

THE GARGOYLE

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ALUMNI BULLETIN OF THE UNIVERSITY OF WISCONSIN
LAW SCHOOL

Return address:

The Gargoyle

Law School
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Madison, Wisconsin 53706

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Dear Alumni and Friends,

I take over as Dean with humility. I know this is a great law school and that it has had many distinguished Deans. I know that a Dean's role is a limited one and that the quality of the school depends on its faculty and students. I know that the budgetary problem now facing the school is severe.

That problem is still our most difficult. The school has grown 60% in students over the last five years with only a slight increase in faculty. We have 950 students this fall with a faculty of 35 full time equivalent teachers (including part-time professors and lecturers at their proportional rate). Last year we had 900 students and 32 full time equivalent teachers. Five years ago we had 600 students and 32 full time equivalent teachers.

Faculty teaching loads have increased 30 to 40 percent in the last five years. Our classrooms are so crowded we have had to turn away some students from some basic courses—Constitutional Law, Corporations, Evidence, and Real Estate Transactions. Our largest classes range from 150 to 190 students. The library has insufficient seating space for the number of students to meet accreditation standards.

Last spring the school's Board of Visitors and its Alumni Board of Directors concluded that the "biggest need of the law school at this time is for additional funds to enable the law school to improve its student-faculty ratio." A joint American Bar Association-Association of American Law Schools accrediting inspection team concluded the school "now appears not to be in compliance with that part of Requirement 4 (an Association of American Law Schools accreditation standard) calling for a faculty of 'suitable size'" because of the large number of students for the size of the faculty. The accredita-

tion team recognized two solutions to this problem: to reduce enrollment, or to increase the number of teachers. Its report concluded:

"The only really feasible solution in the face of the high demand for legal education is for Wisconsin in some manner to fund approximately 13 more faculty positions."

Just recently a citizens committee appointed by U.W. Executive Vice President Leonard Haas concluded that the state's need for additional lawyers was not such as to require a new state law school at this time. A majority of the committee are alumni of this Law School, including:

Philip S. Habermann
Executive Director
State Bar of Wisconsin

Walter B. Raushenbush
Professor of Law
Univ. of Wis.-Madison

James R. Pleyte, Counsel
Bureau of Collection and
Deportation
Wis. Dept. of Health and
Social Services

Warren H. Resh
Special Counsel
State Bar of Wisconsin

John D. Winner
Jasper, Winner, McCallum
and Sauthoff

Judge Vel Phillips
Milwaukee County Child-
ren's Court

Charles J. Stathas
University Counsel
Univ. of Wis. System

While not recommending a new law school, this committee, by a unanimous vote, urged that this Law School continue to enroll around 900 students for the time being. It also concluded that "present levels of funding are insufficient to enable the Law School to effectively meet its obligations to students, retain faculty and maintain its high national standing."

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Dean Bunn

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Cover by Richard S. Klipsic	

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Dean, Continued

Last spring, with the help of the reports from the Visitors-Alumni Boards and the ABA-AALS accreditation team, we received enough more money for five young teachers. The money came too late—after the hiring season was over—to be used this fall for regular teachers. We are using much of it to compensate members of the bar who have pitched in to help on a temporary basis as lecturers.

In the preparation of the school's budget for the two years beginning next July, we were required to plan for a 7.5 percent cut—which will wipe out about three of the five vacant positions gained last spring. We have, of course, requested the increased funds necessary to add to our faculty at least the thirteen new teachers recommended in the accreditation report. The Board of Regents approved much of our request. But, in this year of taxpayer revolt, the experts are predicting a decrease rather than an increase as the result of the budget review by the Governor and the Legislature.

I seek your advice and help on how to deal with this, the school's greatest need at this time.

Sincerely,

George Bunn
Dean

THE GARGOYLE

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Ruth B. Doyle, editor
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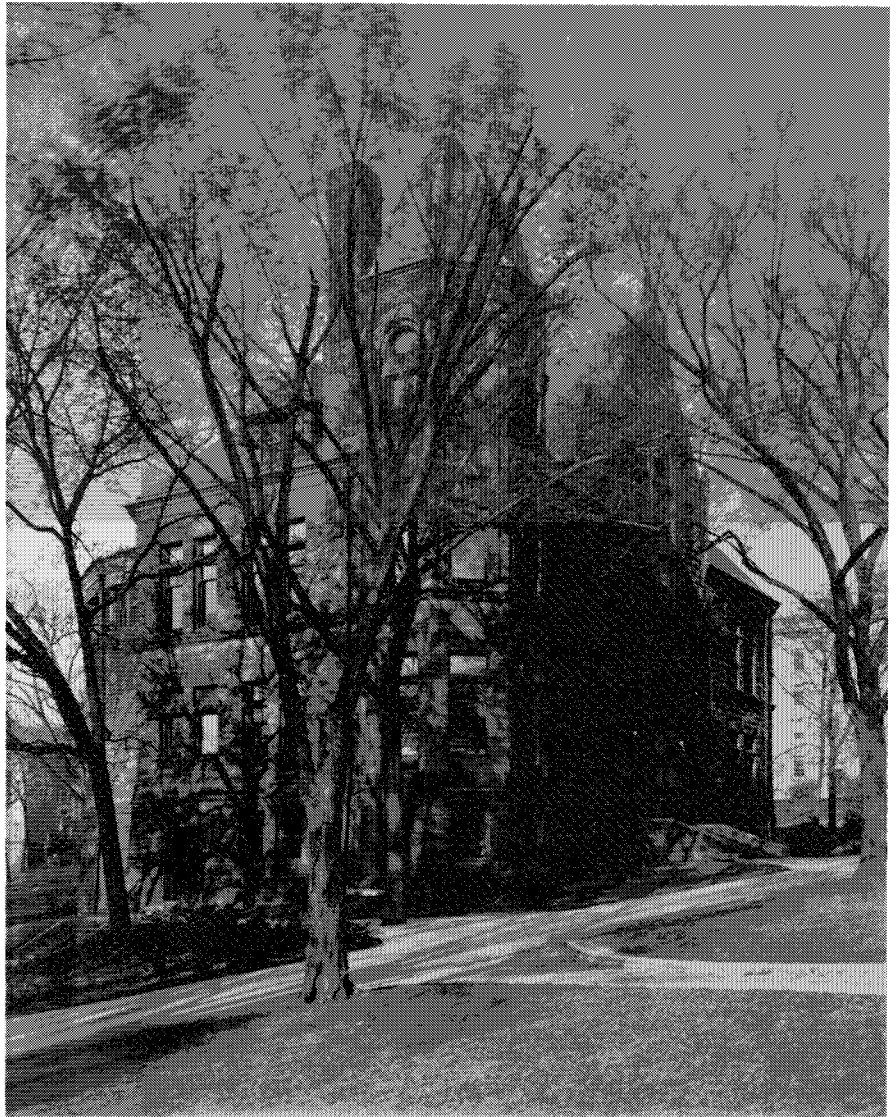
THE GARGOYLE

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Season's Greetings

GARGOYLE IN WASHINGTON

TWO AMONG MANY FASCINATING ALUMNI

A recent report of the ABA Task Force on the future of the Legal Profession indicates that in Washington, D.C., there is one lawyer for every 47 persons. Many of these are Wisconsin alumni. What follows is the career stories of just two of them.

