty and students.

In August of 1969 Miss Verna Baertschy retired as Law Librarian.



Gloria Holz, Circulation Librarian and Maurice D. Leon, Librarian

Her place was taken by Maurice Leon, Associate Librarian since 1956.

While the latter developments and changes occurred, the Library moved quietly into a methodological change that will have permanent effect upon its collection.

Although large legal libraries came into existence and expanded in the last one hundred years, no all-subject classification scheme devised ever provided an adequate coverage for law. After intensive prodding by law librarians, the Library of Congress finally began a "Law" schedule in 1968. The U.W. Law Library immediately adopted the plan.

This means that within several years every book in our entire treatise collection will have its own new call number which will locate similar subjects together on the shelves. The retrospective cataloging of the Library of Congress has aided enormously, making it possible for us to reclassify titles at a minimum of cost and time.

The Law Library is also slowly and carefully inching its way into the use of micro-reproduction. Care is required because technological developments radically change processes and machines every few years.

Before World War II the 35 mm. roll film was standard for reducing and storing information. Then came opaque microcards and microprint using various sized cards and much smaller reductions. Today cameras are busy putting up to 1000 pages of books on small sheets of film, microfiche, from which hard copy can be reproduced. We know, however, that lawyers and students continue to have a strong bias in favor of solid, full-sized books that can be spread out in front of them on a table.

Yet, with the continued proliferation of print and near-print, the problem of both accessibility and storage will weigh more and more towards buying the little used items in microreproduction or storing the now out-dated cases and documents in similar form in filing cases. Modern print-out machines that produce hard copy of microreproduced material are on the market. Small lap-size viewers with glareless screens are also available.

Libraries must consider how often they can ask for more and more money to build larger and larger buildings to house books. A favorite statistic used in the library world is that research libraries double their holdings every fifteen to twenty years. The U.W. Law Library, though a relatively small library

among major law schools, now has 131,000 accessioned volumes and thousands of additional unbound and uncounted documents.

A Law School Library such as ours is a service facility. Space for books competes with space for studying, research, typing, leisure reading, conferences, bull sessions, job interviews, faculty and research offices, carrels and seminars. There will come a time when many lesser-used books will have to be reduced in size because the life-sized copy will be an expensive luxury.

The most vexing and constant problem facing the Law Library over the last years has been its book budget. Although the University of Wisconsin Law School has the second largest enrollment among the Big Ten Law Schools, it stands at the bottom in money spent for law books whether in total or per student.

In 1969 our actual expenditures for Law Library books was \$103 per full time student. The next lowest expenditure per law student was by Illinois with \$157. Ohio State spent the most, \$261 per law student.

In recent years, the Law Library has been caught in the inflationary spiral. Its book budget has remained constant for about seven years, while law book prices have risen about 50% and are reported by the Association of Law Libraries to be continuing to rise at 10% per year.

The library must preserve and contain the useful past record of the law and must be able to obtain current works describing the operation of the law today. If legal research must, in Dean Oliver Rundell's words, be . . . "very largely thinking in terms of the more or less indefinite future," the Library must be guided by faculty discernment as well as budgetary restrictions. New subject areas, old subjects revisited, changes in Library technology, as well as new methods of servicing our patrons, will all play their role in the future of the Law Library.

Save The Day
Saturday, May 1, 1971
Law School's Annual
SPRING PROGRAM

9:00 A.M.—MOOT COURT FINAL ARGUMENTS
WISCONSIN SUPREME COURT

9:00 A.M.—WLAA BOARD OF DIRECTORS
AND BOARD OF VISITORS

11:45 A.M.—ALUMNI LUNCHEON AND CLASS REUNIONS
*Classes of: 1921, 1926, 1931, 1936, 1941, 1946, 1951,
1956, 1961, 1966.*

*Special Reunion Classes: 1931, 1946.
Distinguished Faculty and Alumni Awards,
Wisconsin Center.*

4:00 P.M.—AWARDS PRESENTATION AND
RECEPTION FOR AWARD WINNERS
Room 225, Law School

6:00 P.M.—COCKTAIL PARTIES, HOLIDAY INN #2

7:30 P.M.—DINNER DANCE, HOLIDAY INN #2

ALL STUDENTS, ALUMNI AND GUESTS

WELCOME

MAKE RESERVATIONS FOR
LUNCH AND DINNER, ROOM 209
LAW SCHOOL

JOIN THE WISCONSIN LAW ALUMNI ASSOCIATION

