

*Alumni Bulletin of The University of Wisconsin Law School*

UNIVERSITY OF WISCONSIN

UNIVERSITY OF WISCONSIN  
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The GARGOYLE

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*The Gargoyle*

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## REPORT TO THE ALUMNI FROM THE DEAN

This is the fourth time that I have reported to you, and is probably the last time I shall do so as dean. I expect my successor to give his first report to you next year at this time.

It would be appropriate for me to report on my achievements during the past four years, and I would do so, if it were sufficiently clear what they were. However, it is inherent in the nature of deaning, at least in an established and prestigious law school of substantial size, that tangible accomplishments of the dean alone are few and difficult to describe. His intangible contributions to the development of the school are better judged by others.

One development I do wish to mention briefly, for I take much satisfaction from it. Building on the sound foundation laid by George Young, I have made considerable effort to increase the interest and involvement of the alumni of the school in its activities. This spring, for the third time, we have had a visitors program in which members of our Alumni Boards of Visitors and Directors have spent a day and a half looking at the school and evaluating some aspects of its programs. The evaluations can be extremely helpful and we anticipate trying to increase their utility to us in the school as time goes on. In addition, I have spent a good deal of time, as have some of my colleagues, in trying to put the regular solicitation of our alumni for financial support of the law school program on a sound footing. We especially need backing for those activities in which any law school of stature must engage but which cannot be, or at least are usually not, funded by appropriations from the state or grants from the federal government or large foundations. You

have been generous in the first three years of our annual fund drives, both in contributing money and in helping with your efforts. The drive will be continued and the financial support of the alumni should increase year by year indefinitely into the future. A recent Gargoyle reported on the success of our third annual drive. It is the extras your generous financial assistance can provide that can often make the difference between a good school and a great one.

In some respects the most noteworthy, and in any case the most traumatic, event of this last year was the periodic reinspection of the school by a team representing the Association of American Law Schools and the American Bar Association's Section on Legal Education. The last previous inspection was back in 1959. The team was an able one, consisting of Dean William B. Lockhart of Minnesota as Chairman, Professor Leon Liddel, Librarian of the University of Chicago Law School, Judge George N. Leighton of Chicago, and Professor Rita Simon of the University of Illinois.

The team first studied a voluminous body of written material about the school, consisting of answers to a lengthy questionnaire, with enormous quantities of supporting documentation, and then spent three days visiting us. Toward the end of their stay, Dean Lockhart and I, joined in one case by Professor Liddel, spent several hours in two different interviews with the university administrators with whom I deal as dean. Many serious criticisms were there expressed of the school, in unequivocal terms. But there was much praise, too. With minor exceptions, the criticism was not directed to failure to meet minimal standards, but rather to our failure to fulfill in full measure the promise of greatness there is in this place. None of the problems unearthed by the committee were unfamiliar to us. Indeed, many of them were elaborated in my report to you last

year, which was supplied to the team as one of the exhibits in my report to them. After the visit, an extensive written report was made to the American Bar Association and the Association of American Law Schools, which in turn submitted it to the President of the University and the Dean of the Law School. The report is not a public document for general distribution but is for the private use of the institution. It is not confidential in any strict sense, however, and it is appropriate for me to communicate such parts of it to you as seem particularly valuable to our alumni. I propose to tell you today what the team reported about your school, in part quoting their exact language.

When I say the report was critical it may sound as if we have a marginal operation. Of course, that is not the case. The team stated, early in its report, that:

The Law School has had a distinguished history. . . . Under the leadership of Lloyd Garrison, 1932-42, it became and has since remained one of the country's strongest law schools, distinguished particularly for its early leadership and continued research and teaching, concerned with the interaction of law with society. Strong, pioneering scholars and teachers led the school to its position of distinction despite the antiquated building in which it was housed. . . .

The team had an equally complimentary evaluation of the institution of which we are a part:

The University of Wisconsin is . . . one of the truly distinguished state universities in the country.

Such recognition of the stature of this law school and this university was a prelude to criticism in the form of a statement of the problems the school faces, and the inadequacy of the support it receives, to which I now move.

*continued on page 13*

Among the many difficulties we have, three stand out: the inadequacy of the library collection, the low level of faculty salaries and the bad faculty-student ratio. Each of these is worth treatment in some detail.

Last year I provided you with charts to give some insight into the unmet needs of our library. The inspection team provided additional figures. Our library was never one of our prize features, but it used to be fairly adequate, relative to other schools. The library's rank, considering size only, among law school libraries, has declined in the following fashion:

Year	Rank
1942	18th
1950	22nd
1960	23rd
1966	24th
1970	29th

The rate of deterioration has stepped up markedly since the mid-sixties and without relief we would soon have plummeted to the bottom. You may remember from last year that our budget for book purchases remained at \$44,000 during the late 1960s, while book prices were advancing at about 10% a year. For this year, our book budget was \$60,000, which enabled us at least to catch up with the costs of the inflation of several years. But in 1971, the minimum book budget for even the most marginal schools was set by the Executive Committee of the Association of American Law Schools at \$50,000 (up from \$40,000). Thus the increase kept us only slightly above the bare minimum. The inspection team recommended a budget of at least \$100,000 for books, with appropriate increases to keep pace with inflation and with at least an additional \$50,000 for catch-up purposes. During the course of this fiscal year, it became possible for the campus administration to give us

\$50,000 for books from a non-recurring source. This was called a catch-up fund, but it only provided us for this year a total amount slightly in excess of what the team thought we needed on a continuing basis. While we have been able to do some "catching up" with it, that is only because our previous level of support was so low that any additional amount is, in a sense, a catch-up fund. I prefer to regard it, however, as the first year of a new level of continuous support for the law library, for we have managed to get \$100,000 into the 1972-73 budget for books, subject of course to Regent approval of the budget. Thus, we have made substantial progress since my report last year toward a solution of this pressing problem.

