

*Alumni Bulletin of The University of Wisconsin Law School*



*Autumn, 1971, Vol. 3, No. 1*

*The GARGOYLE*

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*The Gargoyle*

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Cordially yours,

Spencer L. Kimball  
Dean

*Wisconsin Badger 1893*  
Re Law School:

"Early in the year a whisker club was organized, and only members of the class whose facial expression indicated a want of intelligence and common sense were eligible. The disguise, however, proved too thin to accomplish their purpose, and the club was disbanded, with the exception of one member, who, with a pompadour on each end of his face, still delights in the boyish fancy that the whiskers make the man".

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**Vol. 3, No. 1 Autumn, 1971**

**Ruth B. Doyle, editor**

Publication office, 213 W. Madison St., Waterloo, Wis. Second class postage paid at Waterloo, Wisconsin.

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## SUMMERTIME—THE LIVING IS EASY

### June, July and August in the Law School.

*There are the regular summer activities: the finalization of the budget, the continuing research projects, the wrap-up of admissions and financial aids, the educational planning for the coming year, the allocation and re-allocation of office space. There are the arrangements for visitors. There are the piles of neglected articles and books, the delayed mail to be answered.*

*There is the ten week summer session, divided into 2 five week periods. There are the recurring institutes and special programs. And there are the new projects which develop in any given year.*

*This is some of what happened in the Law School during the "quiet" summer of 1971:*

#### REGULAR SUMMER SESSION

Not counting the enrollments in the Summer Pre-admission Program and the General Practice Course, which are covered separately, there were 155 second and third year students enrolled in eight regular courses during the summer of 1971. This compares with 99 students in the summer of 1970.

It is probable that the tightening market in law-related employment during this past summer accounted in part for the sharp increase in the summer enrollment. Some students sought the summer session as a way of shortening their time in Law School from 3 years to 2½ years, with a consequent acceleration in the date of obtaining permanent jobs.

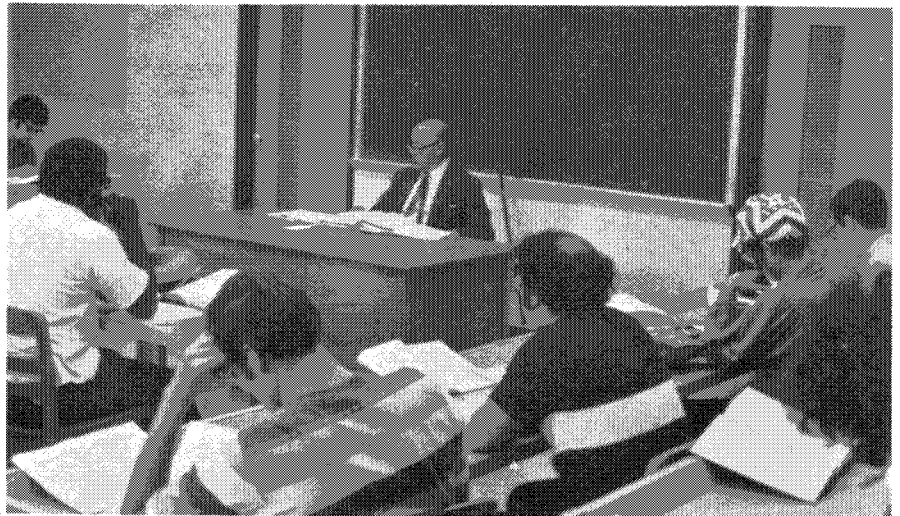
The Summer Sessions began on June 21, and ended on August 28. The first five weeks ended on July 24, and the second began on July 26.

Courses were taught by Profs. Large, Brodie, Feinsinger, Finman, Young, Redlich, Shapiro, Thome and Seidman. Subjects covered included: Civil Liberties, Constitutional Law, Corporations, Environmental Litigation, Federal Jurisdiction, Labor Relations, Law and Contemporary Urban Problems, and Law and Modernization in the Developing World. Some of these courses are offered only infrequently during the regular academic year.

Courses offered as part of the program of the Institute in the Behavioral Sciences, financed and operated independently of the Law School, were available to law stu-

dents as well as to PhD candidates in other departments. Prof. Finman's course in Civil Liberties was one of these.

In addition, a number of seminars were also offered.



**Prof. Feinsinger**



**Prof. Young**

## SUMMER PRE-ADMISSION PROGRAM

Offered for the second time this past summer, the Summer Pre-admission Program had an enrollment of 80, compared to 64 a year ago. As in the summer of 1970, the students invited were those who didn't quite meet the ever-rising standards of admission. Among the participants—every one of whom is considered capable of succeeding in Law School—were students whose LSAT scores were lower than those of students admitted, but who had strong academic records. Also included were students whose grades were lower than those admitted but whose LSAT scores were high. Almost all of them were residents of Wisconsin.

## SUMMER PRE AD—CONT'D

This year, the Program consisted of courses in Civil Procedure, taught by Professors G. W. Foster and Allan Redlich, and Property, taught by Professors Walter Raushenbush and Richard Effland. Professor Effland (Class of 1940), visiting from Arizona State University, Tempe, was a long-time member of the Wisconsin Faculty.

The Summer Program began on June 21, and finished with final examinations on August 16 and 18. Notifications of admission and non-admission were mailed on August 20. Seventy-nine were enrolled, and admission was offered to 42 students.

Most of the students paid their own expenses, without financial assistance. However, in order to insure that students were not excluded for financial reasons, the Wisconsin Law Alumni Association made available a fund from which loans up to \$500 were made, on a showing of need.

Participants in the 1970 Program, who were admitted to the Law School, gave valuable help in the planning of the program and the orientation of the students. Those admitted to Law School are not required to repeat the courses successfully completed in the Pre-admission Program. They are, however, required to earn a full 90 credits for graduation, after admission as regular students.