* * * * *

During the last part of October, the *Gargoyle* had an opportunity to visit on their home ground (Washington, D.C.) with two distinguished alumni—Ernest Feidler, '34, and Ed Garvey, '69—both involved in law-related occupations, necessary and important work, but not the traditional practice of law. On the face of it, they have little in common, so different are they in age, background, and careers.

Yet they share with many other Law School alumni the fact that they got started professionally through association with Professor Nathan P. Feinsinger. Mr. Feidler's first job when he graduated from Law School was assisting Prof. Feinsinger with a text book revision; Mr. Garvey's first job, and his present appointment, can be traced to his close association with Prof. Feinsinger.

* * * * *

It was Professor Feinsinger who suggested to the National Football Players Association that it retain the law firm of Lindquist and Vennum, Minneapolis, as counsel.



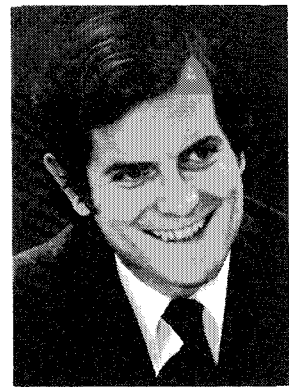
Nathan P. Feinsinger

Ed Garvey, newly associated with the firm, assisted Leonard Lindquist with that initial representation. In April, 1970, he became Executive Director of the Association, a labor union, to which almost all of the players in the NFL belong. Since that time, he has been a devoted partisan of the players against the owners, and what follows is his view of the relationship, and that of the Association for which he speaks. His job is the dream of a boy too small to play football himself. It is also a great responsibility and a gruelling, difficult, uphill job.

* * * * *

Currently preparations are being made for the negotiation of a new agreement to be effective in 1974, with the 26 owners of National Football League teams. The initial agreement, which will be revised, was adopted in 1971, only after the NFL-AFL merger made it possible to organize one strong Players Organization, after the certification of the Association as exclusive bargaining agent by a National Labor Relations Board election, after charges were filed by the Association that the owners refused to bargain as directed by the NLRB, after a lock-out (so termed by the owners themselves) and after a players' strike in July, just before the opening of summer training camps, in which all but 8 contract players walked out. This strike stunned the sporting world, and permitted for the first time the general public to become aware of many of the areas of conflict between the professional football players and the owners of the National Football League teams.

* * * * *



Ed. Garvey

The National Football Players Association is built around its player representatives—one per team—its Executive Committee, composed of the officers and a few others, and its professional staff of a half dozen, including Ed Garvey and Richard Berthelson, a Law School classmate of the Executive Director (1969), who is Assistant Director. The Association plans its first general membership meeting next year. The University of Wisconsin, and the Law School, play a crucial role in the leadership of the organization. Two Law School graduates, Ken Bowman (Class of 1971), a member of the Green Bay Packers, and Pat Richter, Madison, (Class of 1971), a former long-time member of the Washington Redskins, are members of the Executive Committee. Jim Bakken, a Wisconsin graduate, also a Madison native, and an old-time member of the St. Louis Cardinals, was the president of the NFL Players Association at the time the two Leagues merged. Professor Feinsinger continues as a Consultant to the staff, particularly in matters relating to the relations between the Association and the NLRB.

As the Association grows and matures, it becomes more unified, and morale in the membership, according to Garvey, is good. There is, for example, no Black Caucus, since black and white players share equally in the leadership. The President, John Mackey, is black, and so are several of the Executive Committee members. Many of the player representatives are also black.

The growing strength and unity of the Association can be attributed in part to the fact that the prestigious and experienced players—who have little to gain in individual terms—participate so fully in the Association's activities, helping to establish the professional status of the young and inexperienced.

* * * * *

In addition to negotiating the basic agreement, the organization is deeply involved in the many problems connected with establishing itself as the spokesman for the workers in an industry in which they contend that they have no control over any aspect of their lives, once they decide to make football a career. For example, the Association maintains that college football players have no voice about participating in the draft. If, during the 17 rounds of choice by the 26 teams, a player is selected by a team, and if he does not agree to the terms offered, or wishes to play with another team, he cannot play football in the United States. Before the merger of the Leagues, Mr. Garvey points out, a particularly promising player could choose one League or the other. Now even that limited alternative is denied him. He is not, according to Mr. Garvey, even given the opportunity of declaring in advance that he wishes to participate in the draft at all.

The negotiated agreement contains the minimum salary schedule, which is \$12,000 for rookies and \$13,000 for veterans. Beyond the minimum, individual salaries are subject to negotiations between player and owner. Players on the minimum scale, which is most of them, (the average salary is \$18,000 per season) soon learn that the salary is paid only if the player is available for each game; an ill or injured player has a pro-rata deduction from his pay for each game missed.

A player may sign a three year contract which binds him for three years, but the owner is not bound, and the player's services can be

terminated at any time. Ed Garvey's advice to any potential rookie: get a lawyer. A majority of the players under contract never earn pension rights, since the average professional career is only 4½ years.

Mr. Garvey points out that individual contracts provide no due process for the handling of grievances. The NFL Commissioner, who is paid by the owners, has been given the job of mediating differences between individual players and the owners, although, of course, originally his role was to mediate disputes between owner and owner. The Association asserts that individual contracts provide no job security whatever, and any player can be fired or assigned to another team at any time. The League's Constitution and By-laws, with all their amendments, are incorporated by reference into each contract, and often a player is uninformed that the by-laws specifically prohibit the right of appeal, according to the Association's leaders.

Individual grievances of players for violations of contract arrangements, particularly after injury, occupy much of the time of Mr. Garvey and his staff, as they attempt to implement the grievance procedure established in the initial Agreement. During this past year, 14 of 18 grievances resulting from injuries have been decided in favor of the players represented by the Association.

Larger, more general problems require serious and detailed study. The Association claims as one of its victories a plan for standardized, thorough physical examinations; admittedly the victory was won after the death of a player in a game last year.