A second major problem pointed to by the inspection team was the inadequate level of faculty salaries. The report said:

A second very acute problem at Wisconsin is the inadequate level of its law faculty salaries. Not only are the salaries at Wisconsin inadequate for faculty members of the distinction found there, but they are dangerously uncompetitive when consideration is given to the law schools with which Wisconsin must compete for faculty.

The committee then went on to make specific comparisons of Wisconsin salaries with those in about fifteen other schools with which Wisconsin must compete for faculty members. Whether one looks at the medians, the averages, the medians of faculty with over 15 years combined practice and teaching experience, or at the top ten salaries in the school, Wisconsin comes out substantially below all of the schools with which it should be reasonably competitive. The team stated that the median and average salaries range from \$3000 to \$10,000 per year lower than for its competitors.

If one looks at Minnesota, Dean Lockhart's own school, in a state similar to Wisconsin, we find a median \$6000 higher and an average \$5000 higher. For experienced faculty the disparity is even greater. Medians at the other schools are from \$5000 to \$11,000 higher; Minnesota's is \$7000 higher. When one compares the top ten salaries, Wisconsin again comes out badly. The comparison with Minnesota is especially striking because of our similarity. The highest Wisconsin salary is \$5400 under the top Minnesota salary and would rank only sixth at Minnesota. The second Wisconsin salary would be under the top ten at Minnesota. Though comparisons of individual people are very subjective, I think it both safe and appropriate to say that our ten top salaried people include some very distinguished citizens; they would hold their own very well in competition with the top ten in nearly any law school. But their salaries are many thousands of dollars lower. In summary, the inspection team said:

In short, Wisconsin salary levels have fallen badly behind law schools with which it must compete for first class faculty members. Its salaries are \$3000 to \$6000 too low to be competitive. At the very least its budget should be increased by \$120,000 (\$4000 increase for 30 positions) in order to make Wisconsin salaries even marginally competitive, and substantially more if Wisconsin is to take its place where it belongs, among the best law schools in the nation.

One reason for our disadvantage in relation to other law schools is that law faculty salaries have at Wisconsin been greatly influenced and limited, especially at the top levels, by salaries in other departments of the University. This is not generally the case in other universities with distinguished law schools.

Law schools must compete for teachers with both government and with private practice, not solely with other universities. The existence of these markets is one of the facts of life that all university administrators should, and most do, recognize. We have no chance of attracting first rate people of experience if our competing markets have a substantial price edge over us. For example, we have an offer out now to an experienced government lawyer. We are hopeful he will accept it, but afraid he will not, for one of the deterrents is about an \$8000 disparity in basic salary. Even with full time summer teaching or research, he would be \$4000 or more short of his federal government salary. A man has to want to teach very badly to make that sacrifice. If he were in private practice the same length of time out of law school, we wouldn't be able to touch him in salary.

The team said, further:

There was a time when Wisconsin appeared not vulnerable to raids from other law schools, even though at the time its salaries were somewhat lower. The cohesiveness of the faculty, the example of the top scholars who stayed at Wisconsin despite many attractive offers elsewhere, the atmosphere of experimentation and inquiry, the advanced state of interdisciplinary research, the availability of research grants, the attractiveness of Madison, and doubtless other factors all combined to keep the faculty at Madison. Most of those intangible considerations are still present, but the gross inadequacy of the Law School salaries at Madison seems finally to have become so great that Wisconsin is finding it cannot retain some of its most promising faculty.

The team went on to point to our recent serious faculty losses. This school cannot long remain first class if its coming stars are regularly picked off by more affluent

schools before their roots are too deep for them to be moved, while we replace them with promising but new teachers. Our salary structure makes it only rarely possible for us to raid other schools, so the inter-school flow of teachers is for us mostly in one direction and in recent years has become disturbing.

The two problems I have discussed so far are only minimally related to size—our library needs would be a little less if we were smaller because fewer duplicates would be necessary. But the third major problem is a direct function of size. It is a product of our recent growth. In the school year beginning in 1968, we had 587 students; in 1969, 654; in 1970, 771; and this year, 896. The increase was over 50% in three years. By severe limitation of our admissions for 1972, we hope to be able to prevent any further increase for next year. The faculty size has increased only slightly if at all; faculty are difficult to count because so many of our faculty are not on the state payroll at any given time, but are on leave or on research grants, not paid for by the state budget. In those three years, a fairly satisfactory 19 to 1 student-faculty ratio has drastically declined to over 28 to 1. The results have been catastrophic. Even at 19 to 1, law school is a mass-production enterprise; at 28 or 29 to 1, it almost gets out of control altogether. First year sections approach a hundred, though we give each student one course in his first year in a group of 20. The large sections are far too large for real involvement of each student. In advanced classes, we have many enormous sections: 194, 173, 172, 162, 154, 147, 133, 132, 125, 118, 116. Students become merely spectators, and law is not a very exciting spectator sport. Only deep personal involvement can make it an interesting game.

The team concluded that:

The only really feasible solution in the face of the high de-

mand for legal education is for Wisconsin in some manner to fund approximately 13 more faculty positions, raising its teaching faculty who are in residence and actually teaching to 45, which would give it an adequate but far from ideal 20 to 1 ratio with 900 students. To avoid a disproportionately young and inexperienced faculty, particularly in view of the five beginning teachers appointed this year, an average salary of \$20,000 is needed for such expansion.

This does not exhaust the problems of the school. Most of the others are also related to size. They include additional administrative help for the dean, support staff for the faculty, added professional and clerical staff to make the library the effective service instrument it should be in a law school as vigorous and productive as this one.

The inspection team's criticism of the school has a substantial price tag. I would be more reluctant to press the case for better financial support for the law school were it not for my conviction that all law schools have been short-changed in relation to the rest of our higher education system for a long time, and that it is especially true at Wisconsin. If Wisconsin wants a quality law school, it must pay somewhat more for it. The price tag is very small in relation to most other things. The highest quality legal education in the country costs peanuts when compared with the poorest quality education in medicine, for example. A law school is the least expensive prestige unit a university can have. To put rough numbers on our needs, we need an additional \$500,000 in the budget at our current size, or half that at the 1968 size, to meet our basic needs and to become reasonably competitive with comparable schools. That would not make us affluent but would make a continued quality education more viable.