### LAW AND DEVELOPMENT— INTERNATIONAL SEMINAR

A most interesting and unusual summer activity at the Law School was the seminar on the Legal Problems of Developing Countries, conducted by Professors Robert Seidman and Joseph Thome of the Law School and Professor Ann Seidman of the Land Tenure Center and Professor William Chambliss, who teaches Sociology at the University of California, Santa Barbara. The Ford Foundation's International Legal Center provided support for the faculty and administration of the Program. Students were supported by Ford or AID funds, or by their home governments and home universities.



Prof. Thome (left) conducts seminar.

The 31 students in the Seminar represented many nations, races and cultures. All were law teachers or civil servants. About half had PhD's in addition to law degrees. They gathered from Malaya, Saudi Arabia, South Viet Nam, Korea, Chile, Brazil, Colombia, Peru, Zambia, Rhodesia, Mexico, the Congo, Nigeria, Cameroons, Ghana, Ethiopia, Sweden and the United States. Among them were the Principal Secretary of Local Government in Nigeria, the Chief Legal Advisor to the Ministry of Labor in Saudi Arabia, the Commissioner of Mines in Ethiopia, the lawyer attached to the Secretariat of the President of Mexico. Many of the participants had spent several years in graduate work in the United States, earning advanced degrees.

The central problem discussed during the intense 10 week course was the development of expertise in the promulgation of rules and in administrative procedure which will implement the broad development plans and statutes which most developing countries now have.

The course was divided into five areas: Law and Modernization, Economics of Development, Methodology of Social Science Research, Law and Social Change in Latin America, and Law and Social Change in Africa.

### ALI-ABA COURSE OF STUDY FOR YOUNG LAWYERS, JUNE 20-26

Offered at Wisconsin for the 7th consecutive year by the Joint Committee on Continuing Legal Education of the American Law Institute and the American Bar Association, the 1971 summer Course enrolled over sixty lawyers engaged in private practice, business, industry and banking from all over the United States. This year, the subject of the week-long course was Corporate Finance—the Development, Growth and Rescue of the Substantial Publicly Held Corporation. Participants had the opportunity to study in depth the legal, economic and practical problems of corporations—including mergers, acquisitions and take-over problems, financing methods and reorganization of corporations in financial trouble.

In previous years, the course has been devoted to such subjects as Secured Transactions under the Uniform Commercial Code, Government Regulation (Anti-trust law, Labor Law and Securities Regulation), Corporate Law Departments, and Real Estate Law and Practice.

Coordinator of the course is Prof. Arnon Allen, of the University of

Wisconsin Extension Law Department. J. Gordon Cooney, of Schnader, Harrison, Segal and Lewis, Philadelphia, served as Director. Faculty members included Allen D. Choka, of Antonow, Fink, Gunther and Epstein, Chicago; Ralph C. Hocker, Associate Director, Division of Corporation Finance, Securities and Exchange Commission, Washington; Wilber G. Katz, Emeritus Professor, U.W. Law School; Bruce A. Mann, (Class of '57) of Pillsbury, Madison and Sutro, San Francisco; Shaun F. O'Malley, CPA, Price, Waterhouse & Co., Philadelphia; John F. Power of O'Melveny and Myers, Los Angeles; A. A. Sommer, Jr., of Calfee, Halter, Calfee, Griswold and Sommer, Cleveland; Hilbert P. Zarky (Class of '37) of Mitchell, Silberberg and Knupp, Los Angeles. Mr. Sommer is presently serving as Chairman of the Committee on Federal Regulation of the Securities of the Corporation of the American Bar Association. Mr. Zarky was formerly Special Assistant to the Attorney General in the Tax Division, U.S. Department of Justice.

### **SEMINAR ON LAW, PSYCHIATRY, AND THE MENTALLY ILL**

The Seminar on Law, Psychiatry and the Mentally Ill, offered by the Institute on Behavioral Science and Law, which is not a part of the law school, but draws upon the law school's resources, was conducted for an 8-week period by Professor Alex Brooks, visiting professor from Rutgers Law School, Dr. Seymour Halleck of the University of Wisconsin Department of Psychiatry, and Professor David Mechanic of the University's Sociology Department. A two credit course, the seminar, which was offered for the fourth time, has been supported by funds granted to the Institute, which has been funded by the National Science Foundation.

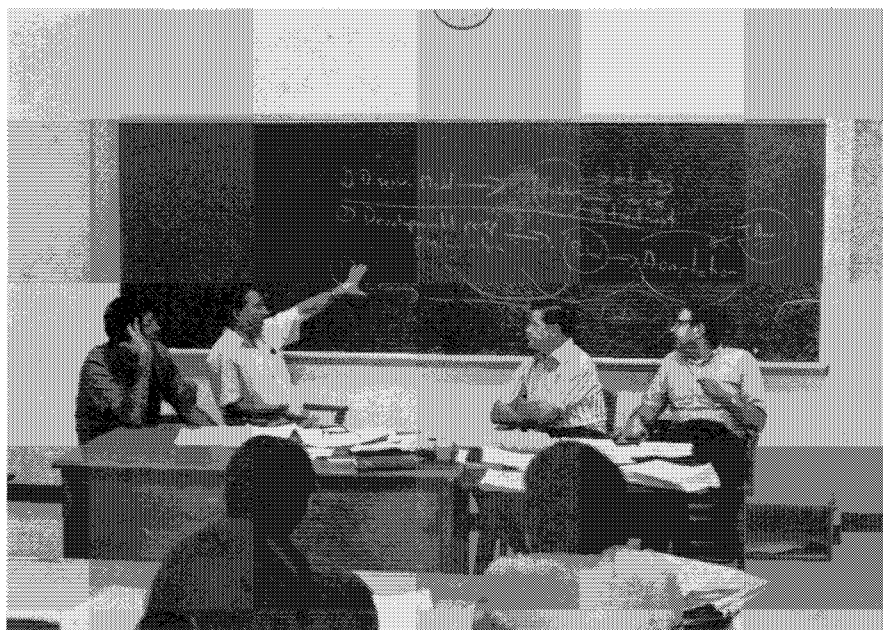
Of the 50 students enrolled, several were law students. A balance is maintained among the students, so that various disciplines are represented — graduate students in the social sciences and residents in psychiatry were admitted along with law students.