Pay for pre-season practice and exhibition games is a continuing source of contention, and will be dealt with in the 1974 negotiations. Rookie players receive nothing for pre-season games; they receive no salaries, only small expense accounts for pre-season practice. The per-game payment rises with experience to about \$350 per game

for the player with five years or more. Each player, no matter what his status is, or how many years of experience he has, has his job on the line each year. Most teams start out with 80-100 players, necessitating many cuts when the teams are reduced to their legal size, 47.

The Association has been conducting studies on the dangers to players of the artificial turf which covers several fields in the NFL stadiums. The resulting contention is that injuries to the knees result from the inflexibility of the surface, and that many players sustain severe burns from skin contact with the turf.

The NLRB has just ruled, after a hearing that lasted three days, that the question of artificial turf is one which is negotiable between the owners and the players' union.

The Association, along with player groups in all professional sports, worked hard and successfully to secure exemptions for players from both phases of the Federal wage controls.

The Association is currently engaged in a Class Action in the federal district court in Minnesota dealing with the option clauses.

A team has an option on the services of a player for one year beyond the end of his contract. If it chooses to exercise its option, the player must remain with the team at 90% of his previous salary. If the option is not exercised, the player becomes a free agent, available to make a deal with another team. His home team must be compensated by the other team for his services—either by trading a player or by cash compensation. If agreement is not reached between the two teams, the amount of compensation is fixed by the Commissioner. It is the contention of the Association that the Commissioner's settlements (which are final and non-appealable) are so exorbitant as to prevent the movement of the "free agents". Team owners avoid these negotiations, since the Commissioner establishes compensation after the new contracts are signed. In

one recent case, for example, a team was required to give up its number 1 draft choice as compensation for signing a free agent.

The suit contends that this procedure prevents the movement of free agents. Last year of 39 free agents, only 2 were placed with other teams; 37 were forced to return to their old teams at reduced salaries, or leave the profession.

All of these efforts, just beginning, must conquer the rigid control of the 26 NFL owners—most of which are one man, or small corporations. The profits are enormous; each team's net after taxes and all expenses averages \$1,700,000 per year, much more the entire amount paid out for salaries and benefits to the players.

Franchises for new teams are currently being offered to new owners for amounts up to \$15,000,000 each, the proceeds to be divided equally among the team owners. Despite this cost, new teams will be established, so profitable has professional football become.

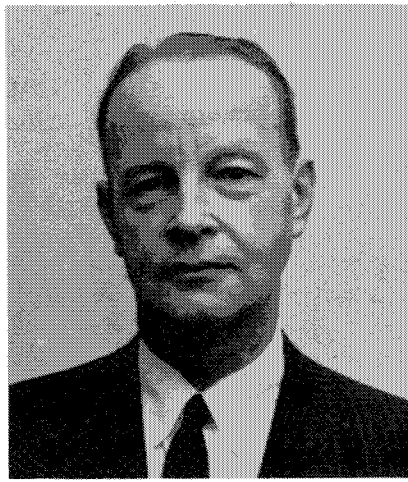
The Association feels that certain players are blacklisted, that those who have been active in its efforts are discriminated against.

Continued on page 14

* * * * *

Although he appears young and vigorous, *Ernest Feidler* ('34) is twice retired: he is a retired Rear Admiral in the Coast Guard and retired Secretary and General Counsel of the National Gallery of Art.

It's a long road from Superior, Wisconsin to the Army and Navy Club in Washington, where the interview took place. The story covers nearly 40 years. It started when he graduated with honors—a member of Coif and an editor of the *Law Review*. After his brief experience in the textbook revision with Nate Feinsinger, and a year as a Sterling Fellow at the Yale



Ernest Feidler

Law School, he joined the Treasury Department in Washington in 1935.

All of his subsequent career stems from his association with the Treasury. He is not a sailor; nor is he an artist—or even a collector, except for what he describes as a modest collection of Chinese porcelains. He is, in fact, a Treasury man.

* * * * *

Alexander Hamilton founded the Coast Guard when he was Secretary of the Treasury. It is still a part of the Treasury Department, although it becomes a corps of the Navy in time of war. Mr. Feidler's Coast Guard service included tours of duty in the Mediterranean and North Africa during World War II, after which he remained in the Coast Guard Reserve when he returned to the Treasury at the end of the War. He was called back to active duty in the Korean War, between 1951 and 1954. During part of that service, he was Acting Judge Advocate General of the Coast Guard. During the rest of it, he served as the Coast Guard aide to the Secretary of the Treasury. His responsibilities included being a member of the Senior Staff of the National Security Council. The Secretary acted as a member of the National Security Council, and the Senior staff was composed of aides who briefed the members and administered the work of the Council. His long service culminated with

his retirement as Rear Admiral—the ranking senior reserve officer in the Coast Guard.

It was during his early years in Treasury that he became acquainted with the Mellons. When the National Gallery was established by an enormous gift from Andrew Mellon in 1937, the Secretary of the Treasury was designated by statute to be one of the Trustees. Mr. Feidler's legal services to the Secretary included many of the legal questions involved in the establishment and maintenance of the National Gallery. In 1946, he was selected to be Secretary and General Counsel of the Andrew Mellon Educational and Charitable Trust, a post he held until he was recalled to active duty in 1951.

The Andrew Mellon Trust was a very large foundation for its day. During Mr. Feidler's employment there, it was involved in many projects—the most notable of which was the school of Public Health at the University of Pittsburgh, which was established by the Trust after a large group of Pittsburgh citizens were consulted at length about community needs. It was in this institution that Dr. Jonas Salk developed the polio vaccine.

Despite their long-time commitment and great monetary investment in the Republican Party, the question of his politics (liberal) was never raised by the Mellon family. In fact, Mr. Feidler recalls that when Andrew Mellon made his offer of the Gallery to President Franklin Roosevelt, he specified that it not be called the Mellon Gallery, lest others be discouraged from making contributions to its collections.

The Mellon Charitable Trust is set up to liquidate by 1987. Other Mellon Foundations have been established by the children of Andrew Mellon.

He became associated with the Gallery in 1954. It was a natural association, considering his Treasury experience and his service to the Mellon Trust. The Gallery is administered by a committee com-

posed of an Administrator, a Director, and a Secretary-Treasurer. Contrary to the general view that administration by Committee creates chaos, Mr. Feidler declares that the Committee works well at the Gallery. He was for a time the Administrator, and, for the last few years, the Secretary-Treasurer and General Counsel. A Board of Trustees established by Congress makes the policy decisions under which the Committee operates.

The Gallery has grown and grown. Great collections such as the Kress and the Weidner, and large gifts of money have made it one of the great galleries of the world. It entertains one and a half million visitors a year.