Last year I spoke to you about some of these same problems, and then told you I would be asking the Chancellor to appoint a special committee to view the problems of legal education in the state as they appear from the vantage point of this school. The Chancellor appointed such a committee, including our Alumni President, a member of the Supreme Court, three administrators, two faculty and two students. That committee is about to report to the Chancellor, who will in turn report to the President's office for transmission to the Board of Regents. The conclusion we have reached is that the best solution for the problems of legal education lies in the creation of a second state law school. I do not wish at this time to present you with the arguments leading to that conclusion, nor with other details of the Chancellor's Committee's report, but the general direction of the committee's thinking has become fairly widely known, and for that reason I mention it here. The report will be made formally within a few weeks. Just how serious the problems of the Madison law school will be in the next few years depends in large part on whether the pressures of size are relieved by creation of another school. Even if we retreated to our 1968 size, however, we have problems enough to keep my successor busy for his first five years. I wish him luck!

*Spencer L. Kimball*  
Dean

**RESPOND TO YOUR  
CLASS AGENT'S  
GREETING —**

**SUPPORT THE  
LAW SCHOOL FUND**

## **ALUMNI STAFF THE CLINICAL PROGRAM**

Alumni, along with students and faculty of the Law School, are working in a Clinical Program which is aimed at making legal education more relevant.

Fifty-five third year students have participated in this past semester's program, working with practicing attorneys in state agencies, county and federal judges, and legal service programs. Most of the attorneys and judges who supervise the students are alumni of Wisconsin.

The students get involved in almost all phases of legal activity in their placements and have the opportunity to relate their work to their regular academic studies. Up to four credits a semester can be earned in the program.

Several members of the faculty helped with the program as well, providing counsel and assistance. One faculty member is assigned to work with the students in a particular placement. They meet periodically with students to discuss their activity and any problems which may arise.

Prof. George Bunn directs the program for the Law School. He gave some examples of what students do in the program:

"Students are being exposed to and participating in a wide variety of legal work. They get involved in all sides of issues and cases.

"In one case recently decided by a Dane County judge a clinical program student helped the prosecuting attorney from the District Attorney's office prepare the case against the accused. Another student in the program helped the public defender from Dane County Legal Services defend the accused while a third student did legal research for the judge who decided the case and provided assistance to him during the trial.

"In other areas, a clinical program student helped Wisconsin Judicare prepare the lawsuit now pending before Federal Judge John W. Reynolds which challenges the Wisconsin property tax statutes

which affect the amounts received by each school district for public education," Bunn said.

"The allegation in the suit is that the statutes produced unequal amounts of money per student. Rich districts under the present tax structure have more money per student than poorer districts.

"Another student in the Clinical Program is analyzing the many Wisconsin statutes which may be affected by the recently-enacted state statute giving 18 year olds the rights and responsibilities of adults."

The program was started in 1969 under a grant from the Council on Legal Education for Professional Responsibility and came because of the belief of faculty that experimentation was needed in providing clinical experience during law school. For decades students have expressed some dissatisfaction with academic legal work. The faculty debate surrounding the program continues to question whether the program has sufficient academic value to justify doing it on a large scale. The students involved believe their experience to be exciting and worthwhile.

Many members of the faculty believe that student criticism of second, and especially, third year legal education has merit and that clinical experience is valuable. The Clinical Program is not being offered as the only answer to the perceived problems, but as a technique to be used along with others. If it is ultimately concluded that it is a sound approach it will help make legal education more relevant both to student needs and current legal practice.

Plans are being made to continue the program and expand it. Prof. James E. Jones is setting up a placement which will provide student help to the state's Department of Labor, Industry, and Human Relations in its work with equal employment problems.

Prof. Jones has obtained federal funds to assist the state in strengthening its efforts to provide equal employment for blacks, women, Indians, and chicanos.

## SPRING PROGRAM SURVIVING TRADITION

### ARGUMENTS

### REUNIONS

### AWARDS

### DINNER DANCE

April 22, 1972, was the day of the Law School's 29th Spring Program. Annually since 1943, alumni, students and friends of the Law School have gathered for one day in the spring.

The format is traditional. Each year it has included final arguments of the intramural Moot Court competition, judged by Supreme Court justices, the awards of scholastic honors to students, a reunion luncheon for alumni, the annual meeting of the Wisconsin Law Alumni Association, a meeting of the WLAA Board of Directors, and the gala spring dinner dance for alumni and students.

*Each year, at the Alumni reunion luncheon, the Wisconsin Law Alumni Association presents awards to a distinguished Faculty member and a distinguished Alumnus of the Law School. The 1972 recipients of these awards are Prof. Nathan P. Feinsinger, a member of the Faculty for more than 40 years, and the late Judge Arthur W. Kopp, a member of the Class of 1900.*

*The presentation to Professor Feinsinger was made by Professor Willard Hurst. That to Judge Kopp, which was accepted by his son Roy W. Kopp, President of the newly merged Board of Regents, was made by his long-time associate, M. A. MacKichan, Platteville.*

*Professor Hurst's remarks, and Professor Feinsinger's response:*

The faculty member whom we honor today, Professor Nathan P. Feinsinger, has a distinguished career recorded in *Who's Who*. His activities have been varied beyond even that record, however. By his own account he is the first man to graduate from the University of Michigan with Phi Beta Kappa rank, earned in a major in old Roman band instruments. He has been a member of the sheriff's posse of Aspen, Colorado. July 16 is by

proclamation set aside in the Island of Hawaii as Nathan P. Feinsinger Day, when the pineapple juice flows freely.