Professor Brooks, who has participated each summer, teaches Evidence and Juvenile Justice at Rutgers University Law School. He also supervises about twelve law students who participate in a clinical program in mental hospitals.

### **SEMINAR ON EFFECTING CHANGE IN MUNICIPAL POLICE AGENCIES**

The "tough" issues of police administration were the subjects of an invitational seminar conducted between July 11 and July 23. Under the sponsorship of the Police Foundation, the seminar was directed by Professor Herman Goldstein. Invited to participate were the Police Chiefs and Commissioners, as well as key administrators and personnel staff members from New York, Baltimore, Cincinnati, Dallas, Detroit, and Kansas City—all police departments selected by the Police Foundation as having shown interest in experimentation and innovation seeking to improve the functioning of the police.

Among the participants were Donald Pomerleau, Commissioner of Police of Baltimore; Henry Sandman, Director of Public Safety and Carl Goodin, Chief of Police of Cincinnati; Frank Dyson, Chief of Police, Dallas; John Nichols, Commissioner of Police and Charles Gentry, Superintendent of Police, Detroit; Clarence Kelley, Chief of Police, Kansas City; and Patrick V. Murphy, Commissioner of Police, New York. In all 40 people attended the seminar.



**Profs. Halleck, Brooks and Mechanic (far right).**

The administrators from the six cities selected have under their control 55,000 patrolmen, dealing daily with millions of individual urban dwellers.

Among the "tough" issues discussed were those of the nature and definition of the police function; the nature and extent of citizen control; exploration of alternatives to the police function, as in domestic quarrels, dealing with drunks, or other time-consuming problems with which police deal daily; and the pervasive question of how to make huge departments respond to changes made necessary by the constant changes in urban life.



The best resources available were gathered to assist in the conduct of the off-the-record discussions. The participants themselves were important resources, according to Professor Goldstein, who noted that one of the most important benefits of the seminar was the opportunity to share experiences and to challenge each other's conception of the police function.

The Law School was selected as site for the seminar because of the continuing interest of Professors Remington, Goldstein and others in the large questions relating to the administration of criminal justice.

### GENERAL PRACTICE COURSE

Professor Stuart Gullickson conducted the General Practice Course for the fourth time this summer. As with other dynamic and developing institutions, there were a number of changes this year over previous years.

For one thing, the enrollment grew dramatically. Seventy-five students—up 25% over last year—participated in the course.

For another, the teaching staff changed considerably. Thirty of the 45 teaching lawyers were new to the course in 1971.

About 65% of the course was subjected to major revisions. The new Criminal Code, the new Probate Code, revisions in the landlord-tenant laws, as well as in the law of conveyancing, necessitated major revision in teaching materials for appropriate weeks of the course.

A new week treating with methods of representing clients before administrative agencies was introduced. The section of the course dealing with preparation of civil cases for trial was expanded to a week and a half, to include some aspects of trial techniques in addition to the preparation for trial. The latter were presented by demonstration only, not lectures.

Real estate and probate were combined into two weeks—one at the



**Prof. Goldstein (center) and Police Chiefs.**

beginning of the course, and one toward the end.

The Faculty was larger in 1971 than in previous summers. Four were added to teach the additional one half week on Trial Techniques. Included in the additional faculty were both Referees in Bankruptcy for the Western District of Wisconsin. Referee Frawley, Eau Claire, visited the court of Referee Bessman, Madison, with the class, and was therefore on hand to interpret Bessman's rulings to the class.

### CLINICAL INTERNSHIPS

Thirty-two law students, under the supervision of various faculty members, spent the summer in internships in the administration of criminal justice. They were located in the District Attorneys' offices in Milwaukee, Dane County and Dodge County. Some were attached to Police Departments in Dayton, Ohio; Oakland, California; Madison; Washington, D.C.; and Cleveland, Ohio. Others worked for Le-

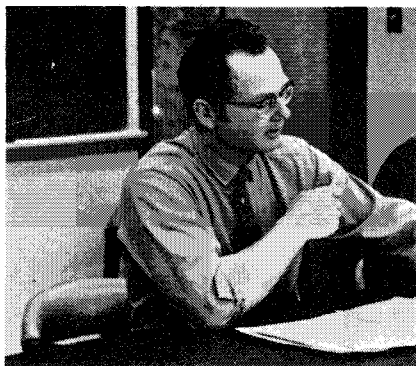


**General Practice "Professors": Kenneth Swanson, Ellsworth; Kenneth Orchard, Madison; Lyman Precourt, Milwaukee; Ward Dunphy, Milwaukee.**

## INTERNS—CONTD

gal Services Centers in Madison and Milwaukee. Several were stationed in the State Prison and Central State Hospital, Waupun. Two were associated with the National Council of Distribution Workers of America in New York, and one with the New York City Criminal Justice Coordinating Council. One student was assigned to the Attorney General of Wisconsin, and another to the Attorney General of the state of Washington, Consumer Protection Division.

Profs. Edward Kimball, Frank Remington, Herman Goldstein, William Whitford, Margo Melli, Joel Handler and James Jones accepted the responsibility for supervision of the interns. Prof. Kimball himself spent the summer as an Assistant to the District Attorney of Dane County, supervising the students as part of his job.



**Prof. Ed. Kimball**

### *LAW TEACHING CLINIC— JULY 26 - AUGUST 13, 1971*

The second Law Teaching Clinic for Professors with less than 5 years teaching experience was conducted at the Law School between July 26 and August 13. The first such Clinic was held at the University of North Carolina in 1969.

Professor Frank Strong, who occupies the Carrie C. Boshamer Chair as a distinguished professor at the University of North Carolina Law School, acted as Director of the Clinic. Professor Richard Smith, University of North Carolina, acted as Assistant Director. Dean Richard Huber, Boston College Law School,



**Prof. Frank Strong, Dean Richard Huber, and Prof. Richard Smith.**



**Young law teachers: (left to right) Steve Feldman, Harvard; Walter Blakey, Univ. of N. Carolina; Vincent Cardi, Univ. of W. Virginia; Brock Hornby, Univ. of Virginia, Dean John Irving, Seton Hall.**

Chairman of the Advisory Committee, served as Clinic Coordinator. Prior to moving to North Carolina, Professor Strong was Dean of the Ohio State Law School for many years.