The work for a lawyer-administrator in a museum is full of challenges. Mr. Feidler counts as one of the greatest experiences of his life his six year negotiation with Prince Franz Joseph II of Lichtenstein for the only painting by Leonardo da Vinci which reposes in the Western Hemisphere. The purchase, for which the money was provided by Andrew Mellon, Jr. and Ailsa Mellon Bruce, was concluded for just under \$5,000,000, although the original asking price was twice that amount. Six trips to Lichtenstein were required. A painstaking examination preceded delivery of the picture. Mr. Feidler himself brought it home, carefully wrapped in Saran wrap, reposing in a styrofoam-lined suitcase, which occupied a window seat on a Swissair commercial flight. He carefully monitored the temperature and moisture in the suitcase all the way.

The painting, a portrait of Ginevra de'Benci, wife of a Florentine nobleman, was completed by Leonardo about 1480. It is 15½ inches high and 14½ inches wide. It is believed that a portion of the painting was cut from the bottom, probably after it was damaged by moisture.

The Lichtenstein collection is the largest private collection of paintings in the world. It was established by the family in the seventeenth century and contains approximate-



Ginevra de'Benci

ly 1500 paintings and is valued conservatively at 150 million dollars. Occasionally, in recent years, Prince Franz Joseph has sold a painting to pay current expenses and debts.

Although he acquired two other pictures from the Lichtenstein collection (a Rubens and a Gentileschi) Mr. Feidler considers the Leonardo his greatest acquisition. There are only seventeen paintings by Leonardo da Vinci in existence. The Ginevra is, in Mr. Feidler's opinion, the best preserved. All of Leonardo's paintings are on wood,

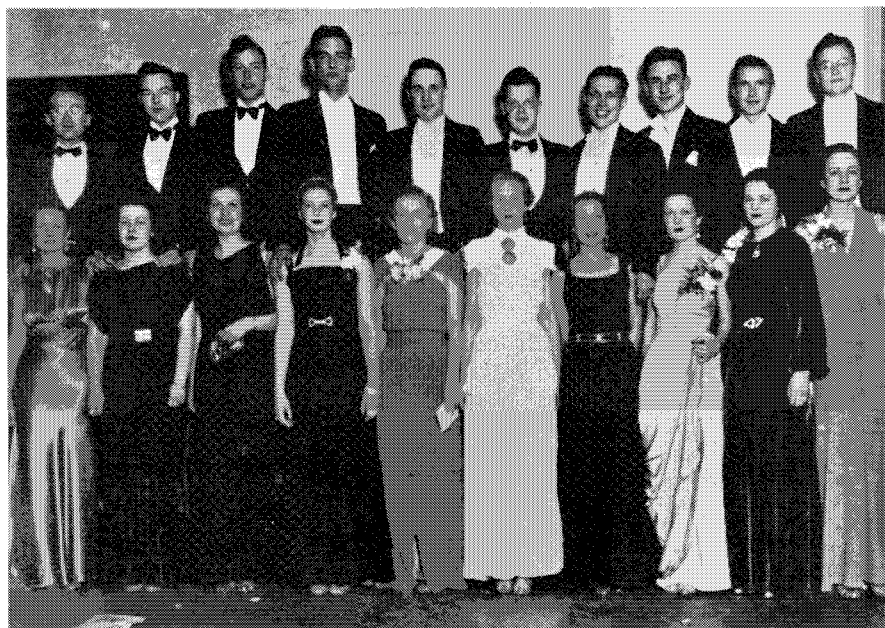
this one a single piece of Italian poplar, 3/8 of an inch thick. Because he painted designs on the other side, the wood is well preserved.

During his years of service to the Gallery, Mr. Feidler instigated a scientific detection system, which can date a painting by the kind of lead used in the paint. It is now also possible to measure the radioactivity of lead, to decide whether a painting is new or old.

Tax laws until recently made it

Continued on page 14

WHERE WERE YOU ON THE NIGHT OF THE LAW BALL IN 1936?



DO YOU RECOGNIZE THESE PEOPLE? LET US KNOW

Photo courtesy of Gerson Gluck, '36, Waukegan, Ill.

Garvey, Continued

The spade work is just beginning; Mr. Garvey feels that the Association has a long way to go before professional football becomes in fact a profession, in which a player's skill and motivation become the chief ingredients of his success.

Ed Garvey doesn't know how long he will stick to football. Before he became Executive Director he had a variety of important experiences. After a year as President of the Wisconsin Student Association, he was elected one of the early Presidents of the National Student Association. He served two years as an Army officer, (Fort Gordon, Georgia and the Pentagon), and just prior to coming to Law School, spent a year as the Secretary General of the International Student Conference, with offices at Leiden in the Netherlands. There were 350 delegates to the Conference, chosen by student groups in 75 countries; his duties were semi-diplomatic in nature. In Law School he served as one of

the editors of the Law Review, and was elected to Coif.

He and his wife, who are the parents of three young daughters, enjoyed Minneapolis and have kept their home there, hoping to return some day. In the meantime, life for Ed Garvey carries such heavy responsibility that he can't look ahead very far.

* * * * *

Feidler, Continued

more profitable for a wealthy collector to give his paintings away, rather than to sell them. Mr. Feidler has participated in the establishment within the Internal Revenue Service of a means, by use of experts, to evaluate works of art which have become tax exempt gifts.

Reputable and well known dealers usually provide a warranty of title to the purchaser of a painting. The danger of receiving stolen works is slight in such a well-known museum since the works

purchased are always well-known in the art world.

His best legal training and talents were often needed to understand and comply with the 30-40 different systems of export controls in operation in the countries from which art works were acquired during his time at the Gallery.

So, what of his retirement? For one thing, he is treasurer of the American Museum Association, a time consuming task. He acts as consultant to newly established museums, such as the Museum of Ceramics which the Carbarundum Company is now developing. He serves on the Museum Association accreditation teams, and recently evaluated the Metropolitan Museum in New York. It "passed," he said.

In the last two years, he and his wife, Lydia (Keown, from Madison) have travelled to Africa, Central America and Mexico. They plan to continue to travel. They plan to continue their association with the arts. It is a pleasant existence.

* * * * *

New Law School, Continued

same training, it will not do to deny them by use of too-limited or too market-oriented notions of the nation's need (or Wisconsin's) for those educated in law.

"Ultimately", Professor Rauschenbush concluded, "the Regents and Legislature must decide what the University and the State can afford, and what shall have priority . . . legal education should have very high priority. In the coming years, graduates of many disciplines . . . may find themselves part of an over-supply in their specialty. Law graduates may be among them . . . But we will surely want to preserve some (though not complete) freedom for our young people to choose which over-supply they will join, to select the arena in which they'll compete for a place. Law, the field for the trained problem-solver and the main entryway to our nation's leadership cadre, must be among the arenas fully open to those qualified."