An institution like the University of Wisconsin Law School builds on personal loyalties. Following his graduation from the law school of the University of Michigan, Nate Feinsinger spent a year of graduate law study at Columbia. Then, in 1929, he came to this faculty, where he has been since—a full professor after 1935—though he has taught as a visitor at Chicago, Michigan, and Stanford. Over those years he has given as generously of himself as anyone I can remember in the law school, with a door always open to students and to colleagues seeking counsel as well as learning.

The law school needs to bring to its students many things, not the least some sense of the responsibility of handling power and the practical subtleties that enter into making human relations work. Samuel Williston praises a distinguished Boston lawyer as a man "who caused things to come about." Nate Feinsinger has been a man who knew how to cause things to come about.

Here the law school record becomes woven into a public record. From 1937-1939 on appointment of the governor of Wisconsin he was Special Counsel—in effect, General Counsel—of Wisconsin's first Labor Relations Board. It was a pioneering service, both in the labor relations field itself—then just emerging—and in difficult problems of federal-state relations in this new area of public regulation.

He had his full baptism of fire on the national labor relations scene in World War II, when from 1942 to 1945 he served the National War Labor Board, first as Associate General Counsel, and then as Director of National Labor Disputes and as a public member. He returned to Washington in another war crisis, when in the adjustments to the Korean War he was from 1951 to 1952 Chairman of the Wage Stabilization Board.



Mr. Feinsinger and Mr. Hurst

His key roles, however, were in the longer, more sustained problems of peacetime labor relations. He served as special representative of the Secretary of Labor in labor disputes from 1946 to 1949. He was chairman of public fact finding boards in steel, meat packing, and airline labor disputes in 1946 and 1948—hot spots, all of them. His most continuous service to the labor relations field was as contract umpire under the General Motors-United Automobile Workers contract from 1954 to 1968—a most unusually long record compared with the customary tenure of contract umpires. In that period he built such a workable body of precedent that the annual docket of grievances filed before him fell from one of several hundred cases at the outset to an average of about 12 per year.

Back at the law school it was appropriate to this record of experience that he should set up and direct a Center for Teaching and Research in Disputes Settlement. The Center's concept is that lessons learned in the specific area of labor relations should be capable of some transference to other problem fields.

There are two things to be said, over-all, about this record of mingled law school and public service. One is institutional: few men have done more to bring into being a new field of legal order than has Nate Feinsinger in the area of labor relations. In the past 40 years the development of labor relations law and practice has provided a modern analogy to the rise of Equity. Nate Feinsinger has an honorable place in that record, comparable to the law-making record of the creative English Chancellors. The analogy holds the more, because—as with the development of Equity—there were major questions of the separation of powers to be resolved in the interplay of law and collective bargaining—problems of the proper balance between government intervention and private dealing, problems of the proper balance within the firm between management prerogative and union claims.

The other general comment on the record is personal. Nate Feinsinger, one qualified to speak has told me, kept the peace almost single-handed in the contentious trucking industry during World War II, with all that that outcome meant to the war effort and the country's economy. He kept the peace there, and thereafter in countless other situations, basically because of the man he is. He is a master judge of human nature, with extraordinary antennae to pick up other people's reactions. He has high capacity to grasp general goals always with a hardheaded sense of the particular facts of the situation at hand; his operations have always shown the insight of Holmes's appreciation that "general propositions do not decide concrete cases." Perhaps above all he has been able time and again to exorcise fear among parties to disputes—bringing contestants to a sensible working knowledge of each other, out of their confidence in his combination of humor, acuteness, and integrity.

To keep the peace with principle and commonsense is a top accomplishment for men of law. As fellows in that profession we can all take the more pride in the company of Nate Feinsinger.

#### Professor Feinsinger's response:

I could have listened to Willard speak all day.

First of all, I am happy to note that the Alumni have changed their past practice and are now bestowing the Distinguished Alumni-Faculty Award on professors midway instead of at the end of their careers.

I can think of many persons more deserving of this award than I am. The list would include, for example, Dick Campbell, for his pioneering work in the field of automobile accidents; Bill Foster, who

bore the brunt of the attack on the Law Faculty during the recent unpleasantness on the campus; the Faculty as a whole for its readiness to consider the students' grievances but insisting that any reforms be considered in an atmosphere of reasoned persuasion rather than force; Mrs. Nellie Davidson and her staff, who really run the Law School but graciously permit the Faculty to believe they work for us; and last, but not least, to Dean Kimball for his successful efforts to cement Law School relations with the bench and bar and for his good sense in quitting while he was ahead.

With full recognition of these and other priorities, I am most grateful for this award. Thank you.

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#### M. A. McKichan's remarks in honor of Judge Kopp follow:

I am pleased and happy to have the honor of announcing, on behalf of the U.W. Law School, that Arthur W. Kopp, deceased, formerly of Platteville, Wisconsin, has been awarded the 1972 University of Wisconsin Law School Distinguished Alumnus Award by the combined vote of the Law School Board of Visitors and the Law School Board of Directors with the cooperation of the Benchers Society.

This ceremony is particularly meaningful to me as Judge Kopp was like a second father to me and I was associated in the practice of law with him, or in the Circuit in which he was a Judge, from 1935 until his death.

Judge Kopp was born at Big Patch, Wisconsin, on February 28, 1875. He died at Platteville, Wisconsin, at the age of 92, on June 2, 1967.

He was married to Emily K. Hutton in 1902—she died in 1955 while she and Judge Kopp were on an ocean liner bound for the Middle East.

His immediate family, who sur-



**Judge Kopp**

vive him, are his son, and my law partner since 1935, W. Roy Kopp, Platteville, Wisconsin, Marion, who married Earle Greenwood and lives at Houston, Texas, and Miss Emily Kopp, Platteville, Wisconsin. Marion could not be here today, but I am most happy that Emily is here.

Judge Kopp is honored today because of his outstanding contributions to the profession of law and to the Law School as a practitioner,

as a judge, in government service, and in his continuing interest in the Law School and its students, staff, and welfare.

Without elaboration, some highlights of his long law career—1900-1967—should be mentioned.

