

THE GARGOYLE

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UNIVERSITY OF WISCONSIN
MADISON, WIS. 53706

Volume 4
Number 4
Summer 1973

ALUMNI BULLETIN OF THE UNIVERSITY OF WISCONSIN
LAW SCHOOL

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DEAN BUNN REPORTS To The Annual Law School Alumni Luncheon

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He described the three greatest difficulties which he thought faced the school: (1) the small size of the faculty for the large number of students, (2) the low level of faculty salaries as compared with those at competitive law schools, and (3) the inadequacy of the library budget.

I can report substantial improvement in only one of these areas: the library budget. While the library has been spending less per student on books, and has a smaller total number of books, than any other Big Ten law school library, its book budget was increased substantially last year and a request for another substantial increase is before the Legislature this year.

In the other two problem areas, there have been only minor improvements.

First, the small size of the faculty for the large numbers of students.

With the growing demand for legal education, the student body increased 60 percent in five years with no increase in the total number of faculty until last year. At that time, an accreditation inspection team, formed by the American Bar Association and the Association of American Law Schools, concluded that the School did not appear to be in compliance with

an accreditation standard calling for a faculty of suitable size for the number of students. The Law School's own Board of Visitors concluded last year 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." In the same year, Spencer Kimball resigned, and a number of prospects for the deanship visited the campus. Each of them protested that the faculty was too small for the number of students.

There were obviously two ways to solve this problem: one was to reduce the student body, and the other was to increase the faculty.

Reducing the student body substantially did not seem feasible in the face of the very high demand for admission into the Law School—unless another law school could accept at least the Wisconsin students we did not take. The faculty recommended creation of a second state-supported law school. But, as you know, that recommendation was turned down—at least for the time being—on the ground that it had not been shown that there were enough jobs for law graduates to justify another school.

Your school is now bursting at the seams. Last fall we had 950 students—in a building which was crowded at 750—and with a faculty which was insufficient for 600. Our classrooms are so crowded we have had to turn away students from some of our most important courses—Constitutional Law, Corporations, Evidence, Real Estate Transactions, and the General Practice Course. Our largest classes range from 150 to 190 students. We have so many students compared with the study space in the library that we do not even meet accreditation standards.

Next fall we aim to admit about 290 students, as we did this past fall. We hope to hit this target with the same accuracy as this past fall,

rather than missing as we did two years ago and three years ago, when we overshot the mark by 35-45 students. If our aim is good, the total enrollment should go down slightly to around 900 or a little above.

We have, of course, also been attempting to increase the number of faculty. But, we have been losing faculty members to other schools and to retirements almost as fast as we could hire new people.

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Vol. 4, No. 4 Summer, 1973

Ruth B. Doyle, editor

Photos by David Ullrich

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Dean, *Continued*

You may remember that the accreditation inspection team recommended last year that funds be found for 13 more new faculty positions. As the result of a budget increase and more leaves and resignations last year than usual, we were able to hire five new faculty members for next fall. But we also lost two faculty members last summer. And balanced against the net gain of three new positions for next year is the so-called "productivity improvement" cut imposed by the Executive Budget. This cut will take away about three positions. We will lose these positions through additional resignations and retirements in June. Unless the Legislature approves the pending Executive Budget request for additional faculty, we will end up with none of the 13 more faculty positions which the accreditation report advised us to secure. We will, of course, be able to pay the five new faculty. But their arrival will be balanced by a total of five resignations and retirements last year and this. If the Legislature does approve the budget request, the increase will just about make up the "productivity-improvement" cut. We will then have money to cover only about 3 of the 13 needed new positions.

The *second* major problem which Spence Kimball put before you was the inadequacy of faculty salaries to meet the competition from other schools to which we have been losing faculty. Our recent faculty losses to other schools include:

Dick Effland to Arizona State in 1967.

Lawrence Friedman to Stanford in 1968.

John Hetherington to Virginia in 1971.

Bill Klein to UCLA in 1971.

Bob Rabin to Stanford in 1971.

Gus Eckhardt to Arizona in 1972.

Spencer Kimball to Chicago and the American Bar Foundation in 1972.

Ed Kimball to Brigham Young University in 1973.

Bill Foster and Bob Seidman will remain on leave next year and may not return.

I cannot, of course, say that higher salaries elsewhere were the cause for all these departures. The crowding of the School, about which I have already spoken, contributed in some cases. Moreover, one result of the high enrollment is increased faculty teaching loads both in numbers of students and in hours. Teaching loads have increased by 40 percent or more over the last 5 years. Faculty members now spend 40 or more hours per week in preparation for teaching, in teaching, and in grading student exams. Yet we expect them to spend at least 10-20 hours per week in addition on research, public service, and the administrative problems of running an overcrowded law school.

There were, of course, other reasons for some of the departures. And I am happy to report that four of our faculty who were visiting at other schools will be returning next year: Larry Church, Stewart Macaulay, Joe Thome, and Bill Whitford.

Faculty salaries do, however, make a substantial difference. The accreditation report stated:

"The salaries at Wisconsin are dangerously uncompetitive when consideration is given to the law schools with which Wisconsin must compete for faculty. Its salaries are \$3,000 to \$6,000 too low to be competitive."

The average salary increase which was authorized last summer for this year was about \$2,000.

But other schools also got raises last summer. Based on the ABA compilation of law school salaries for this year, Wisconsin remained from \$2,000 to \$7,000 behind the neighboring states of Illinois, Michigan, and Minnesota in both its average and its median law teacher salaries.

The Wisconsin salary increases proposed for next year are much less than those granted last summer. And competitive schools will also be granting salary increases. The result is that we will not be much better off in the salary competition than we were when the accreditation report was written a year ago.

I do not mean to suggest that the Law School has come off worse in the budget cuts than the rest of the Madison Campus. We have not. In a time of taxpayer revolt and fund slashes for the entire University, I really doubt that we can comply with the accreditation report anytime soon. But we will keep trying.

I apologize for troubling you with the Law School's problems. But I thought I should report what progress had been made on the three key issues which Spencer Kimball put before you last year.

Next fall we expect an entering class much like this year's. There seems to be little slackening in the demand for legal education. If there are fewer jobs for graduates, that fact has not deterred those seeking admission—or they have failed to read the cautionary note in the pre-law admission handbook.

We suspect that prospective applicants for admission do read this handbook. It contains a profile on each law school and its academic requirements for admission. What seems to be happening this year is

Continued next page

Dean, Continued

that those thinking about Wisconsin are reading our profile and, at least in the case of out-of-state students, simply not applying here if their law school admission test scores and college grade averages are not within shooting distance of the medians for students regularly admitted to Wisconsin. Those medians last fall were a 650 test score (upper 10%) and a 3.5 college grade point average (out of 4.0).