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FINANCIAL AID IS BIG BUSINESS

Scholarships awarded to Law students for 1972-73 amounted to almost \$151,000, an increase of 37% over 1971-72. The total includes non-resident tuition remissions valued at \$51,720 and cash awards of \$99,255. Of this cash amount, \$64,300 was divided among 155 students, and \$34,956 was awarded to 35 students in the Legal Education Opportunities Program. Only 42 first year students were awarded scholarships by the Financial Aids Committee; of these, 17 are participants in the LEO program.

The average scholarship was \$600; the median \$300—both up a little over 1971 - 72. Although awards to entering students are based on promise of academic achievement as well as need, those to continuing students are based on need only.

* * * * *

Scholarships are a very small part of the financial aids picture. All law students with need for aid borrow. In 1972-73, in addition to scholarships noted above, about 360 students borrowed about one half million dollars, through the National Defense Student Loan Program, and the Wisconsin Higher Education Aids office. This is an increase of about \$50,000 from 1971-72. It is estimated that 60 students have secured federally guaranteed loans through their local banks, but since these arrangements are made directly with the banks, and verified through the University Office of Financial Aids, the Law School has no record. The number is larger than in any previous year, because of new regulations about the establishment of self-support, which have prevented many students from qualifying for National Defense Student Loans.

* * * * *

The Wisconsin Law School is not unique in its heavy dependence on loans for financial assistance. Only Harvard, among a number of law schools recently surveyed, tries to offer one-half of the need in scholarship and one-half in loan. All others offer, as does Wisconsin, 75-80% in loan. A number of law schools offer in scholarship no more than the amount of tuition and books.

Most law schools have special financial aids for minority group students. This is true at Wisconsin, where almost \$54,000 in cash and non-resident tuition remissions was allocated to the LEO program. All of the cash was contributed by alumni and friends of the Law School, some of it in the form of earmarked gifts to the Law Alumni Fund, and some of it through the budget authorized by the Board of Directors of the Wisconsin Law Alumni Association.

* * * * *

Even with the great increase in loans and scholarships, it is estimated that almost 200 students had financial need which was not completely met. It is also estimated that 18 students of high academic promise did not come to Wisconsin because it was not possible to provide sufficient financial assistance.

* * * * *

In some states, such as Colorado and Connecticut, the state government provides cash grants, or tuition remissions to state residents attending law school. In Wisconsin, no public funds are used for law school scholarships.

Scholarship funds awarded to Wisconsin Law students come from funds established by special gifts and bequests to the Law School, among which are:

Affeldt Scholarship
John P. Andersen Memorial Fund
Benchers
Burlingame Memorial Scholarship
Jacob H. Beuscher Fund
George Cleary Fund
Davies Trust
Detling Fellows-in-Law
Carl E. Dietze Scholarship Fund
Foley and Lardner
Hagenah Fund
Hagenah Special Fund
Knapp Scholarship Fund
Legal Education Opportunities
Scholarship Fund (LEO)
Massing Trust Fund
Olwell Law Scholarship
Orvis Fund
Otjen Scholarship Fund
Seaman Fund
Max Shapiro Memorial Fund
Shaw Fund
Smalley Memorial Scholarships
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Wisconsin Title Company
Jacob H. Beuscher Memorial
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Scholarships
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**THANK YOU FOR YOUR
NOTE. WE APPRECIATE
YOUR INTEREST AND YOUR
CONSTRUCTIVE SUGGESTIONS.**

GARGOYLE

SUPPORT THE LAW SCHOOL FUND

THE GARGOYLE

LAW ALUMNI FUND DRIVE UNDER WAY

More than 5200 letters to alumni soliciting contributions to the 1972 Law Alumni Fund were mailed the last week of October. The preliminary results have been encouraging. Follow-up by regional directors will proceed during December, to give every alumnus an opportunity to earn a tax deduction during 1972.

Each year, alumni are contacted by Class agents. The scholarship winners received a letter from Mr. George Cleary, Class of 1913, of Cleary, Gottlieb, Steen and Hamilton, New York. The general mailing, for many alumni, serves as a reminder.

General Chairman of the 1972 drive is Glen R. Campbell, '51, Janesville, who is President of the Wisconsin Law Alumni Association. Members of the National Committee Alumni Fund Drive are:

Glen R. CAMPBELL
Chairman
Janesville
Thomas H. BARLAND
Vice-Chairman
Eau Claire
George E. CLEARY
Scholarships Vice-Chairman
New York
Robert L. CURRY
Class Agent Vice-Chairman
Madison
Thomas E. ANDERSON
Waukesha
Walter M. BJORK
Madison
Stephen BROWN
Student Bar Association President
Walter H. BRUMMUND
Appleton
George BUNN
Dean
Carroll B. CALLAHAN
Columbus
Irvin B. CHARNE
Milwaukee
Lester S. CLEMONS
Milwaukee
Glenn R. COATES
Racine

Lawrence A. COLES, Jr.
Chicago
Patrick W. COTTER
Milwaukee
Jacob F. FEDERER
Sheboygan
Ernest R. FEIDLER
Washington, D.C.
Nathan P. FEINSINGER
Faculty
John W. FEITZNER
Hudson
Leon FIELDMAN
Chicago
Sheldon I. FINK
Chicago
Henry J. FOX
Washington, D.C.
Edward R. GARVEY
Washington, D.C.
Robert H. GEE
Superior
Laurence C. HAMMOND, Jr.
Milwaukee
Horace T. HARRIS
Madison
Robert D. JOHNS
La Crosse
Bruce Alan MANN
San Francisco

Floyd McBURNEY
Madison
John McCAY
Student
Mac A. McKICHAN
Platteville
Joseph A. MELLI
Madison
John C. MITBY
Green Bay
W. Perry NEFF
New York
Carlisle P. RUNGE
Faculty
John E. SHANNON, Jr.
Stevens Point
Warren STOLPER
Madison
John C. TONJES
Fond du Lac
Paul VAN VALKENBURG
Minneapolis
Ralph von BRIESEN
Milwaukee
Francis J. WILCOX
Eau Claire
Norma G. ZARKY
Los Angeles
Walter B. RAUSHENBUSH
Secretary—Madison
James B. MacDonald
Fund Director—Madison
Richard Z. KABAHER
Fund Director—Madison

STATEMENT OF ANNUAL DUES

WISCONSIN LAW ALUMNI ASSOCIATION

UNIVERSITY OF WISCONSIN LAW BUILDING • MADISON, WISCONSIN 53706

JANUARY 1, 1973 - DECEMBER 31, 1973

PLEASE NOTIFY US IF THE ABOVE ADDRESS IS NOT CORRECT
PLEASE RETURN COMPLETE STATEMENT

Check one only

GRADUATES PRIOR TO 1968:

- WLAA Membership only ☐ \$6.50
— WLAA Membership and LAW REVIEW ☐ \$10.00

GRADUATES in 1968 and thereafter:

- WLAA Membership only ☐ \$3.50
— WLAA Membership and LAW REVIEW ☐ \$7.00

LIFE MEMBERSHIP in the WLAA and WISCONSIN LAW REVIEW for life

☐ \$200.00

(\$150 to Alumni 65 Years or Older)
(\$100 to Alumni 75 Years or Older)

LAW ALUMNI FUND

Contributions to this Fund are always welcome and are tax deductible. If you wish to include a contribution with your annual WLAA dues, please indicate here the amount of contribution.