All of the time he was going to school prior to entering the Law School, he has told me, he had the ever present dream of becoming a lawyer and going to the University of Wisconsin to get his degree.

He was a school teacher after graduating from the Platteville Normal School in 1895; he was principal of schools in Muscoda for three years and then entered the Law School. He graduated from the Law School in 1900. At that time, all professors except two or three, including the Dean, were prominent attorneys in Madison; his favorite teachers included Burr W. Jones, John M. Olin, and Robert M. Bashford. Judge Kopp regarded John M. Olin as one of the greatest trial lawyers that ever lived in Wisconsin. In connection with his school activities, he was very proud of his election to the Order of Coif.

He was Grant County District Attorney for two terms—1905 to 1909. Under the caucus system, in his first contest for District Attorney, his opponent was John J. Blaine, later to become Governor and United States Senator.

From 1909 to 1913 he was a member of the U.S. House of Representatives, representing the Third District in the 61st Congress. This was during the administration of William Howard Taft. He declined to run for re-election.

He served in his second term in the then important Committee on Naval Affairs, and he had many interesting trips as a result—including riding the first passenger train to go to Key West, Florida.

During his practice he enjoyed membership in and was active in the affairs of the American, Wisconsin and Grant County Bar Associations. He served as President of the Wisconsin Bar Association in 1929-1930.

He earned a reputation as one of the nation's leading authorities on gas fumes in lead and zinc mining, and for a period of some 20 years he enjoyed a career of trying this type of case from coast to coast.

At the time of Judge Kopp's retirement from active practice, and when he became a judge, he was known as one of the leading trial lawyers in Wisconsin, and represented as local counsel many insurance companies.

He was a member and chairman or presiding officer for many years of the Committee of the Supreme Court and State Bar Association on Rules of Practice and Procedure, which work continued when this committee was replaced by the Judicial Council. His contributions to these agencies were valuable in promoting the administration of justice in Wisconsin.



**M. A. McKichan, Miss Emily Kopp, Roy Kopp**

He was elected Judge of the Fifth Judicial Circuit of Wisconsin in 1942. He remained on the bench for 12 years, until his retirement in 1955.

It was said, in connection with his retirement, that for 12 years Justice in the Fifth Circuit wore silver rimmed glasses, bow ties, and a benign expression. The last comment could not be made, however, without recognizing that Judge Kopp's grandfather came here from Prussia, and the drill master technique was present in his court. He ran a very tight ship, and insisted that proceedings continue without any form of delay.

After he stepped down from the bench, he continued to help as needed and handled several assignments as a substitute judge.

As a jurist, his decisions and court conduct earned him attention as one of the state's top circuit judges.

He continued to practice in association with our firm from his retirement from the bench until his death. He came to the office every day.

Judge Kopp's life contained a brimming measure of personal achievement; and for all of his active life, he was a most gracious, fun-loving man, who was respected and loved by all who knew him.

To memorialize Judge Kopp's selection, there will be a bronze plaque at the Law School, bearing his name and a brief summary of his relations with the school and his professional achievements. A biographical statement will also be published in the Law Review, and filed in the School Library.

I am therefore most pleased to present at this time to W. Roy Kopp a certificate of this award hereby made to Judge Kopp and his family.

## BUNN HONORED

### DINNER DANCE

The Spring Dinner Dance, in addition to providing the main social event on the Law School calendar, affords law students an opportunity to present their own citations for services to the student body, and their Teacher of the Year award. This year the Teacher of the Year was chosen by a poll of the entire student body.

Honored by the Student Bar Council for their services to the student body were: Earl Schmidt, Ray Thoenig, Dan Blalock, Horace Harris, Jean Chafet and Bruce Kerr.

Professor George Bunn was chosen Teacher of the Year. President Stephen Brown made the presentation with the following remarks:

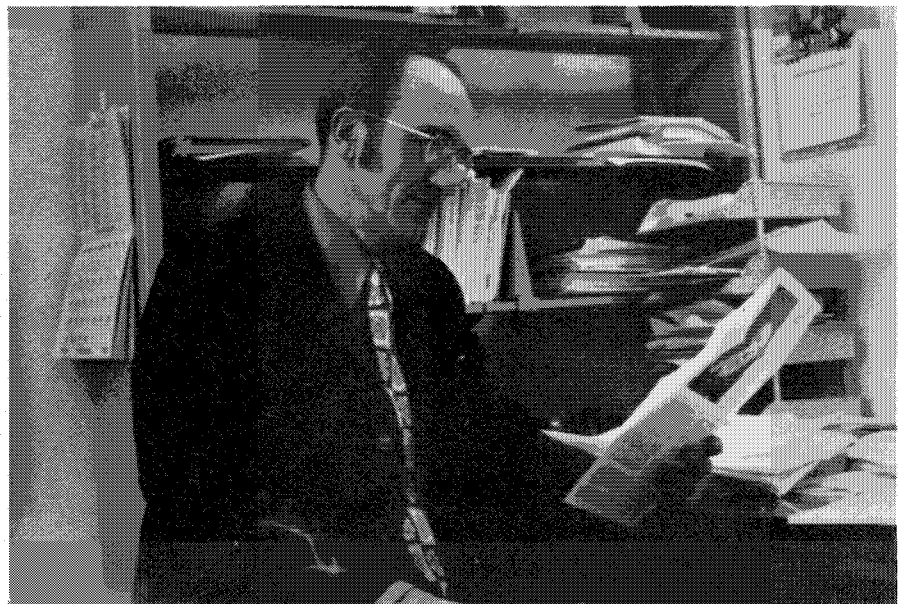
The man honored tonight has earned the respect and appreciation of his students for his use of stimulating and innovative teaching methods. He has utilized the practical problem-solving method in his teaching in areas of rapidly changing law. Despite the ever increasing

size of classes he continues to use the problem-solving method and devotes an extraordinary amount of time to class preparation and student evaluation. He is always available to students and communicates his ideas effectively to them.