Anyway, we are getting fewer applications which are not in this ball park—particularly from out-of-state students. We have 1,750 applications for 290 seats rather than the 2,300 applications of last fall. But the high standards will probably not be reduced because those applying seem to have, on the average, better credentials. We will probably still turn away over 350 Wisconsin residents who are qualified to go to law school—who would have been admitted five years ago. This despite a cut-back in the number of out-of-state students to less than 60 in the entering class.

We will give many Wisconsin residents who are close to the mark but don't quite make it a chance to show what they can do by taking two law courses during the summer. This does what the admission test cannot do—it tests motivation—willingness to work hard—as well as giving us a look at actual performance in law courses.

The growth in the number of women seeking legal education is continuing. Last year the entering class contained 22 percent women.

For several years the women have been winning scholastic prizes out of all proportion to their numbers. And their numbers have been rapidly increasing. Based on applications reviewed so far, that will continue.

We also hope to admit at least 20 minority students in our Legal Education Opportunities (LEO) Program next fall—mostly, as last year, from Wisconsin. Last year we admitted 17. The first American Indian graduate from Wisconsin in anyone's memory completes school this year. So will four black students. One of our recent LEO graduates is now deputy director of Freedom Through Equality, a Milwaukee based legal services center for the poor. He is also a member of the School's Board of Visitors. Another is working on housing problems for Wisconsin's Housing Authority in the Department of Local Affairs and Government. He has served this year as his class representative on the Board of Directors of the Wisconsin Law Alumni Association. Another LEO grad is in the Civil Rights Division of the U.S. Department of Justice in Washington, and another, in the U.S. Labor Department in Chicago.

Our LEO Program has just received boosts from several sources. A court attack on a similar program at the University of Washington Law School was recently rejected by the State of Washington's Supreme Court. A substantial gift for our LEO scholarship program came from Evan Helfaer, an outstanding Milwaukee philanthropist. Another substantial gift has come from an existing University fund endowed by Kemper A. Knapp. The Student Bar Association has just decided to double its already generous support for the program.

Now let me describe some of the personnel changes which are about to occur. On the debit side, Nate Feinsinger and Eleanore Roe are leaving teaching to spend full time at the Center for Disputes Settlement. As you may have noted recently, they are credited with a substantial assist in settling a recent strike here in Madison.

What has impressed me most about Nate in getting to know him again after many years away from Wisconsin is his indomitable spirit. Despite the physical handicaps which have stood in his way in recent years, he has kept driving ahead, giving of himself—to mediate labor conflicts and to help his students and his colleagues. I have never once seen him lose that wonderful sense of humor—that ability to laugh at himself. I have never once heard him complain. There is a sort of an in-conquerable spirit of nobility about Nate.

Another of our very distinguished staff is retiring: Nellie Davidson. She has served the School for 32 years during the tenure of six deans (three of whom are here today)—Garrison, Rundell, Ritchie, Young, Kimball, and myself. What is true today was probably true when you were in school: whether you are a student, a faculty member or a dean, if you want help in solving a Law School problem, you ask Mrs. D. Two or three years ago, the students made a movie portraying Mrs. Davidson as the true dean of the school. That has been so in my tenure, and I wager Spencer Kimball and George Young will say it was so in theirs. Indeed there was a Davidson for Dean campaign with strong student support after Spencer Kimball resigned.

I want to say a word about the many practitioners who have helped us teach this year. We had the money from those vacant positions I talked about during this academic year, although, because the academic hiring season had finished, we couldn't fill them with regular teachers until next fall. We used the money to compensate, in a small way, many of the practicing lawyers who helped carry the heavy teaching load this year. I

Continued page 14

counted over 160 members of the bar who were participating in teaching this year: 30 as lecturers, 44 working in the General Practice Course, 45 helping out in Trial Advocacy, 32 in the Clinical Program, and 7 in the two new law office training courses—advanced legal drafting and the client counselling competition. Most of these attorneys were teaching practice skills—giving students the benefit of their experience at the bar—providing a kind of training which practicing lawyers can do far better than most regular faculty.

It looks as if we will have about one tenth the money next year which we had this year for such purposes unless the Legislature increases the budget substantially. So our practice skills training courses will have to be curtailed. But I wanted you to know how much assistance we had received from the bar this year, and especially to say thank you to those in the audience who have helped out.

Finally, you will be interested to know that we have five splendid young faculty members joining us in the fall. They come from a variety of backgrounds—teaching, practice, clerkships. It is reassuring to know that we continue to attract young teachers of distinction in Wisconsin.

George Bunn, Dean

THE GARGOYLE CORRECTS ITS MISTAKES

JUDGES

In one way, it is discouraging to be caught in error, particularly when great efforts have been made to avoid it. In another, it is encouraging to the *Gargoyle* to discover how many of its readers are careful and discerning.

Anyway, we are pleased to make additions to the lists of alumni judges and alumni professors published in our last issue (Volume 4, No. 3).

For instance:

1928—Circuit Judge
W. M. Jackman,
Madison.

1948—County Judge
William G. Callow,
Waukesha.

1950—Circuit Judge
William L. Walker,
St. Petersburg, Florida.

Also, Judge Howard H. Schmidt, Los Angeles (Class of 1939), was listed as a California Supreme Court Justice, when he is in fact a Superior Court Judge, Los Angeles County.

PROFESSORS

1957—Arnon Allen, Extension
Law Department,
University of Wisconsin
—Madison.

1967—Richard von Briesen,
Queens University,
Kingston, Ontario.

1969—Myron Erickson,
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Business.

1971—Volker Knoppke-Wetzel,
Extension Law Depart-
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Wisconsin—Madison.

WHAT DO YOU THINK OF THE GARGOYLE?

- ☐ STINKS
☐ MARVELOUS, GREAT
☐ HO HUM
☐ OTHER

COMMENTS: _____

NAME (OPTIONAL)

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- ☐ OTHER

COMMENTS: _____

NAME (OPTIONAL)

STUDENTS HONORED FOR ACHIEVEMENTS

An important part of each Spring Program in recent years has been the *Awards Convocation*, during which annual prizes for academic excellence are presented, the newly elected Editors of the Law Review are presented, and the members of COIF are installed. Families and friends of the recipients are guests. The Law Student Wives have been hostesses at a reception following the Convocation.