\$ _____

SEIZE THIS OPPORTUNITY!
JOIN THE WISCONSIN LAW ALUMNI ASSOCIATION
IN 1973
JUST PUT YOUR NAME AND ADDRESS IN THE BOX-CLIP, ENCLOSE CHECK AND MAIL

WHAT DOES THE FUTURE HOLD?

FOR LEGAL EDUCATION

During these past few months much effort has been devoted, not only here, but elsewhere, to the attempt to predict the future—the future of legal education, the future of the profession. Both of these, of course, are bound in larger speculation—the future of the economy, the growth of the population, the increasing education of the people, the growing awareness of individual rights. All of these developments, and the changes which are now occurring in America create a complexity of life in which lawyers will play a crucial role. Law schools are deeply involved, because the only way to become a lawyer in the United States is to go to law school first.

The problem is that all the study so far has produced many more questions than answers, and in the midst of uncertainty, the Law School must proceed.

* * * * *

Within the context of the larger questions, some understanding can be developed through an analysis of the admissions to the Law School in September, 1972, and the career choices made by the Class of 1972.

The report of the New Law School Study Committee appointed by the Board of Regents to consider and advise the Board on the proposal to establish a second public law school in Wisconsin is also relevant.

* * * * *

The Admissions Picture

The 290 members of the Class of 1975 who started Law School on August 21, were selected from 2300 applicants.

FOR THE GRADUATE

The class contains 55 fewer students than the class admitted in 1971 and 45 fewer students than enrolled in 1970. The cut-back resulted from a better method of estimating the proportion of the students accepted for admission to the Law School who will actually enroll in the entering class. In both 1970 and 1971, the number of those accepting admission represented a much higher percentage of those offered admission than any previous experience would have predicted. As a consequence, we overshot the mark of 290 students in the entering class by over 40 in both 1970 and 1971. The higher admissions in 1970 and 1971, coupled with the markedly higher retention of continuing students, has produced an enrollment of JD candidates of 950 and a total enrollment of more than 1000, including a few SJD candidates and a scattering of graduate students taking law courses for degrees in other fields.

Almost 23% of the members of the new class are women, bringing the number of females in the Law School to 143, about 1/7 of the total enrollment. The 64 women enrolled for the first time were selected from 290 female applicants, a much larger percentage than that of male applicants selected, 23% compared to 11%. Since no different admission criteria were used for male and female applications, it appears that many very well qualified women are preparing themselves to enter the legal profession. The increase in the proportion of women to men is demonstrated by the fact that 45 of 345 enrollees (about 13%) in 1971, and 36 of 335 (a little over 11%) enrollees in 1970 were women.

The class of 1975, by design, has a much higher percentage of

Wisconsin residents than in previous years. About 20%, only 59 first year students, are nonresidents this year, compared to 31 to 33% in previous years. The 59 nonresidents come from 24 different states.

One hundred seventeen of the 290 admitted earned their undergraduate degrees at the University of Wisconsin — Madison, and 43 others received undergraduate degrees at other campuses of the merged University of Wisconsin system. This represents a major change over previous years, when only a handful of graduates of the former Wisconsin state universities applied and were admitted to the Law School. Five private colleges in Wisconsin contributed students to the new class. In all, there are graduates of 96 different colleges in the first year class.

Fifty-one members of the first year class were admitted via the Summer Pre-admission Screening Program. They were selected from a group of 84, who accepted invitations to compete for positions in the entering class by taking two law courses in the summer. In 1971, 41 were granted law school admission from 82 who participated and 31 were admitted of 78 in 1970. The greater selectivity of admission during the past three years also affects the Summer Program, as the greatly increased percentage (40% to 50% to 60%) of those who are eventually admitted indicates.

* * * * *

About 6% (17) of the newly enrolled students are members of minority groups. Of these, two are American Indians, 4 are Mexican Americans, and the rest are black. The number of currently enrolled students who were admitted to the Law School as members of the Legal Education Opportunities Program is now 35, which is less than 4% of the total enrollment. These students, who are given special consideration and financial assistance on admission, meet the same academic standards for grad-

uation as do all other students. Most of the funds which support the program are contributed directly by alumni, faculty, and students of the Law School, or allocated from the Law Alumni Fund by the WLAA Board of Directors.

* * * * *

The selection of one student from among more than seven applicants has resulted, of course, in a class of higher academic quality, as measured by cumulative grade point averages and Law School Admission Test scores, than in any previous year. The regularly admitted students who actually registered (as distinguished from those offered admission) have a median grade point average of about 3.5, and a median LSAT of 650.

The Placement Story

Two hundred forty-five men and women graduated in 1972 (including January, June and August graduations), an increase of 50 over 1971. The sharp increase reflects the first major step-up in admissions, which occurred in 1969, and the generally higher retention of Law students. The higher retention, in turn, reflects the higher academic achievement and aptitude of the entering students, and the disappearance of the military intrusion into the Law School experience.

Only 6 of the 1972 graduates have indicated that they are unemployed and seeking employment. About 30 have not yet reported their present status to the Placement Office, but most are expected to do so by the year's end. It can be assumed that many of these are satisfactorily placed. Doubtless, some are awaiting admission to the Bar. Some have made temporary commitments, such as to political campaigns, and will make permanent plans soon.

Of those who have indicated their career choices, 100 have chosen private practice, about 40% of the graduates. This compares to 45% a year ago. Of these 100, 83 are located in Wisconsin—83%, which is about the same percentage as in 1971, and can be compared to 55% in 1970. It is important to note that 83% of those entering private practice in Wisconsin in 1971 amounted to 64 people; in 1972 it was 83 people. Twenty of the recent graduates have joined firms in Milwaukee, 28 have located in Madison, and 35 in other cities of Wisconsin. Of the 17 graduates who entered private practice outside of Wisconsin, 11 are associated with large firms in large cities, and 6 in small cities.