Participants were 59 young law teachers, 25% of whom are teaching for the first time in September, 1971.

The University of North Carolina is the grantee institution for the funds granted by the United States Office of Education under the Education Professions Act. Wisconsin served as host in 1971, and it is anticipated that the site of the Clinic will change from year to year.

The Clinic has as its focus the pedagogical aspects of law school teaching. It is widely recognized that today's young law teachers have been good students with a demonstrated capacity for the law. But they have little or no exposure to teaching techniques. In addition to

exploration and demonstration of acceptable techniques, the young professors have at the Clinic an opportunity to acquaint themselves with curricular innovations and methods of presentation.

Analysis of the nature of the learning process was considered at the Clinic, along with the educational components in legal learning, the parties to the teaching-learning operation, and the institutional framework of teaching, testing, curricular patterns and educational perspectives.

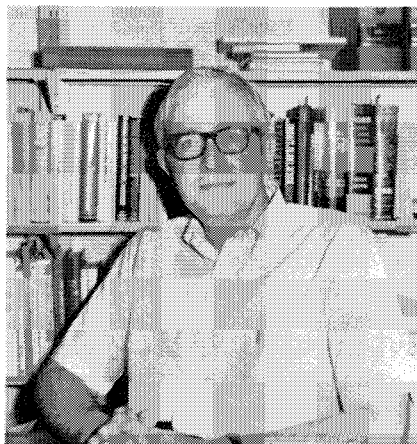
The Faculty for the Clinic was composed of 6 Group Leaders: Profs. N. William Hines, University of Iowa; George Lefcoe, University of Southern California; Robert J. Levy, University of Minnesota; Frank I. Michelman, Harvard University; Robert L. Rabin, moving this year from Wisconsin to Stanford; Richard E. Speidel, University of Virginia.

## CLINIC—CONTD

Topic leaders included: Adjunct Professor Louis M. Brown, University of Southern California; Professors Lawrence Friedman, Stanford; Harry Jones, Columbia (Cardozo Professor); Charles D. Kelso, Indiana University. Also included as topic leaders were Robert S. Redmount, LL.B., PhD, practicing Clinical Psychologist, Connecticut; and Andrew S. Watson, MD, Professor of Law and Psychiatry, University of Michigan. Eleven resource specialists spent a few days each at the Clinic: Professor Vaughn C. Ball, University of Southern California; Michael H. Cardozo, Executive Director, Association of American Law Schools; Profs. Maurice Rosenberg, Columbia; Jack Ladinsky, University of Wisconsin; Kenneth S. Tolleit, Center for Study of Democratic Institutions, Santa Barbara; Webster Myers, Jr., University of South Carolina; Willard Hurst, University of Wisconsin; W. Garrett Flickinger, University of Kentucky; Ralph McCullough, University of South Carolina. Other resources included: John Frank, Attorney, Phoenix; Dean Phil C. Neal, University of Chicago Law School and A. Kenneth Pye, Chancellor, Duke University.

Three days of the second week of the course were devoted to supervised practice teaching in the Summer Session courses then in progress.

Each participating Law School was asked to contribute \$200 for each staff member attending the Clinic. All other costs including living expenses were borne by the Federal grant.



**Prof. Macaulay**

## Wanderer's Rest—Stewart Macaulay Visits the Law School

A few days of business in the United States brought back to Madison Professor Stewart Macaulay, from Santiago, Chile, where he has been on leave since February, 1970. He will return to the Law School for second semester, 1971-72.

Professor Macaulay is currently working with the International Legal Center's Chilean Project, which is designed to promote Law in Action Research in the 5 Chilean law schools. He consults with Chilean law professors to promote greater participation by students in legal education by encouragement of teaching methods other than straight lectures, the traditional method in most of the world other than the United States.

It, of course, has been a particularly fascinating year to be in Chile, Professor Macaulay reported in a brief conversation. The new government, elected in the winter, is attempting to turn the country to socialism by legal and constitutional means. It prides itself on its legitimacy in the way it is doing so.

The take-over of basic industry is an important aspect of the shift. There had been nationally organized, state monopolies, protected by tariffs from outside competition. Some U.S. companies have sold out to the government. In some cases an old law permitting "intervention" has been used. Similar to U.S. bankruptcy law, "intervention" permits the government to move into industrial management for the good of the country, when an essential industry has been stopped by a labor dispute, or some other crisis which prevents operation. Intervention then permits the government to buy out an industry over a long period, according to Prof. Macaulay.

Outwardly, he reports, a form of law and order exists. Strikes have decreased in number since the new

government took over. Chile has a long civil liberties tradition, which seems undisturbed—so far, at least—by the leftist government. The new government, he emphasizes, is a genuine coalition, of which a non-Marxist party is a very important part. Order is maintained by a National Police Force which is loyal to the Chilean constitution and completely independent of the Army.

The legal profession, and also the law schools, face an uncertain future under the new government. Professor Macaulay's work, the long-range development of legal research, which requires the improvement of law libraries, the development of annotations and the expansion of the law schools, proceeds in an atmosphere of hesitancy. What is the role of the legal profession in a completely socialized country? Will there be a private civil practice sufficient to support the lawyers? Will lawyers become solely employees of the government? These are some of the questions confronting Chilean law schools during the transition period.

The whole Macaulay family enjoys living in Chile, he says, even though Santiago is a smoggy city. Factories have been built in the wrong end, so that smoke covers the city. The Andes are visible only about half the time. They have found a cordial welcome from the Chileans, with little apparent anti-Americanism. Much of the seacoast resembles California, dotted with eucalyptus and pine trees brought originally from California. Southern Chile, they have found, resembles Wisconsin. It is characterized by German names, sausage, beer and cheese. Central Chile offers glorious skiing opportunities.