The awards presented on April 7, 1973 are as follows:



Lawrence Salibra



Charles Hanson

U.S. Law Week Award James Brindley
For the most satisfactory progress during 3rd year

University of Wisconsin Foundation Award Lawrence A. Salibra
To student most improved from first to third semester

Mathys Memorial Award for Appellate Advocacy William Gansner
Selected at the close of arguments, April 7, 1973

Milwaukee Bar Foundation Moot Court Prizes
Selected at the close of arguments, April 7, 1973
William Gansner, John Buckley, Barbara Britt,
Andrew Brignone, James Klenk, John Cook

International Academy of Trial Lawyers Award Charles E. Hanson
For excellence in trial and appellate advocacy

West Publishing Co. Book Award Edward Moersfelder
For scholarly contribution to the Law School

William Herbert Page Award Stephen Knowles
For outstanding contribution to the Law Review

For Comment: *Rule of Reason in Wisconsin Annexations*
1972 Wis. LR Vol. 1122

George J. Laikin Award William C. Niemann
For outstanding Comment in the Law Review in special fields

For Comment: *Essential of Corporate Stock Redemption*
under Sec. 303. 1972 Wis. LR Vol. 1153

Wisconsin Land Title Association John A. McCay
Jacob Beuscher Award

Wisconsin Law Alumni Association Prizes
First ranking student after 45 credits John Thilly

Second ranking student after 45 credits Pauline Tesler

Joseph Davies Prize Pauline Tesler
To outstanding member of the second year class

Daniel Grady Prize Daniel Goelzer
To the graduating student with highest standing

Salmon Dalberg Prize Daniel Goelzer
To outstanding members of the graduating class
Laurie Bier

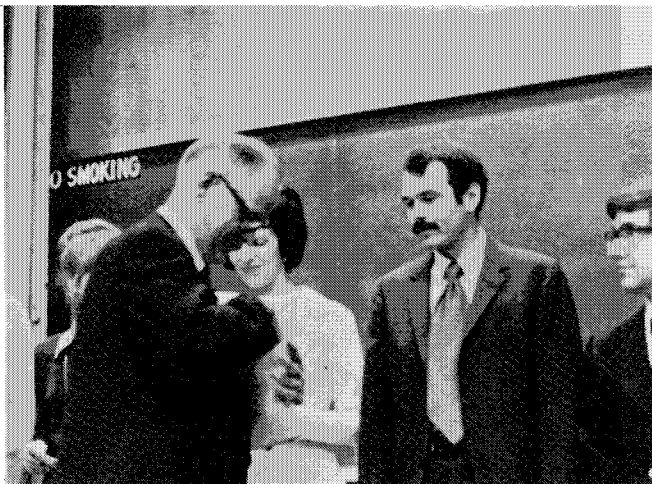
Order of Coif

Honorary Initiate

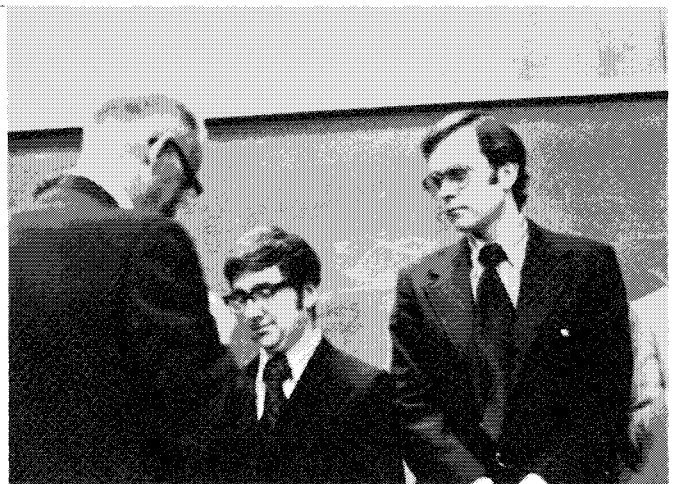
The Honorable Horace W. Wilkie
Justice, Wisconsin Supreme Court

Frank W. Bastian
Haney H. Bell
Laurie E. Bier
Barbara L. Foster Bird
John L. Buckley
James A. Carney
David B. Gaebler
Helen E. Gibson
Daniel L. Goelzer
Douglas B. Gordon
Mari M. Gursky
James T. Haferman
Charles E. Hanson
Stephen W. Kleinmaier
Jerome D. Krings
Joseph L. Liegl
Bruce D. Loring
William A. Mann
Julie Kampen Mithy
Edward M. Moersfelder
Mark A. Nordenberg
Andrew J. Ogilvie
John L. Peeters
Michael J. Remington
John M. Riley
Paul W. Schmidt
Ronald A. Suppa
Stanley A. Tarkow
Paul R. Truebenbach
Karen I. Ward

AWARDS CONVOCATION, 1973



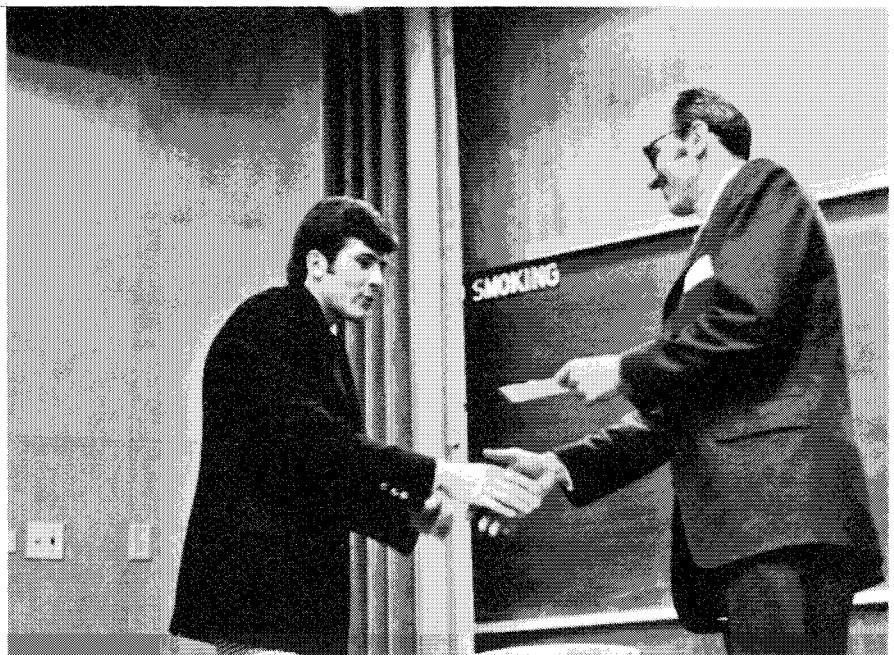
Helen E. Gibson, Daniel Goelzer



James Haferman, Stephen Kleinmaier



Laurie Bier



James Brindley



Daniel Goelzer



Leon Feingold, John McCay



**William Niemann,
Edward Moersfelder**

DISTINGUISHED FACULTY- ALUMNI AWARDS TO BUNN AND BOARDMAN

The 1973 Alumni Association awards to an honored Law School Faculty member and an honored alumnus were presented this year to the late Professor Charles Bunn and Wade Boardman, Class of 1930, at the reunion luncheon on April 7.