Having received his law degree at Columbia he worked briefly for the Atomic Energy Commission before becoming an associate with the Washington law firm of Arnold, Fortas and Porter. He became a partner with the firm and after 10 years was appointed General Counsel of the U.S. Arms Control & Disarmament Agency. During that time he served in the U.S. delegation to the Geneva Disarmament Congress, with the rank of Ambassador.

He came to Wisconsin in 1969 and has been professor of law since 1970.

It is with deep appreciation and gratitude that we the students present this award to Professor George Bunn.



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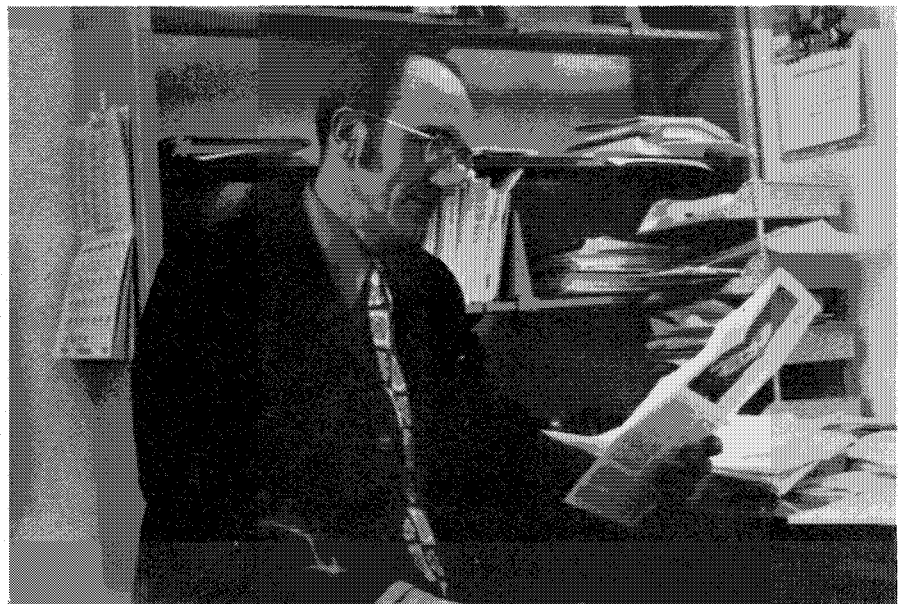
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Members of the Class of 1932

# DINNER





Members of the Class of 1947

# DANCE





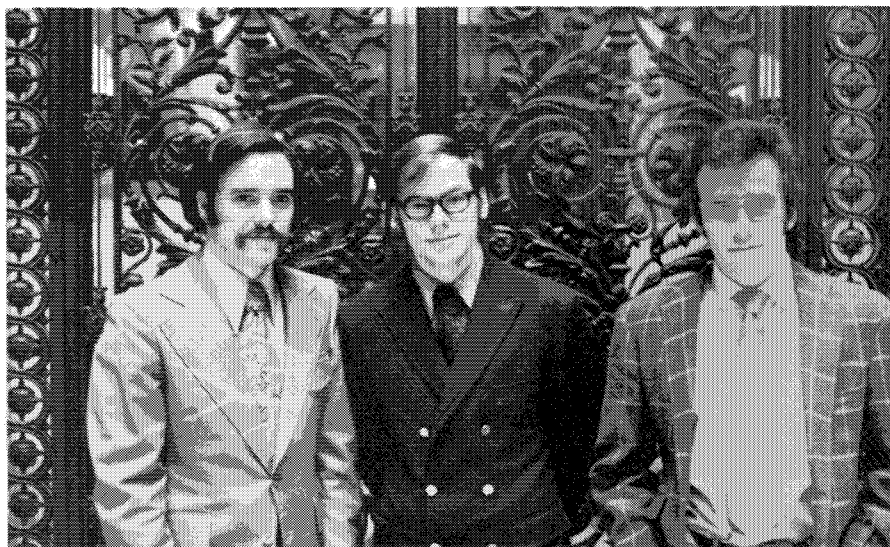
## MOOT COURT FINAL ARGUMENTS

Each year a constitutional question currently on appeal in the United States Supreme Court provides the subject of the final Moot Court arguments, which are a traditional part of the Spring Program. Participants are the six champions chosen from the Appellate Advocacy course taught by Professor Samuel Mermin.



**Raymond Thoenig, Robert Heidt, David Lasker**

This year the case dealt with obscenity in a drive-in movie. The questions were: 1) When the screen is visible from the highway, should the constitutional standards for determining 'obscenity' be more strictly applied? 2) For the seizure of an allegedly obscene film, is the ordinary *ex parte* search warrant procedure permissible, or does the Constitution require an adversary hearing prior to seizure?



**Bruce Meredith, Charles Hanson, David Hancock**

The Petitioners' case was argued by Raymond Thoenig, Robert Heidt and David Lasker. Respondents were represented by Charles Hanson, Bruce Meredith and David Hancock.

The Court, which was composed of Justices Horace Wilkie and Connor Hansen and Federal District Judge James Doyle, held for the Respondents.

The two teams, winners of the intramural competition, shared the prize which is contributed annually by the Milwaukee Bar Foundation. Charles Hanson was awarded the Mathys Memorial prize for the best single argument.



**Awards Reception**

## AWARDS CONVOCATION

The Convocation at which awards for student achievement were made was held on April 22 at 4:30 p.m., and followed by a reception, at which the Law Students' Wives were hostesses, for the recipients, their families and friends.