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## CLINIC—CONTD

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It, of course, has been a particularly fascinating year to be in Chile, Professor Macaulay reported in a brief conversation. The new government, elected in the winter, is attempting to turn the country to socialism by legal and constitutional means. It prides itself on its legitimacy in the way it is doing so.

The take-over of basic industry is an important aspect of the shift. There had been nationally organized, state monopolies, protected by tariffs from outside competition. Some U.S. companies have sold out to the government. In some cases an old law permitting "intervention" has been used. Similar to U.S. bankruptcy law, "intervention" permits the government to move into industrial management for the good of the country, when an essential industry has been stopped by a labor dispute, or some other crisis which prevents operation. Intervention then permits the government to buy out an industry over a long period, according to Prof. Macaulay.

Outwardly, he reports, a form of law and order exists. Strikes have decreased in number since the new

government took over. Chile has a long civil liberties tradition, which seems undisturbed—so far, at least—by the leftist government. The new government, he emphasizes, is a genuine coalition, of which a non-Marxist party is a very important part. Order is maintained by a National Police Force which is loyal to the Chilean constitution and completely independent of the Army.

The legal profession, and also the law schools, face an uncertain future under the new government. Professor Macaulay's work, the long-range development of legal research, which requires the improvement of law libraries, the development of annotations and the expansion of the law schools, proceeds in an atmosphere of hesitancy. What is the role of the legal profession in a completely socialized country? Will there be a private civil practice sufficient to support the lawyers? Will lawyers become solely employees of the government? These are some of the questions confronting Chilean law schools during the transition period.

The whole Macaulay family enjoys living in Chile, he says, even though Santiago is a smoggy city. Factories have been built in the wrong end, so that smoke covers the city. The Andes are visible only about half the time. They have found a cordial welcome from the Chileans, with little apparent anti-Americanism. Much of the seacoast resembles California, dotted with eucalyptus and pine trees brought originally from California. Southern Chile, they have found, resembles Wisconsin. It is characterized by German names, sausage, beer and cheese. Central Chile offers glorious skiing opportunities.

**SUPPORT  
THE LAW SCHOOL  
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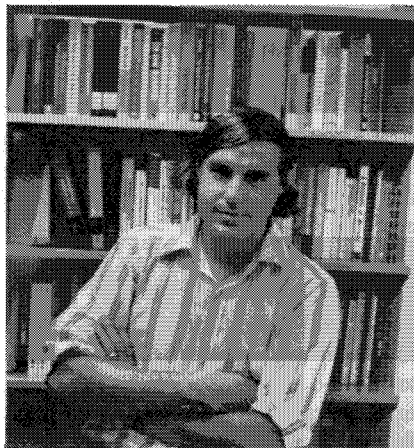


## NEW FACES ON THE FACULTY

The academic year, 1971-72, began with six new faces on the faculty. This represents the greatest infusion of new blood in any one year within memory. Added to the staff as Assistant Professors are:

*Donald Large*, who comes to the Law School from private practice with Jones, Day, Cockley & Reavis, of Cleveland. At Cornell Law School, where he graduated in 1967, Mr. Large was elected to Coif and served as Articles Editor of the Cornell Law Review. He earned his B.A. also at Cornell. A member of the Bars of Delaware and Ohio, Mr. Large has been engaged in general practice with emphasis on trial and criminal law, as well as in real estate law. He will teach Property and Environmental Litigation.

*Thomas Heller*, a 1965 graduate of Princeton, who earned his law degree at Yale in 1968, most recently has been a teaching Fellow at Yale. From 1968-70, he was one of the International Legal Center's Overseas Service Fellows, stationed in Bogota, Colombia. His duties there included service as an Advisor to the Attorney General of Colombia, and as a teacher at the University of the Andes, where he helped the law students establish a Legal Aid Service.



**Prof. Heller**



**Prof. Large**

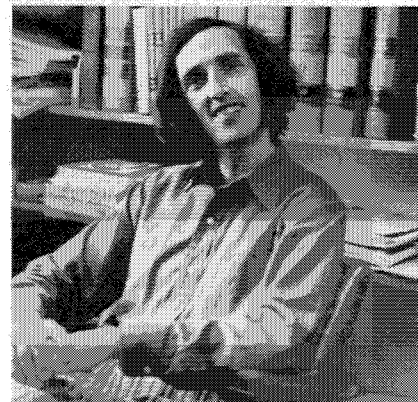


**Prof. Clune**

*William Clune*, a former Weymouth-Kirkland scholar and managing Editor of the Law Review at Northwestern Law School, has left his position as Legal Counsel and Research Associate for the Illinois Institute for Social Policy. The Institute conducts continuous research, program analysis, evaluation and demonstration projects in state social agencies. He has also served as Consultant to the Illinois Bureau of the Budget on educational finance. He was recently retained by the New York Commission on cost, quality and financing of elementary and secondary education to

design an experiment in providing family choice in education planning. Mr. Clune practiced law for a couple of years with the firm of Hopkins, Sutter, Owen, Mulroy and Davis, Chicago.

*Neil Komesar*, brings to the Law School extensive graduate training in Economics at the University of Chicago, where he earned his J.D. in 1967. During 1967-68 he was named Bigelow Teaching Fellow there. He has also been associated with two large Chicago firms. As a graduate student, he has been a Woodrow Wilson Fellow and a National Science Foundation trainee, as well as the holder of an Ingersoll Fellowship. Half of his time will be spent in research at the Institute for Research on Poverty, which will also provide half of his compensation.



**Prof. Shapiro**

*Robert Shapiro*, has been until recently an Associate Professor of Law at the Northeastern University, Boston. A Harlan Fiske Stone Scholar, he graduated from Columbia Law School in 1962. He was Associate in Law at Columbia, teaching Legal Writing and conducting seminars in Constitutional Law and Advanced Labor Law in 1962-63. He was associated for several years with the firm of Poletti, Freidin, Prashker, Feldman and Gartner, New York, specializing in labor law and litigation. He has also been Project Director for a study of the training of criminal justice personnel in North Carolina, under the auspices of the Organization for Social and Technical Innovation and the Arthur D. Little Co. He also worked for two

## FACES—CONTD

years as Special Assistant to the General Counsel and then Special Assistant to the Under-Secretary of the U.S. Department of Transportation.