Professor Willard Hurst presented the award to the Bunn family, which includes the present Dean of the Law School. Walter Bjork (Class of 1937), General Counsel of the Dairyland Mutual Insurance Company, made the presentation on behalf of the alumni to Mr. Boardman.

* * *

Professor Hurst: (in part)

Charles Bunn—who to a generation of students and colleagues at this law school was “Bob” Bunn—gave his strength, wisdom and humanity to the school from 1934 to 1961. To a generation of students he conveyed a full dimensioned demonstration of the man of law at his best—as a man thinking; but, too, as a man feeling for the other, while holding such detachment as would let him serve the other man’s need; as a man keeping his legal learning in working balance to concerns that law serve life.

Bob Bunn was a fine and learned teacher. But he taught nothing more important than the working attitudes he conveyed to his students by his own bearing and approach to problems. One thing that stands out to me is the effectiveness with which he demonstrated that learning and acuteness of mind

come across best with unpretentious simplicity and directness of analysis. A good deal of his flavor comes through in some things he wrote about the everyday flow of a lawyer’s work. “No one not a lawyer can imagine how much time a lawyer must put in getting information; he wrote. “I do not mean information about the law. Of course he must get that, but he will get it out of books. I mean information about the client’s problems and the facts connected with them. A lawyer’s work is very seldom *about* law. Once in a blue moon he may serve on some committee to improve some statute or the like. (As, indeed, Bob Bunn himself did on many occasions, notably in helping shape the Uniform Commercial Code.) Most of his work, though, starts with his client’s problem, which may concern anything. Whatever it is, his first job is to learn about it; not only the specific thing his client is concerned about, but the whole factual background. And by *factual* I mean everything bearing on the problem except law. When my grandfather was practicing in upstate New York more than 100 years ago, the situation as he reported it much later, was that almost all litigation was about horse trades. The lawyer needed, principally, one book, ‘The Points of the Horse’ . . . ”

Lawyers advise, they negotiate, they persuade, they record agreements. What Bob Bunn hammered at in regard to all these roles, as well as that of the teacher, was the importance of knowing what one is about, and then communicating it accurately and without fancy impediments. “Whatever the lawyer’s professional use of speech, the essential thing is that it reach, in the sense intended by the speaker, not only the eardrum of the hearer, but his mind. This can best be done by talking about concrete things and actions whenever that is possible, and avoiding the abstractions. How many kinds of ‘democracy’ exist in people’s minds? Beyond that, the best de-

vice I know is to make it a discussion, not a monologue. Then, it is often possible, by careful listening, to detect where the other person has misunderstood what you have said. This is one of the reasons why, in teaching, a discussion is so often more fruitful than a lecture.”

Bob Bunn conveyed to students and to colleagues the deep earnestness with which he sought to get a hold on reality. This was an attitude directed not only at the client-caretaking role. It was a concern as a man of law about the capacities and defects of the legal order. Salient here was his focus on the economy, as the aspect of the structure and workings of society with which law is most pervasively involved. “It is hard for a lawyer to be an amateur economist, but it is a necessary task.” That we need to learn more in order to have more to teach was a precept at the heart of his idea of his job.

The strength of the law school must come from the contributed strength of the individuals who give it continuing life. To Charles Bunn this school owes debts which cannot be repaid, but which can be matched by devotion such as he gave the school. That is the testimony of this award.

Mr. Bjork: (in part)

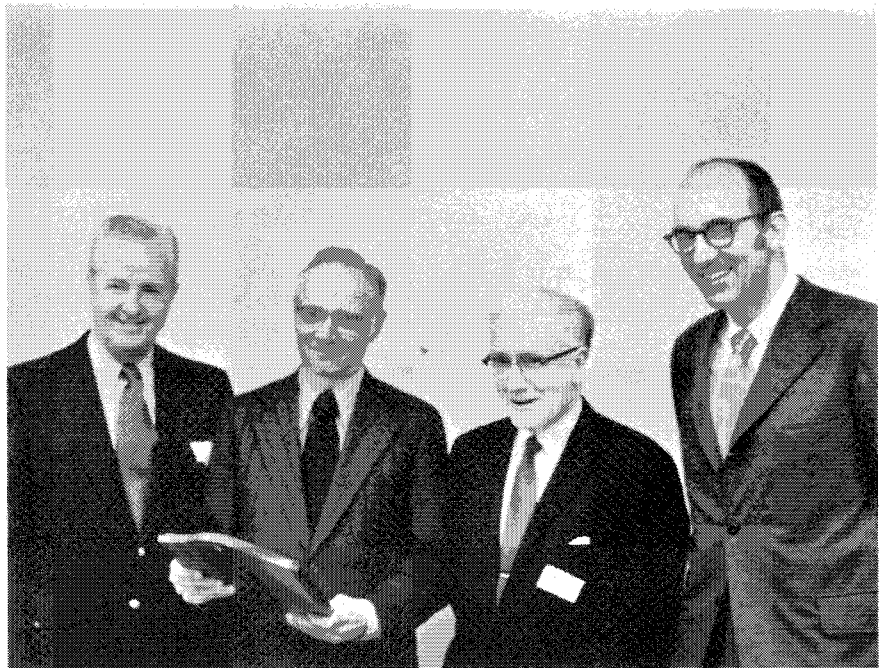
Anyone who has practiced law in Wisconsin in the last several years knows Wade Boardman, either personally or by reputation. And simply to name him, is to know why the award is being made. But since the record must be protected, may I quickly review some of the achievements and contributions of this man.

Wade has been in the active practice of law in Wisconsin since his graduation from the University of Wisconsin Law School in 1930. At that time he joined the firm of LaFollette, Rogers and Roberts. He is today senior part-

Continued next page

Bjork, Continued

ner in the firm of Boardman, Suhr, Curry and Field, a firm of 17 lawyers. Shortly thereafter Wade began teaching a practice course at the law school which he continued for 12 or 13 years, preparing his own case book materials. It was as a teacher that I first knew him, and I still remember seeing him occasionally gulp a tablet at the end of class to ease the pain of his ulcer. I think we gave him that ulcer with which he was to suffer for a number of years. He was then, as he is today, a well-dressed man. He wore double-breasted suits which, with the then popularity of the vest, was an unmistakable badge of modesty for a Coif man.



Bjork, Boardman, Hurst, G. Bunn

During the forties and fifties Wade served on the Judicial Council, the Law School Board of Visitors and as President of the Dane County Bar Association. Of course, he is also a good dues paying member to all of the various Bar associations. He began his extended service on the State Board of Bar Commissioners in 1946. Last year the Wisconsin Bar Association presented Wade with a plaque as a tribute to the more than 25 years that Wade has served on the Board of Bar Commissioners. He still serves on that Board and has been its president since 1953. Knowing the time Wade devotes to Board activities, I believe this is an unprecedented record of service to the Bar. The award of special merit presented to Wade read: "In recognition of his inspiring leadership and dedicated services to the profession and the public." I should mention he is also a charter member of the Benchers Society.