Following are the awards presented:

**U.S. Law Week Award** ..... Richard Beal  
For the most satisfactory progress during 3rd year.

**University of Wisconsin Foundation Award** ..... William Mann  
To student most improved from first to third semester.

**Mathys Memorial Award for Appellate Advocacy** ..... Charles E. Hanson  
**Milwaukee Bar Foundation Moot Court Prizes**

1st Prize Team	Runner-up Team
Charles E. Hanson	Raymond H. Thoenig
Bruce F. Meredith	Robert H. Heidt
David G. Hancock	David E. Lasker

**International Academy of Trial Lawyers Award** ..... Gregory A. Peterson  
For excellence in trial and appellate advocacy

**West Publishing Co. Book Award** ..... Richard Primuth  
For scholarly contribution to the Law School

**William Herbert Page Award** ..... Jay L. Himes  
For outstanding contribution to the Law Review  
For Comment: *Of Shadow and Substance: Freedom of Speech, Expression and Action*

**George J. Laikin Award** ..... James A. Feddersen  
For outstanding Comment in the Law Review  
in special fields: *Stock Compensation Plans* ..... John M. Schweitzer

**Wisconsin Trustees Association Prizes**  
Estate Planning Contest ..... 1. Richard Pitzner  
2. Kenneth Millard  
3. Dennis Wojahn

**Wisconsin Title Association** ..... Bruce Loring  
Jacob Beuscher Award

**Wisconsin Law Alumni Association Prizes**  
First ranking student after 45 credits ..... Delores Bier  
Second ranking student after 45 credits ..... Daniel Goelzer

**Joseph Davies Prize** ..... Delores Bier  
To outstanding member of the second year class

**Daniel Grady Prize** ..... Jay L. Himes  
To the graduating student with highest standing

**Salmon Dalberg Prize** ..... Jay L. Himes  
To outstanding members of the graduating class ..... Jean G. Zorn

**Presentation of the Order of Coif, 1972** ..... By Prof. John C. Stedman

Steven R. Allen	Robert H. Heidt	John F. McLean
Richard C. Ehlike	Jay L. Himes	Martin M. Milgrim
James A. Feddersen	Thomas S. Hornig	Richard W. Pitzner
Alan H. Frank	Robert P. Hurth, Jr.	Richard A. Primuth
George E. Garvey	Eric E. Jakel	John M. Schweitzer
Lucy C. Gleasman	John E. Knight	Ralph S. Swoboda
Ann G. Greenberg	Diane E. Loeb	Thomas R. Wildman
Judith L. Greenberg	James F. Lorimer	David H. Wilson, Jr.
Paul D. Grossman		Jean G. Zorn

## WHAT ARE STUDENTS UP TO THESE DAYS?

*A letter to the Alumni from Steve Brown, President, Student Bar Association*

Dear alumni and friends,

This blurb is an attempt at bridging that elusive, professional "generation gap." Impetuous youth should have constant communication with those who have traveled the proverbial paths before them. "He that walketh with wise men shall be wise." (Proverbs 13:20)

In the past, student-alumni relations have been slighted. New doors of communication must be opened. To this end, I will try to explain what law school student government is today, the problems students face while in school, and the continued importance of alumni contact and concern for what happens in our school.

Changes have been made in the structure of student government. The SBA Council is now composed of a popularly elected President, two vice-presidents (Academic and Community), and seven representatives from each law school class.

Today student government is on the march. The lethargy of recent years has been replaced by an active participation in law school affairs. The SBA is fully involved in the selection of our next Dean. Students are participating in the hiring process for new faculty members. We share seats with faculty on most law school committees. In addition, various student groups are newly formed, among them being the Black American Law Student Association and the Women Law Student's Association.

The SBA is financed by revenues flowing from our student operated and nationally recognized Book-Mart. (We get many inquiries from other law schools concerning our Book-Mart set-up, policies and accounting procedures.) SBA's yearly operational budget varies from \$10,000 to \$12,000. For the past year, as of March 1st, we had a total net worth of \$27,000 (with



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gross income exceeding \$110,000). Who says these "kids" can't handle their own affairs! As you can see, we are not an amateur organization.

SBA programs speak for the success or failure of student government. We are busy in the area of service activities. We operate a morning coffee and donut project in the student lounge, and partially subsidize a nickel-a-copy xerox machine for student use. We also have a Speaker's Committee bringing outside notables into the school. (William Kunstler and Indianapolis Mayor Richard Lugar, among others, joined us this year.) We also contributed \$1500 to a WSA-SBA joint symposium entitled "Justice In America?" held from April 24th to 26th. Among the participants, were Police Chief Egleburger of Dayton, Richard X. Clark of the Attica prison revolt, U.S. Attorney John Olson, Jerome Skolnick, and Law Professor Robert Shapiro.

In community service our Student Information and Education Committee sends volunteer speakers throughout the state to address high school and civic groups (upon request and at no charge). This program was initiated in the fall of 1968 in response to the false rumors following the urban explosions during that summer. Over forty law students participated in this year's program, researching and speaking on these topics: Urban Problems and the *Kerner Report*; Welfare Rights; Legal Rights of Minors; Environmental Issues; Legal Rights of Women; Consumer Law; and Criminal and Juvenile Justice Administration (including prison reform). Our reception at over one hundred participating schools has been overwhelming.

The SBA also conducts the Orientation Program for incoming students. Format this year will include workshop sessions, a student organization handbook, and a picnic. The Homecoming and Spring Dinner Dance weekends remain on our sponsorship calendar.

While it may sound as if we have everything under control, there are areas for great improvement. (As Queen Christina once remarked, "It

is necessary to surpass one's self always; this occupation ought to last as long as life.") Indeed, students have their share of difficulties. We need and desire practical legal experience. However, our excellent Placement Office cannot possibly fill all the student requests for legal employment—especially for the summer months. (I might add here: What more efficient way is there to save office expenses than by hiring student law clerks? Many hands and minds make light work!)

Other problems are equally obstructive of the best possible legal education which our school can (and should) offer. Three areas in particular come to mind: 1.) library facilities; 2.) minority enrollment; and 3.) class size.

As Dean Kimball shared with many of you in his annual report at the Alumni Luncheon on April 22nd, our library facilities are woefully inadequate for a school our size. I can only re-emphasize the Dean's comments. Students feel the pinch. There are not enough copies of the basic reference works. Our research materials (books, theses, loose-leaf services, etc.) could be greatly expanded. We are in a crunch for study space. Our library doesn't even approach the ALSA minimum library study-space requirements.