About 24% of the Class of 1972 entered government service, including the military. Among these are 9 graduates serving as clerks to judges—3 to Wisconsin Supreme Court Justices, 4 to Federal judges—in the District Courts and the Circuit Courts of Appeals, and 2 to Supreme Court Justices in other states.

But the largest group (28) of those employed by government are in Wisconsin, working for the State of Wisconsin, various District At-

torneys' and City Attorneys' offices. Six graduates are employed by state and local governments in other states, and 12 have accepted positions with the Federal government, in Washington and elsewhere. Only 4 are fulfilling military commitments.

Another 15 graduates are associated with various agencies providing legal services to the poor. Of these, 9 are located in Wisconsin and 6 in other states.

Only 11 graduates are associated with banks, insurance companies, accounting firms or other businesses. Of these, 9 are located in Wisconsin.

Seven of the graduates list themselves as "self-employed", and there are a couple of brand new law firms now established. Three graduates are located on the Madison campus in administrative posts. Two graduates have deliberately chosen occupations completely unrelated to the legal profession; another is teaching law in New Guinea; seven are seeking further education. Many of these also will make permanent professional commitments during the next year.

One member of the Class of 1972 was elected to the Wisconsin Assembly on November 7.



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TRIAL ADVOCACY COURSE TAUGHT BY MEMBERS OF THE PRACTICING BAR

Working in small teaching teams, on a weekly basis, 48 distinguished members of the State Bar of Wisconsin have assisted Professor Stuart Gullickson in his course in Trial Advocacy, which this year has been composed of 2 sections of 30 students each.

"Learning by doing" is the basis of the course, and the students, in groups of six, learn the techniques of examining and cross-examining witnesses under the supervision of trial lawyers. There are nine such two hour sessions. In two other sessions each week, the teaching trial lawyers conduct demonstrations of trial techniques. Other courses are offered which deal with other aspects of advocacy—Trial Court Argument, taught by Richard L. Cates, and Appellate Advocacy, taught by Professors Samuel Mermin and Abner Brodie, and Howard Eisenberg, Acting Public Defender.

In addition to the training offered law students, 30 student court reporters from Madison Area Technical College and Madison Business College took the testimony for practical experience in their study of court reporting. Ten senior medical students served as witnesses in the final session of the course.

Each teaching team, during its week in the Law School, conducted one class in the morning and another in the afternoon. During the hours between classes, they were available in the Student Lounge for informal consultations with students. This became an important part of their volunteer service, since there are still some students in the Law School who have had little or no association with practicing lawyers.

Lawyers participating included prosecutors from the U.S. Attorneys' offices, the District Attorneys' offices and the State De-

partment of Justice, and defense lawyers on the criminal side, and lawyers who specialize as plaintiff's counsel or defense lawyers in civil suits. Among them have been a number of past presidents of the State Bar of Wisconsin, the Milwaukee County Bar Association, and the Wisconsin Academy of Trial Lawyers. One is the current President of the Wisconsin Law Alumni Association, and another is President-elect of the Insurance Trial Counsel of Wisconsin.

Twelve of the teaching lawyers came from Milwaukee, 18 from Madison, and 18 from other Wisconsin communities. Court Administrator Edwin Wilkie acted as presiding judge at one of the sessions.

Following is the faculty of the Trial Advocacy Course:

From Milwaukee:

David J. Cannon
Harry F. Peck, Jr.
Robert J. Lerner
Andrew R. Reneau
James J. Murphy
Ted M. Warshafsky
Edward A. Dudek
Alvin Stack
William M. Coffey
Franklyn M. Gimbel
John R. Collins
Lawrence C. Hammond, Jr.

From Madison:

Donald McCallum
Percy L. Julian, Jr.
Eugene O. Gehl
Earl Munson, Jr.
Kevin Lyons
Kenneth T. McCormick, Jr.
William L. McCusker
John F. Jenswold
Honorable Edwin Wilkie
Bradley D. Armstrong
Bradway A. Liddle, Jr.
Steven J. Caulum
John A. Hansen
Jack DeWitt
Richard E. Lent
S. O. Tinglum
Carroll E. Metzner
John C. Carlson

Others included:

William M. Robson and Jerome Elliott, Beloit; James H. Hill, Jr. and Clyde C. Cross, Baraboo; Duane L. Arena, Racine; Glen R. Campbell and John C. Wickhem, Janesville; Richard S. Hippenmeyer, William F. Reilly and Richard N. Hunter, Waukesha; Walter H. Pehler, Richard J. Weber and Richard P. Tinkham, Wausau; Byron C. Crowns, Wisconsin Rapids; Arno J. Miller, Portage; Raymond R. Colwin, Fond du Lac; Frank D. Hamilton, Dodgeville; Clark Dempsey, Whitewater.



NEW LAW SCHOOL STUDY COMMITTEE RECOMMENDS AGAINST ANOTHER LAW SCHOOL

Questions of Admission and Career Placement of Law students played a prominent part in the deliberations of the New Law School Study Committee, appointed to make a recommendation to the Regents on the proposal to establish a second Law School which was made last year by a Madison campus committee appointed by Chancellor Edwin Young.

On October 24, the Study Committee voted that there is no current need to establish a second Law School in the University of Wisconsin system. The Committee noted, in its report, that of the 2300 applicants for admission in 1972, 816 were residents of Wisconsin. Only 230 of these could be accommodated in the present Law School. Of the 504 students rejected for admission, 479 were judged to have a better than even chance for success in Law School. It was also noted that Marquette Law School was able to accept only 1 of 10 applications this year. The disproportion of applications to admissions is a well-known national phenomenon.

The Committee also noted the many factors which bear upon the changing demands for lawyers, including pre-paid legal services plans, the recent U.S. Supreme Court decisions that all persons accused of crimes which might lead to jail sentences are entitled to legal representation, and the development of programs providing legal services to the poor. Also listed were the new Federal Occupational Safety and Health Act, federal and state laws providing protection to consumers, products liability statutes, necessary aid to judges at all levels, and the need to provide assistance to both prosecutors and defense attorneys in criminal matters.



Walter B. Raushenbush

Balanced against this professional development, of course, are the much discussed no-fault insurance, no-fault divorce, and administrative probate plans now taking shape, which may reduce the need for lawyers in several important traditional fields.