Wade's talents have also been recognized nationally by his office of Regent of the American College of Probate Counsel and his selection as a Fellow of the American Bar Foundation.

So much for the record. As impressive as is this record of achievement and service, it is a most incomplete description of Wade Boardman. Like others that I see in this audience, I had the good fortune to start out in the private practice of law with Wade and came to know the great warmth of this man. As busy as he was and is, he has always found time to concern himself with the problems of others. I, for one, shall always be in his debt for the guidance and counseling he gave to me not only in the early formative years, but throughout our association. He is, in my opinion, the ideal practitioner. A man of integrity and a perfect blend of the scholar and a man of action. He likes people and people can't help but like him. He is a modest, unassuming man. He never tries to impress anyone with his knowledge. He has never had to. He has always *demonstrated* the quality of his intellect and his character as a gentleman.

He is a most dedicated individual and places almost unreasonable demands on the time he devotes to his practice, leaving little time for diversion. Up to a couple of years ago he would find time on Sundays to visit his farm in Mineral Point. Wade raised white-faced Herefords, and typical of the man, became an expert in the field of Hereford genetics. He probably knows by name every important Hereford bull in the country, its owner, ancestry and descendants. I know that for a while he carried in his wallet a picture of one of his own prize bulls, right along with the pictures of his grandchildren.

With the little change of pace he gets, I marvel at how he keeps the great sense of humor that he has. A great deal of the credit has to go to a very tolerant, understanding and devoted wife. I am pleased that Beth can be with us today.

SUPPORT THE LAW SCHOOL FUND

SPRING SPLASH—OLD GRADS

WINNING MOOT COURT TEAMS



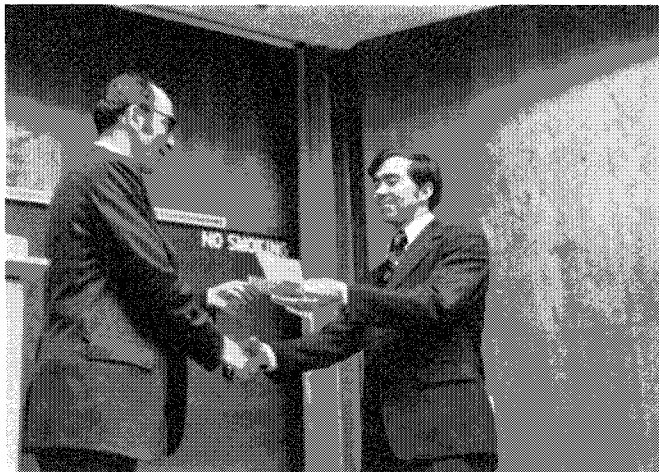
Andrew Brignone, James Klenk, John Cook



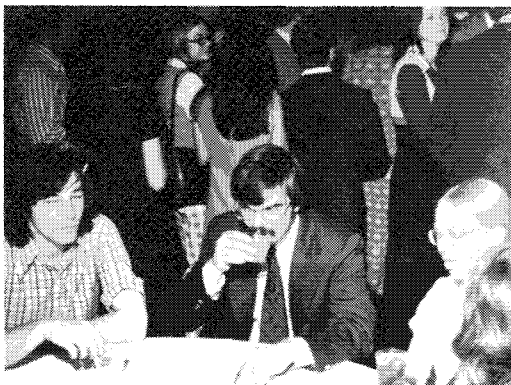
John Buckley, Barbara Britt, William Gansner

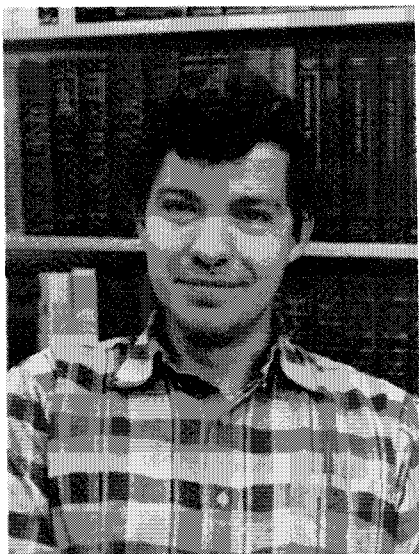


Class of '48



NEW GRADS—STUDENTS GATHER





Professor Large



Professor Redlich

STUDENTS HONOR GOOD TEACHING

Professors Donald Large and Allan Redlich have been selected as Teachers of the Year by a membership poll of the Student Bar Association. Presenting the awards at the Spring Splash on April 7, was Stanley Miller, New York, newly elected president of the Student Bar Association. He noted that the criteria for selection included the ability to convey ideas clearly and to stimulate students' interest. He emphasized that research and publication were not considered qualifications for Teacher of the Year.

Also honored by the Student Bar for their services to the student body were the following members of the Class of 1973: Jane Bloom, James Brindley, Stephen Brown, Roger Deffner, Helen E. Gibson, Thomas Terrizzi, Alvin E. Whitaker and John W. Wiley. Brown served as Student Bar President during 1972-73.

WHERE ARE YOU?

Last we heard, you were at places listed below. How are you?

Arnold J. Ansfield—1924—
Milwaukee
Everett H. Aspenson—1957—
Oxnard, California
Joan T. Berry—1957—Cincinnati,
Ohio
William J. Bethune—1969—
Washington, D.C.
Alan S. Brostoff—1968—
Washington, D.C.
Michael A. Burke—1967—
Fort Hood, Texas
John L. Burley—1967—
San Francisco, Cal.
William J. Campbell—1967—
Milwaukee, Wis.
Edward G. Chambers—1946—
St. Paul, Minn.
James R. Cohen—1963—
Los Angeles, Cal.
John T. Coyne—1955—
Gays Mills, Wis.
Thomas M. Cromartie—1956—
Chicago, Ill.

Continued, p. 13

NEW OFFICERS FOR WLAA

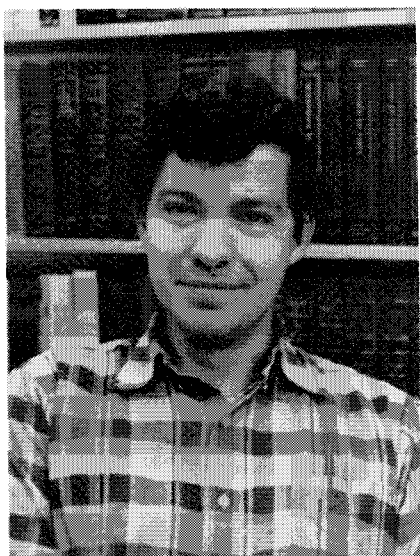
Judge Thomas H. Barland, Eau Claire, was elected President of the Wisconsin Law Alumni Association to succeed the late Glen Campbell at the meeting of the Board of Directors which was held as part of the Spring Program on April 7. Judge Barland had served as Vice-President and had assumed the Acting Presidency in December, 1972.