**Prof. Love**

*Jean Love*, a Wisconsin graduate in the Class of 1968, is returning to her *alma mater* as a Visiting Assistant Professor for one year. Mrs. Love has been associated with the firm of Mason, Knudsen, Berkheimer, and Endacott, Lincoln, Nebraska, since her graduation. While in Law School, Mrs. Love was Editor-in-Chief of the Law Review, and ranked first in her class. She earned a certificate in Russian Area Studies at the same time that she was awarded her law degree. She has studied and written extensively in the field of Soviet Law. With Professor Zigurds Zile of the Law School, and Robert Sharlet, Professor of Political Science at Union College, Schenectady, she is co-author of a book, *The Soviet Legal System and Arms Implementation: A Case Study in Policy Implementation*, which will be published during this next year.

Professors Large and Shapiro taught in the 1971 summer session.

These new staff members will in part replace Professors Robert Rabin and William Klein, who are going to Stanford and the University of California, Los Angeles permanently. Professor Wilber Katz re-



Law Alumni Club of Washington, D.C., at F. Froehle. Among the guests were: Joanis, President of Sentry Insurance; Bertson, Chairman of the Alumni Association, Virginia; Congressman Les Aspin, Arlington, Virginia; Secretary of Pitt, Madison attorney representing the and Congressman William A. Steiger

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tired in February and Prof. John Hetherington left at the same time to accept a chair at the University of Virginia. Professors Lawrence Church and Joseph Thome will be on leave, abroad. Professor Carl Runge will be on leave, chairing the Department of Urban and Regional Planning in the College of Letters and Science. Professor Gordon Baldwin recently returned from Iran, as will Professor Macaulay, from Chile, in February, 1972. Professor Frank Remington has returned from visiting at the University of Minnesota.

## LAW SCHOOL FUND REORGANIZED

In an effort to bring the alumni fund raising activities of the Law School under the direct control of the Wisconsin Law Alumni Association, the Board of Directors of the Association has approved a plan by which the President of the Association, Patrick Cotter, becomes the Chairman of the Fund drive, and directors of the Association become members of the National Committee

of the Law School Fund. The Vice-President, Glen Campbell, Janesville, will be Vice-Chairman of the Fund. Certain ex-officio members, including the Dean, 2 faculty members and 2 students, representing the Student Bar Association, are also members of the National Committee. Agents of the Fund from the various regions of Wisconsin and certain out-of-state metropolitan areas are also members of the National Committee. The Scholarships Vice-Chairman and the Class Agents Vice-Chairman, George E. Cleary, New York, and Robert Curry, Madison, will continue to serve. John S. Lord, Chicago, who served as the first Chairman of the Fund, became honorary Chairman. Other honorary members have also been appointed.

Prof. Arlen Christenson will serve as Director of the Fund.

General solicitation and regional follow-up will take place during October and November, 1971. The annual report of the Fund will be published in the March, 1972 issue of the *Gargoyle*.

## TWO BY TWO

### ALUMNI COUPLES WHO PRACTICE TOGETHER

In a world in which the relations between the sexes change every day, and in which women in ever-greater numbers are choosing careers in law and other professions, it is interesting to realize that, in individual cases, some profound changes in the traditional relationships took place years ago.

There has usually been a few women enrolled in the Law School ever since Belle Case LaFollette (Mrs. Robert M., Sr.) graduated in 1885. It is not easy to learn what happened to all of them. Did they practice law? Did they retire to raise families? Did they enter other employment fields?

The *Gargoyle* has found it fascinating to talk to three couples—Wisconsin alumni—who practice law as partners. All are well established partnerships, although all have been marriage partners longer than they have been law partners.

All are old friends of the *Gargoyle*. They are Hilbert and Norma (Goldstein) Zarky of Los Angeles; Conrad and Mordella (Dahl) Shearer, Kenosha; Philip and Marjorie (Loomis) Marshall, Milwaukee.

Hilbert Zarky and Norma Goldstein met when they were both students in the Law School. He grew up in Madison; she came from New York as an undergraduate transfer from Barnard College. They had both always intended to be lawyers. They were married after graduation (both members of Coif and Law Review) and settled in Washington, as did a great many of the members of their law school generation. Hilbert worked for the Treasury Department, and in 1943 joined the Department of Justice, where he became a Special Assistant to the Attorney General, preparing and arguing tax cases on appeal in the Circuit Courts and the U.S. Supreme

Court. In 1957, he and his family moved to California, where he has been a partner in Mitchell, Silberberg and Knupp, practicing exclusively in the tax field. He does spend some time on cases brought by the American Civil Liberties Union and is at present a member of the Executive Committee of the Lawyers Division of the ACLU.

Norma Zarky's years in Washington began as a lawyer in the Children's Bureau of the Department of Labor, dealing with violations of the Child Labor laws. She also served as a lawyer for the Railroad Retirement Board, and during the war she was employed by the Office of Price Administration, enforcing price regulations in the clothing industry. For some of the time after her family arrived, she was not employed. Then she went into private practice, engaged in what she looks back on as a most enjoyable part of her career. She was a "lawyers' lawyer", working on drafting of legislation and the preparation of briefs for other lawyers, particularly the famed Washington lawyers, Joseph Rauh and Arthur Goldberg.

After the family moved to California in 1957, she was associated for a time with a small Los Angeles firm. She joined Mitchell, Silberberg and Knupp in 1961, and was made a partner in 1968. Her practice is largely devoted to the negotiating of contracts in motion pictures, television and play production. She has, as a result, become an expert in the field of copyright law, and in the practices of the entertainment industry. She works closely with the agents and business managers of stars and writers, but gets what she describes as "a chance to deal with interesting, creative people as well."