Minority student enrollment, under the Legal Education Opportunities Program (LEO), was highlighted during the Spring Program. This worthy project is in a serious financial crisis. The Program desperately needs additional funding. We must support our present LEO scholars and push for increased future minority student enrollment. Today there are 26 men and women enrolled under LEO—less than 3% of our total law school population. The presence of students from all life experience perceptions enriches the quality and relevance of legal education. Our school will suffer a serious setback if LEO is forced to cut back its financial support of needy students.

Class size is a product of the tremendous demand for legal education. Pressure for open admissions is hard to resist. Our school is packed

with nearly 900 students. A new law school is needed in this state, but, for the present time we must make the best use of our existing facilities. Budget restrictions impose harsh burdens on allocation flexibility. Our Dean is working in a strait-jacket unless the school can procure additional funding for new law teachers and increased salary levels for current faculty. Our school does not fare well in the highly competitive job market for good quality teachers. Even though we have done an outstanding job in attracting highly competent first-year teachers, their bodies have only filled vacant chairs. They have not added to the total faculty strength. Meanwhile, the student/faculty ratio trend remains the same—it is increasing at an alarming rate.

The Dean is taking positive steps to alleviate these and other problems. But this does not remove the startling fact that the difficulties remain. We cannot minimize our predicament. By pitching in together we can work wonders. An extra dollar during the alumni fund-raising drive, an extra job placement for a student during the summer, continued words of moral support and active concern—these are the little things that go a long, long way on the road to greater excellence.

Alumni support for the law school is gratefully acknowledged by students, faculty and administration alike. Those of us in the student body hope to follow in your generous footsteps. Through your continued and increasing support our school is enabled to make its programs and facilities more attractive to undergraduate students, law faculty and potential employers throughout the nation. At the same time, the quality of graduating students will remain at, and climb from its already superb standard.

If there are questions or criticisms of student government policies or practices, please drop us a line, c/o Student Bar Association. We welcome and encourage communication. Thank you.

Stephen D. Brown  
SBA President

Last year I spoke to you about some of these same problems, and then told you I would be asking the Chancellor to appoint a special committee to view the problems of legal education in the state as they appear from the vantage point of this school. The Chancellor appointed such a committee, including our Alumni President, a member of the Supreme Court, three administrators, two faculty and two students. That committee is about to report to the Chancellor, who will in turn report to the President's office for transmission to the Board of Regents. The conclusion we have reached is that the best solution for the problems of legal education lies in the creation of a second state law school. I do not wish at this time to present you with the arguments leading to that conclusion, nor with other details of the Chancellor's Committee's report, but the general direction of the committee's thinking has become fairly widely known, and for that reason I mention it here. The report will be made formally within a few weeks. Just how serious the problems of the Madison law school will be in the next few years depends in large part on whether the pressures of size are relieved by creation of another school. Even if we retreated to our 1968 size, however, we have problems enough to keep my successor busy for his first five years. I wish him luck!

*Spencer L. Kimball*  
Dean

**RESPOND TO YOUR  
CLASS AGENT'S  
GREETING —**

**SUPPORT THE  
LAW SCHOOL FUND**

## **ALUMNI STAFF THE CLINICAL PROGRAM**

Alumni, along with students and faculty of the Law School, are working in a Clinical Program which is aimed at making legal education more relevant.

Fifty-five third year students have participated in this past semester's program, working with practicing attorneys in state agencies, county and federal judges, and legal service programs. Most of the attorneys and judges who supervise the students are alumni of Wisconsin.

The students get involved in almost all phases of legal activity in their placements and have the opportunity to relate their work to their regular academic studies. Up to four credits a semester can be earned in the program.

Several members of the faculty helped with the program as well, providing counsel and assistance. One faculty member is assigned to work with the students in a particular placement. They meet periodically with students to discuss their activity and any problems which may arise.

Prof. George Bunn directs the program for the Law School. He gave some examples of what students do in the program:

"Students are being exposed to and participating in a wide variety of legal work. They get involved in all sides of issues and cases.

"In one case recently decided by a Dane County judge a clinical program student helped the prosecuting attorney from the District Attorney's office prepare the case against the accused. Another student in the program helped the public defender from Dane County Legal Services defend the accused while a third student did legal research for the judge who decided the case and provided assistance to him during the trial.

"In other areas, a clinical program student helped Wisconsin Judicare prepare the lawsuit now pending before Federal Judge John W. Reynolds which challenges the Wisconsin property tax statutes

which affect the amounts received by each school district for public education," Bunn said.

"The allegation in the suit is that the statutes produced unequal amounts of money per student. Rich districts under the present tax structure have more money per student than poorer districts.

"Another student in the Clinical Program is analyzing the many Wisconsin statutes which may be affected by the recently-enacted state statute giving 18 year olds the rights and responsibilities of adults."

The program was started in 1969 under a grant from the Council on Legal Education for Professional Responsibility and came because of the belief of faculty that experimentation was needed in providing clinical experience during law school. For decades students have expressed some dissatisfaction with academic legal work. The faculty debate surrounding the program continues to question whether the program has sufficient academic value to justify doing it on a large scale. The students involved believe their experience to be exciting and worthwhile.

Many members of the faculty believe that student criticism of second, and especially, third year legal education has merit and that clinical experience is valuable. The Clinical Program is not being offered as the only answer to the perceived problems, but as a technique to be used along with others. If it is ultimately concluded that it is a sound approach it will help make legal education more relevant both to student needs and current legal practice.

Plans are being made to continue the program and expand it. Prof. James E. Jones is setting up a placement which will provide student help to the state's Department of Labor, Industry, and Human Relations in its work with equal employment problems.

Prof. Jones has obtained federal funds to assist the state in strengthening its efforts to provide equal employment for blacks, women, Indians, and chicanos.