Elected Directors for three year terms at the Association's annual meeting, also held on April 7 were Judge Barland; John Tonjes, Fond du Lac, and Thomas D. Zilavy, Madison. Ms. Barbara Crabb, U.S. Magistrate, Madison, was elected to a two-year term on the Board of Directors.

Appointed to the Board of Visitors by the President were Justice Nathan Heffernan, Madison; Horace Harris, Madison, and State Representative Louise Tesmer, St. Francis. Justice Heffernan was elected Chairman and Timothy Frautschi, Milwaukee, Vice Chairman.



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Judge Thomas H. Barland

NATE FEINSINGER CLOSES OUT ONE CAREER— WILL DEVOTE FULL TIME TO ANOTHER ONE

For over forty years, it has been Nate Feinsinger—the Teacher, along with Nate Feinsinger the Deputy Sheriff, the Mediator, the Umpire, the Troubleshooter. This year ends his teaching career. He will continue, along with his colleague, Eleanore Roe, to direct the Center for Teaching and Research in Disputes Settlements.

The definitive work on the Life of Nathan P. Feinsinger is yet to be written, and is clearly beyond the scope of the *Gargoyle*. Even his teaching is so various that it cannot be easily described—all aspects of labor relations: labor law, mediation, arbitration; plus family law, bills and notes, admiralty. He has been an admired teacher in each, largely because of his broad and profound preparation in each course. His textbooks include Suretyship, Labor Law, Partnerships. His articles are numerous and varied. He has taught and published, and performed enough public service to fill several useful lifetimes, all the while adding luster and distinction to his academic home.

Incidentally, the *alma mater* of his youth, the University of Michigan, awarded him an honorary LLD on May 5, 1973.

Gargoyle readers will remember Professor Willard Hurst's fullsome tribute to Nate Feinsinger, at the time of the Alumni Award in 1972, and published here a year ago.

Brief recollections by three of Professor Feinsinger's admirers follow:

Chancellor H. Edwin Young:

Then Governor Gaylord Nelson asked Nate, Arvid Anderson and me to mediate a very serious dispute between the J. I. Case Company and the Auto Workers. Each side had an absolutely firm position with no give whatsoever, and Arvid and I were convinced that there was nothing we could do. But Nate kept working at it. He asked each side endlessly about their positions—and they had a position on everything—and finally he thought of something that nobody had a position on and said "With this broad area (actually about as broad as your finger) not discussed, we must get down to work and get on with the negotiations." I have a nice ash tray from the Governor as a token of our success.

In another dispute I recall I used to play straight man for Nate. I'd tell whichever party was in the room that the public wasn't going to stand for this any longer, that their behavior was outrageous and could no longer be tolerated. Each party thought I was a partisan for the other side, and after my strong statements Nate would come in and say to whichever party was present, "I know you're not as bad as Young says but after all he does have a sense of the public feeling," and this would frequently break the ice and we would get down to cases. Needless to say, it didn't make me very popular with either management or labor at the time.

In quite a different context, I remember Nate's being at the thesis examination of a student who had written in labor economics. The thesis was about 560 pages long, Nate was busy arbitrating for General Motors, teaching in the Law School, and flying all over the country, and so everyone assumed that he probably hadn't read the thesis. When it came his turn to ask a question, he said to the candidate, "I think there is a misspelling in the footnote on page 337." We all opened our copies, and there *was* a misspelling in the footnote on page 337.

Anthony DeLorenzo, vice-president, General Motors Corporation:

Mr. Feinsinger's record as a General Motors-UAW umpire speaks for itself, and although you said you were not seeking tributes, I think his record is one.

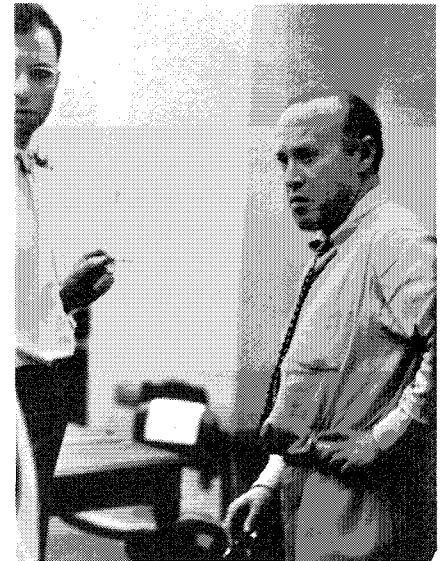
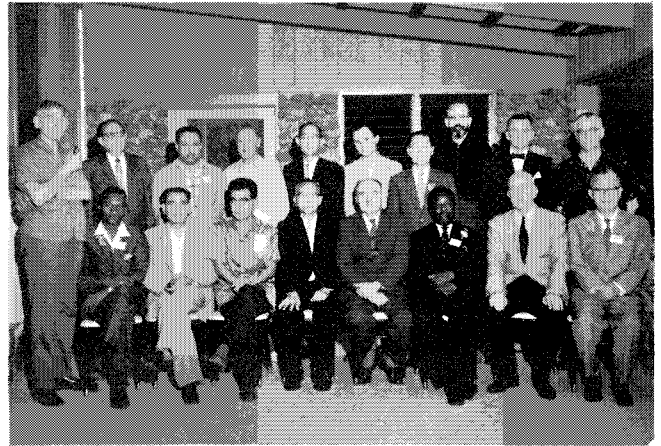
As you may know, under the GM-UAW umpire procedure, the umpire is selected by both parties to serve as the final arbitrator of disputes arising through the management-union grievance procedure.

Mr. Feinsinger was the seventh of nine GM-UAW umpires in the 33 years that the umpire system has been in effect. He served as an umpire from June 1, 1954, until September 30, 1966. His more than 12 year tenure was the longest of any umpire in the history of the GM-UAW umpire system and truly attested to his ability and impartiality in rendering decisions.

The task was not an easy one, and travel was a necessary part of his life. The UAW in those years represented some 400,000 GM hourly employees in more than 120 plants in about 60 cities in the United States. During his years as an umpire, he rendered 377 separate decisions totaling 944 pages.

Continued page 12

THE LIFE AND TIMES OF



President and Emergency Board in Railroad dispute involving firemen on Diesel locomotives.