She has been active in recent years as *amicus curiae* in the challenges to the abortion laws in various states. The most notable victory in this field was in the California case which resulted in the invalidation of the old California law. She has just filed briefs in the U.S. Supreme Court in two appeals from the decisions of three judge U.S. courts in

Texas and Georgia. Her briefs were filed on behalf of several womens' organizations, including the YWCA and the AAUW, as well as a number of prominent individual women and are addressed only to the right of women to determine when and where to bear children.

Norma Zarky, self-described as the "organizational one" in her family, is a member of the Board of Trustees of the Exceptional Children's Foundation, and has been active in the affairs of the Beverly Hills Bar Association, of which she is Treasurer. Her legislative interests through the Bar include many social questions: the death penalty, drug laws, abortion, etc.

They are partners—but they have 48 other partners. Their professional lives coincide, when there are tax problems in the entertainment industry.

Their leisure is spent with the family. Their sons, Alan and Michael, are sailing companions of their father. Their daughter, Judy, is 15 years old.

During June, 1971, they paid a sentimental visit to the Law School, coincidental with Hilbert's participation in the ALI-ABA Course for Young Lawyers.

\* \* \*



Hilbert and Norma Zarky

In a technical sense, Philip and Marjorie Marshall are not an alumni couple, since Phil was an honor graduate of Marquette Law School. But he spent the 5 years before going to Washington in 1942 as the Librarian of the Wisconsin Law School, so he has a deep association, which makes him all but an alumnus. His wife, Marjorie (Loomis), graduated in 1936, also an honor student, elected to Coif in her senior year.

Theirs is a true partnership; they keep joint books and file a partnership income tax return.

They occupy a spacious suite on the 12th floor of an old building in the center of Milwaukee. But they seldom see each other during the day. He walks to and from the office, she takes the bus. The day of our meeting gave them a rare opportunity to have lunch together.

Each is a specialist. Phil Marshall in recent years has devoted himself exclusively to arbitration, mediation and fact-finding in labor disputes. Marjorie Marshall serves full-time as the Standing Trustee under Chapter XIII of the Federal Bankruptcy Act, serving the entire Milwaukee commercial area. As such, she administers about 700-800 wage earner plans annually.

Their professional separation has developed gradually during their 25 plus years of practice in Milwaukee. Although Phil has always had an interest in labor law, he formerly devoted only about 25% of his time to that phase of his practice. The rest of the time they worked together in the general practice of law.

Marjorie Marshall was named Standing Trustee about 7 years ago, and the volume of these proceedings has increased so much that she has no time for other practice, except the continuing assistance which all lawyers must provide to long-standing clients.

Phil Marshall travels all over the United States in his work. He tries to maintain a ratio of two days of hearings, to three days of study. He works in Los Angeles, Denver, New York and other farflung places. He has mediated all kinds of disputes—

from the discharge of chorus girls in Las Vegas to disputes over class size between the teachers association and the Board of Education in Greeley, Colorado, to the dispute between the Teaching Assistants Association and the University of Wisconsin.

He had his first arbitration case in 1937, when he was the Law School Librarian. Dean Garrison recommended him as arbitrator in a labor dispute in Northern Wisconsin, and he has been in this business more or less ever since.

During the War years, he went to Washington with Dean Garrison and Professors Rice and Feinsinger, where he served as a Conciliation Officer for the War Labor Board. He became Vice-Chairman of the Regional War Labor Board in Chicago in the last years of the war, and returned to Milwaukee in 1945.

But he was first—and for many years, foremost—a librarian, a graduate of the University of Wisconsin Library School. He began shelving books at the Milwaukee Public Library (where he became a good friend of the Law School's present librarian, Maurice Leon) before he attended Law School. While in law school, he had two jobs, being the Librarian for the Milwaukee Sentinel and, for a time, a night police reporter for that paper.

Dean Garrison made him Librarian in 1937, after his graduation from Law School. He credits his early and continuous association with library books with a much greater part of his education than his years in school. He served for many years on the Milwaukee Library Board.

He has been active politically, but never as a candidate. Recently he has assumed the Chairmanship for the Committee to promote the reelection of Mayor Henry Maier. He did serve for several years as Chairman of the Milwaukee Plan Commission, and claims the "distinction" of being fired by the Common Council during one of the many disputes between the Council and the Mayor.

Mrs. Marshall began Law School during the summers, when her teaching job required that she go to summer school. She chose Wisconsin because it was known as a nice place

to be in the summer. It took 3 summers and 2 years for her to earn her degree. During the early years of her marriage (in 1937), she practiced law, associated with Albert Michelson, who had offices in Madison and Mt. Horeb. She served, during the war years, as an attorney for the War Manpower Commission, and, when her husband was transferred to Chicago, she became Counsel for the Immigrants Protective League.

As with the other wives in this group, Marjorie Marshall had a brief time in which she did not work, and several years when she worked only part-time, when their daughter was very young. After Mary Marshall began school full-time, she returned to her career. Neither she, nor Phil, nor—most importantly, Mary—has regretted it.

Now that Mary is grown — a teacher and wife — her mother is glad to be busy. Wage Earner Plans are instituted in proceedings in bankruptcy court. The Standing Trustee arranges each plan for the payment of the creditors. She must withstand pressure from creditors and loan companies, and be ready to help those whose finances are in her hands as circumstances change. The great bulk of her clients are factory workers, who have overextended their credit through installment buying. A recent survey of her files showed that in less than 15% of the active cases can the causes of financial difficulty be traced to ill health or heavy medical expense. She has some sharp words for the credit card, and the credit union.



Phil and Marjorie Marshall



In a year, her office dispenses approximately \$600,000 to creditors.

In addition to her taxing career, Mrs. Marshall is at present a member of the Milwaukee Police and Fire Commission, an embattled volunteer post.

Both Marshalls believe that separateness has enhanced their marriage and their partnership. For them, too much "Togetherness" would not work.

\* \* \*

Not so with Connie and Mordella Shearer. When they were asked, during their interview with the *Gargoyle*, whether they felt constrained by the fact that their lives are completely interwoven, they exchanged a puzzled glance which said clearly that such a preposterous notion had never occurred to them.