After extensive discussions and hearings, the Committee made its decision against a second law school. The Committee made several additional recommendations:

1.) that the Law School hold its enrollment at approximately 900. Recognizing that present funding levels are inadequate, the Committee recommended that proper budgetary provisions be made;

2.) that the demand for legal education and the demand for lawyers be reviewed a year from now;

3.) that there be exploration of the possibility of providing other graduate programs for some of those now seeking to enter law school;

4.) that continued efforts be made by the Law School and the State Bar to inform prospective students that "there may not be sufficient positions in the near term in some traditional fields of legal practice or in some geographical areas for all those who may seek such positions." It also recommended continued publication of new opportunities;

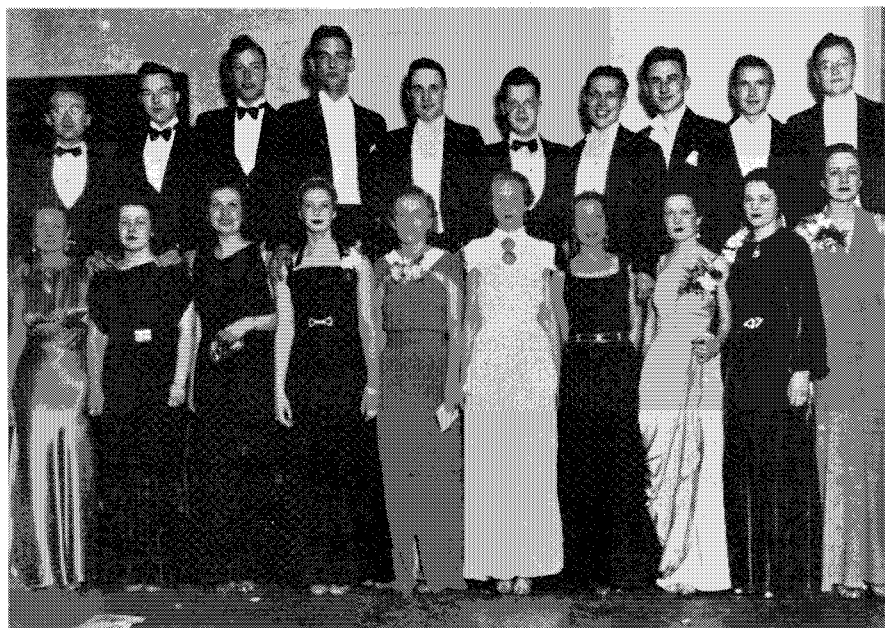
5.) that the UW—Madison Law School continue its efforts to provide legal opportunities for members of minority groups.

Professor Walter Raushenbush, who serves as Chairman of the Law School's Admissions Committee, dissented from portions of the Committee's report. Prof. Raushenbush is also the Chairman of the Pre-Law Committee of the Law School Admissions Council, which includes all law schools which require the Law School Admission Test. In cooperation with the Association of American Law Schools, the Council (specifically Professor Raushenbush's committee) prepares annually the Pre-law Handbook, which has become the definitive, authoritative source of information for potential law students.

In his statement, Professor Raushenbush said in part, "Law-trained men and women play major roles in business, government, politics, education, police work, corrections, voluntary action, etc. as well as in traditional legal work. Law-trained people of prominence have lately included Richard Nixon and Adlai Stevenson, Robert Kennedy and Spiro Agnew, Ralph Nader and Warren Knowles, Vernon Thomson and John Reynolds, Glenn Davis and Henry Reuss, John Byrnes and Robert Kastemeier, Fred Risser and Harold Froehlich, Baseball Commissioner Bowie Kuhn and NFL Players Association Director Ed Garvey, Secretary of State William Rogers and Secretary of the Army Robert Froehliche, Miles McMillin and Howard Cosell, and the presidents of such universities as Harvard, Yale, Michigan, Indiana, Iowa, Ohio, Florida, Case Western Reserve, Chicago and Rutgers. The small group of law graduates, never more than one quarter of one per cent of our population, consistently have furnished approximately half of our National leadership. When so many of our best young people now clamor for the

Continued on page 14

WHERE WERE YOU ON THE NIGHT OF THE LAW BALL IN 1936?



DO YOU RECOGNIZE THESE PEOPLE? LET US KNOW

Photo courtesy of Gerson Gluck, '36, Waukegan, Ill.

Garvey, Continued

The spade work is just beginning; Mr. Garvey feels that the Association has a long way to go before professional football becomes in fact a profession, in which a player's skill and motivation become the chief ingredients of his success.

Ed Garvey doesn't know how long he will stick to football. Before he became Executive Director he had a variety of important experiences. After a year as President of the Wisconsin Student Association, he was elected one of the early Presidents of the National Student Association. He served two years as an Army officer, (Fort Gordon, Georgia and the Pentagon), and just prior to coming to Law School, spent a year as the Secretary General of the International Student Conference, with offices at Leiden in the Netherlands. There were 350 delegates to the Conference, chosen by student groups in 75 countries; his duties were semi-diplomatic in nature. In Law School he served as one of

the editors of the Law Review, and was elected to Coif.

He and his wife, who are the parents of three young daughters, enjoyed Minneapolis and have kept their home there, hoping to return some day. In the meantime, life for Ed Garvey carries such heavy responsibility that he can't look ahead very far.

* * * * *

Feidler, Continued

more profitable for a wealthy collector to give his paintings away, rather than to sell them. Mr. Feidler has participated in the establishment within the Internal Revenue Service of a means, by use of experts, to evaluate works of art which have become tax exempt gifts.

Reputable and well known dealers usually provide a warranty of title to the purchaser of a painting. The danger of receiving stolen works is slight in such a well-known museum since the works

purchased are always well-known in the art world.

His best legal training and talents were often needed to understand and comply with the 30-40 different systems of export controls in operation in the countries from which art works were acquired during his time at the Gallery.

So, what of his retirement? For one thing, he is treasurer of the American Museum Association, a time consuming task. He acts as consultant to newly established museums, such as the Museum of Ceramics which the Carbarundum Company is now developing. He serves on the Museum Association accreditation teams, and recently evaluated the Metropolitan Museum in New York. It "passed," he said.

In the last two years, he and his wife, Lydia (Keown, from Madison) have travelled to Africa, Central America and Mexico. They plan to continue to travel. They plan to continue their association with the arts. It is a pleasant existence.

* * * * *

New Law School, Continued

same training, it will not do to deny them by use of too-limited or too market-oriented notions of the nation's need (or Wisconsin's) for those educated in law.

"Ultimately", Professor Rauschenbush concluded, "the Regents and Legislature must decide what the University and the State can afford, and what shall have priority . . . legal education should have very high priority. In the coming years, graduates of many disciplines . . . may find themselves part of an over-supply in their specialty. Law graduates may be among them . . . But we will surely want to preserve some (though not complete) freedom for our young people to choose which over-supply they will join, to select the arena in which they'll compete for a place. Law, the field for the trained problem-solver and the main entryway to our nation's leadership cadre, must be among the arenas fully open to those qualified."



**HAIL HAIL
THE
GANG WAS THERE

THE WEAVERS
CAME TO LUNCH
ON

HOMECOMING
1972**