International Conference on Labor Economics, Hawaii, 1963.

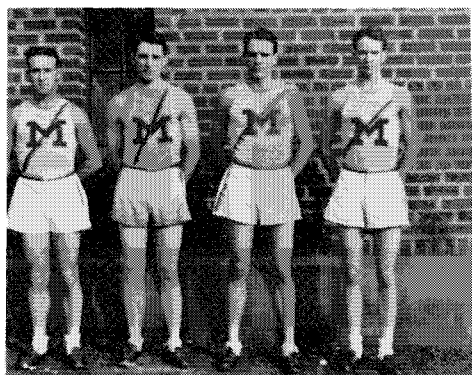
With HST and Wage Stabilization Board, 1951.

All-night session on the eve of the steel strike, 1952.

Settlement of dispute in Pacific Maritime industry, 1946.

Investigation of safety conditions on ships and docks, West Coast, 1947.

NATHAN P. FEINSINGER



Quarter mile, Michigan vs. Illinois, 1927.

With Greathouse (UAW-CIO), and Ohrman (Allis Chalmers), settlement of strike, 1959.

Always — a Professor.

Big Ten Championship relay team, University of Michigan, 1926.

Governor's Proclamation, Nathan P. Feinsinger Day. Hawaii, 1947.

PROCLAMATION

WHEREAS, a controversy of long standing has existed between the I.L.W.U. (C.I.O.) Local No. 152 and the Hawaiian Pineapple Producers' Association; and

WHEREAS, all efforts for a settlement through negotiation, mediation and conciliation previous to July 8th, 1947, had failed; and

WHEREAS, a strike was begun on Thursday, July 10th, which, if continued indefinitely, would result in the loss of a sixty million dollar (\$60,000,000) crop and thus seriously impair the economic structure of this Territory, interfere with such government functions as education, health, public welfare, public institutions, and road construction; and

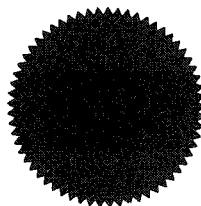
WHEREAS, Dr. Nathan P. Feinsinger came to Hawaii on July 8th, 1947, at the request of the Secretary of the Interior, the Secretary of Labor and the Secretary of Agriculture, to take over negotiations; and

WHEREAS, a settlement of the strike was effected as of midnight July 15th, 1947, thus assuring the continued social and economic growth of Hawaii; now,

THEREFORE, I, OREN E. LONG, Acting Governor of Hawaii, do hereby proclaim Wednesday, July 16th, 1947, NATHAN P. FEINSINGER DAY in Hawaii and in behalf of the people I express to him our deep respect and appreciation and extend to him the warmest Aloha of the residents and citizens of this American community.

DONE at Iolani Palace, Honolulu,
Territory of Hawaii, this
16th day of July, 1947.

Oren E. Long
Acting Governor of Hawaii



DeLorenzo Continued

Among our labor relations people, Mr. Feinsinger was respected for many abilities, including a fantastic sense of humor. His unusual wit gave him an ability to relax a difficult hearing even though both sides were under intense pressure.

I might point out that his abilities sometimes caused GM and the UAW to agree to requests that he serve as an arbitrator or mediator in disputes outside of our industry during the years that he served as an umpire.

This, of course, imposed a tremendous work burden on him. Our labor relations people recall an occasion when he was holding a GM-UAW umpire hearing in Kansas City while an airplane waited—irrespective of the time of day or night—to take him to Washington to serve as a mediator in an important case involving the public welfare.

* * *

Lloyd K. Garrison, New York lawyer, former Dean, former Chairman of the War Labor Board.

I don't know anything at *first-hand* about Nate Feinsinger as a teacher because I never visited his classes. Law School Deans aren't supposed to listen in on professors. I only know of one who did. He was the head and owner of a proprietary night law school, at that time the largest law school in the country and, I dare say, in the world. He had a pipe-line to every classroom and he would sit in his office, listen to his teachers teach, and fire any who didn't suit him. But though I never heard Nate Feinsinger teach, I knew from the students that he was tops. Of

course I never asked them directly about him—this was another thing a Dean was not supposed to do—but I'd hear comments and they were always glowing.

Moreover, in addition to labor law, partnerships and agency, he taught a big four-credit course in Bills and Notes, and he managed to make it interesting, which in my opinion (having groaned under its dullness at Harvard) was a remarkable feat. He accomplished this not by oratorical acts or by his ever-present wit—one couldn't be either dramatic or funny in expounding Bills and Notes—but by the sheer mastery of his subject and the pleasure he took—and conveyed—in making the students come to grips with its maddening intricacies. He had that rare combination of a sparkling personality and a scholar's conscience and love of law in all its twistings and turnings. To him the law was an intensely human process, evolved out of experience and felt needs, and since he was so intensely human himself he made it all come alive.

There are only two other things I can say about his teaching. First, Justice Holmes once remarked that the highest function of education was not intellectual but moral. If, he said, you can make someone see that another way of looking at things is truer and more profound—if you can really make him see and feel this to be so—the very nature of man is such that he will embrace it. This observation is peculiarly relevant to lawteaching. For law is not merely a practical tool but an ethical system distilled from a myriad of judgments about right and wrong, "between whose endless jars," as Ulysses said in *Troilus and Cressida*, "justice resides." He whose sense of justice is the most delicately attuned will best convey that sense to his students, and this is the highest gift he can confer on them. Knowing

Nate Feinsinger as I do, I know that he so rewarded those who were fortunate enough to take his courses.

The second thing I wanted to say was that he was a teacher not only of law students but of the multitude of laymen who battled before him in the turbulent arena of labor disputes. As mediator and as arbitrator he taught them, slowly but surely, and without seeming to do so, the need of moderation and honesty in dealing with one another, and the courage to confess error as well as to assert rights. And he thus taught not only the participants but all those who observed him in this process, as I did in our War Labor Board days. For this and much else I shall never cease to be grateful to him.

INSTITUTIONAL LIBRARIANS WORKSHOP

A workshop on the provision of legal research materials for prison inmates was conducted at the Law School under the sponsorship of the state Division of Corrections, the state Division of Library Services and the Law School on April 6, 1973. Ten librarians from the prison at Waupun, the Green Bay Reformatory, the Fox Lake Correctional Institution and the Home for Women at Taycheedah participated. Professor Maurice Leon, Law School librarian, lectured on legal bibliography and legal citation. Professor Volker Knoppke-Wetzel of the Extension Law department, and Martin Milgrim, Class of 1972, discussed criminal justice procedures and legal help available to inmates.