Theirs is a general practice, in which they do all kinds of work for their clients. They consider themselves negotiators, not trial lawyers. They work together constantly, and seem to be completely harmonious in their professional relationship. She calls him the "Boss". He complains mildly that she undervalues her time, and her bills are too low. They both complain a little, in lawyer-like fashion, that the pressures are heavy.

Theirs is also a true partnership, in the eyes of the Internal Revenue Service as well as the public generally.

Our visit with the Shearers took place at lunch time in their unpre-

tentious, but well furnished and interesting home. They come home every day for lunch. Present for part of the time were the Shearer sons, one a high school senior and the other a sometime longshoreman, who is also a senior at St. Olaf College.

This has been the pattern of their life in recent years. They settled in Kenosha at the time of their marriage in 1950. For a number of years, when her children were very young, Mrs. Shearer worked in the office only a half day a week, and at home on special assignments from the "Boss". This has gradually changed as her sons grew, so that she is working full time. While for years she was a helper, she now has enough business of her own to keep her busy.

Although they are both Wisconsin natives—in fact, Connie is the son of the long-time State Senator from Kenosha County—the road for them to Kenosha was a round-about one. Connie graduated from college and Law School at Wisconsin, a member of the class of 1940, and of the staff of the Law Review. He joined the staff of the Solicitor in the Department of Interior, as part of the office of the Consumer Counsel, under the Bituminous Coal Act. From there, he was sent by the Department of Interior to Puerto Rico, where he was "lent" to the Puerto Rican Reconstruction Authority. Under the supervision of Rexford Tugwell, he drafted legislation for a number of statutes which established

development corporations.

While in New York to float a bond issue for the Puerto Rican Water Resources Authority, he accepted a position with Donovan, Leisure, Newton and Lumbard where he spent several years defending the A & P Co. and RKO pictures in government anti-trust actions.

He came to teach at Wisconsin in 1948. And there he met Mordella, a native of Chippewa Falls.

She was at that time a recent graduate, working as Assistant Law Librarian and as an instructor in Legal Bibliography and Legal Writing. Like Marjorie Loomis, she was a teacher—who started law school in the summer. It was Mordella Dahl's great good fortune to hold a position as secretary-clerk with Justice Edward T. Fairchild from 1946 to 1948, when she graduated. Since it was a full-time job, she went to Law School part-time. She nevertheless had time also for Law Review, and was elected to Coif.

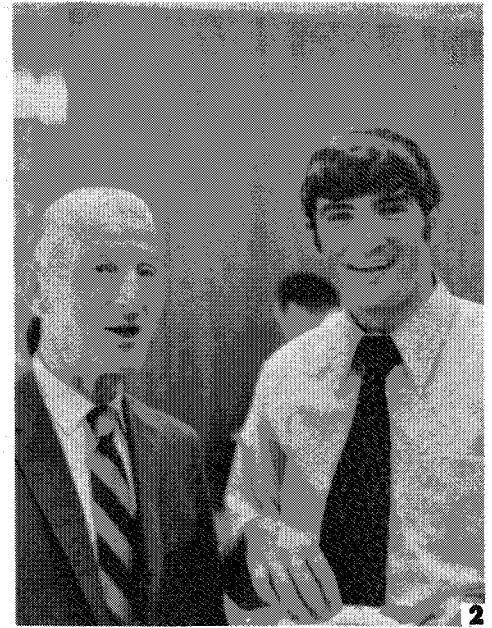
After their marriage they went at once to Kenosha to establish their home. They have been deeply involved in that community ever since. Connie was soon elected to the City Council, which he served as President for one term. He served on the Library Board — as President for many years. He is at present on the Board of the United Migrant Opportunities. His years in Puerto Rico have qualified him to be the Spanish-speaking lawyer of the County. He is co-sponsor of an Art Store, and a prize-winning amateur painter whose works, along with the paintings and pottery of his sons, decorate every room of their house. He is a gardener who raises vegetables, a carpenter, who built his own garage, and a bicyclist. His political participation is now limited to letters to the Kenosha News signed "Concerned Taxpayer."

His wife uses her free time at home, although she is active in the League of Women Voters, the American Association of University Women and her church's social action committee.



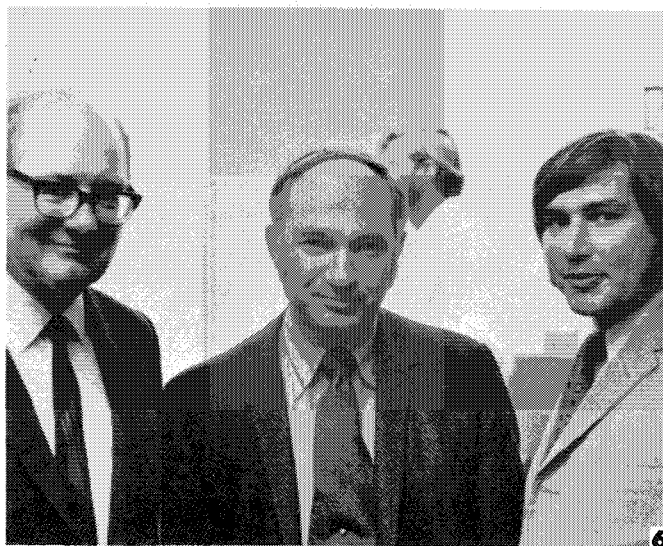
Conrad and Mordella Shearer

# INTRODUCING SOME OF THE NEW ALUMNI--



1. Ken Bowman, Lawyer, also of the Green Bay Packers, shown with his wife, mother, brother, and children.
2. Jim Clark, recent Editor-in-Chief of the Law Review, and Prof. Conway.
3. Cheryl Rosen, with her mother and grandmother.
4. Rene Burkhalter and his father, Rudi.

# COMMENCEMENT DAY, JUNE 14, 1971



5. David Grams, his wife, son, and parents-in-law, Mr. and Mrs. Schuler.

6. Stephen Brown, with the Dean and his father, State Rep. Manny Brown, Racine.

7. Earl Hazeltine, his wife and family.

8. Hector DeLaMore and his mother.