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THE GUARD CHANGES—

NELLIE DAVIDSON LEAVES THE LAW SCHOOL

After many years of observing the University scene from a number of vantage points, the *Gargoyle* is convinced that a small group of crucial employees (perhaps less than 20) have the power of life and death over the Institution. All of them are women. If, for any reasons of dissatisfaction with their hours, wages, conditions of employment—or for any other reasons—they were to decide collectively to withhold their services, the University would cease to function almost immediately. No pickets. No threats. No leaflets. Just quiet refusal would do the trick.

Their indispensability is due, of course, to the fact that they would never and have never withheld their services. As a result they are experts in all non-academic areas of university administration. They know the short cuts and the long cuts, the people and the sources of power. While they don't make decisions about the budget, they allocate funds and know who writes the checks. They hold various titles—Administrative Assistant, Secretary to the Dean, Office Manager, what have you. Deans, Chancellors, Presidents come and go; these people stay on through turmoil, staff change, expansion, contraction, development.

Nellie Davidson is one of this select group. This year the Law School will be put to the ultimate test. Mrs. D is retiring. Will the School survive? Will it maintain its connections with the rest of the University: Stores, the Bursar, the Registrar?

Who knows?

* * *

Civil Service calls her an Educational Services Assistant, yet she is no one's assistant. Recently, she has been designated by the Law School administration as Registrar of the Law School, although student registration and records are only a small part of the total responsibility of her office. She is self-described perhaps most accurately as Jack of All Trades.

As with the others in her elite company, her job has grown around her. Hence, her power and influence.

* * *

Her career at the Law School began in 1941, half days. She served as secretary and typist for Professors Rice, Bunn, Gausewitz and Campbell, then located in the "new" wing. Miss Aline Merz was the Dean's secretary. The office staff consisted of Miss Merz, Helene Wheeler, Mrs. D, a 1/2 time employee on the 3rd floor, and another 1/2 time typist in the Dean's office.

Early in the war, another task with another boss was added to her duties. By 1943 she was working full time all the time. Her additional duty was to prepare daily for Professor Page's course in *War Contracts*. There was no text on the subject. Mrs. D's job was to keep three cases ahead of the class, typing and mimeographing mountains of material.

This recollection leads her to recall her observation of the duplicating revolution which has occurred during her tenure in the Law School. From typing stencils (which were delivered to the old administration building for mimeographing) to Verifax and Xerox. The Verifax was particularly in-

teresting; the material to be duplicated was produced on a plastic master. Each sheet to be reproduced was placed under a heat lamp and baked 15 minutes. A bell announced the passage of 15 minutes. The heat was so intense that on occasions the heat lamps burst and shattered all over the room.

A modern duplicating room, providing a variety of services, was installed as part of the new Law School in 1965. It received special praise from the evaluating teams of the Association of American Law Schools and the American Bar Association during their visit to the Law School in November, 1971. Ruth Saaf, the manager of the duplicating room, is Mrs. D's daughter, the mother of three of her six grandchildren.

She has served continuously full time under Deans Rundell, Ritchie, Young, Kimball and Bunn—a "nice crowd to work for", she says. With Deans Rundell and Ritchie she was secretary as well as administrator, registrar and admissions officer. It was during Dean Ritchie's tenure that she gave up her secretarial duties and assumed her other tasks full time.

She has, she thinks, done everything in the Law School except teach. She has prepared class schedules—now the responsibility of the Associate Deans.

She has admitted students in the days when the only criterion for admission was a 2.5 average after three years, or a 2.0 and a Bachelor's degree. In those days, she recalls no one knew until the first day of classes how many were coming and who they were.

Many middle-aged alumni will recall the days after the second World War when the Law School enrollment exceeded 800, with a teaching staff only slightly bigger than its pre-war size. Part-time teachers helped fill the gaps, classes were huge, and three full semesters a year were provided to take care of the crowd.

Continued page 13

Guard Changes, *Continued*

The old building, which had been considered inadequate for at least 30 years, groaned and rocked with the weight.

The sudden upsurge required a major adjustment. During the War, she recalls—somewhat nostalgically—the Law School had 49 students and 4 full-time Faculty members. Afternoon coffee in the Library brought everyone together. (Coffee for the expanding faculty is another of her continuing duties). Many of the students were early returnees from the war, and their reminiscences added a dimension to the life of those left behind.

As the years have gone by, Mrs. D has continued to supervise the secretarial services to the Faculty. She puzzles a little at the changes. Few Faculty members dictate to secretaries any more. Some of them, who have special grants, provide their own secretarial service. Some seldom use typing assistance. All these changes have freed the staff under her supervision for the burgeoning administrative duties required to keep a large Law School in operation.

Her associations with students have been constant—and constantly pleasant, she reports. The Student Bar Association has entrusted her with the administration of an emergency small loan fund—interest-free, short-term, \$50 maximum, few questions asked. She provides records and transcripts, documents required for admission to the Bar, and answers to hundreds of questions. Students appreciate her courtesy and care; this year's crop honored her for themselves and the hundreds who came before, at their spring dinner on April 7.

She has enjoyed the changing scene. Although she recalls fondly her more than 20 years of service in the old building, she has not missed for a moment the drafty chill, the falling plaster, the rickety stairs, the crowded offices in the midst of wasted corridor space.

* * *



Mrs. D

For all her long service to the Law School, her career in the University, which began in 1931, includes five years' service in the Medical School and several years in the University Registrar's office, followed by retirement. She had intended to be a full-time housewife, and then briefly (in 1941) a part-time housewife.

Nevertheless, she is a young retiree. She and her husband, Vearl, are retiring together. Their plans are well-laid. Their cottage at Buffalo Lake has been fully equipped and winterized so that they can spend a substantial part of each year there. They are experienced motor home travellers,

so that the dead of the Wisconsin winter will find them elsewhere. They will keep their home in Madison, because their family is here. Their lives are full of auto races, card games, church and many activities. It will be a busy, happy time for them.

* * *

Will the Law School survive? Of course. It has an institutional dynamism for which Mrs. D herself is largely responsible. A whole academic year has been devoted to providing transition time and training to the staff.

It will survive, but it will be different.

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Where, continued from p. 15

Joseph W. Denissen—1953—
Dayton, Ohio

Peter R. Dennis—1964—
Wauwatosa, Wis.

Philip R. Dougherty—1961—
San Francisco, Cal.

Richard E. Downing—1958—
San Francisco, Cal.

Nancy C. Simonsen—1967—(now
Dreher) San Francisco, Cal.

Lawrence B. Dunn—1923—
McLean, Virginia

Charles T. Duvall—Arlington,
Virginia

John F. Ebbott—1970—
Milwaukee, Wis.

Mr. & Mrs. Frederick J. Erhardt—
1970—Selfridge, Michigan

Dale F. Fuller—1963—Santa
Clara, Cal.

Arthur F. Gausewitz—1965—
Chicago, Ill.