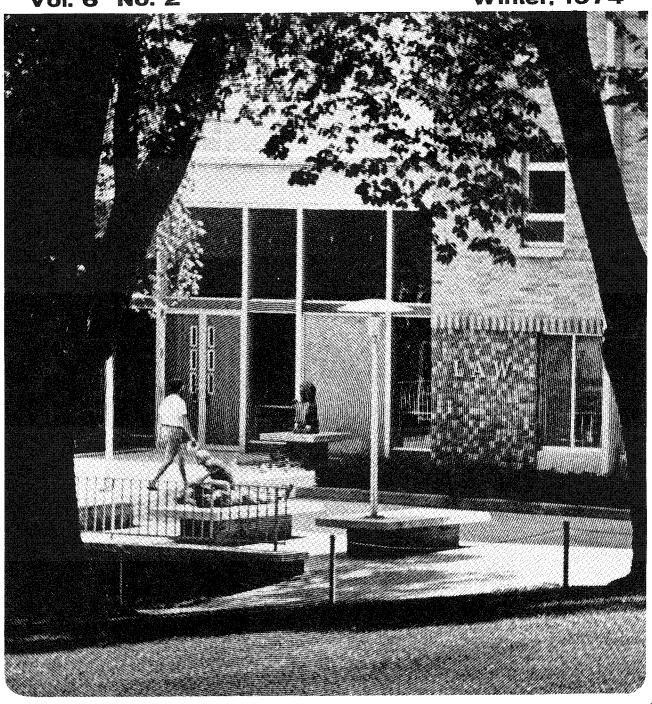
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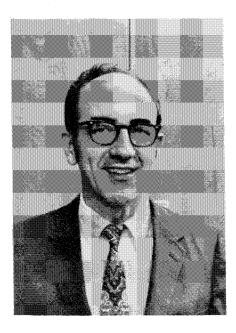
Alumni Bulletin of the University of Wisconsin Law School Vol. 6 No. 2 Winter, 1974



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The Gargoyle

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Dean Bunn

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#### THE GARGOYLE

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

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#### HEAR IT FROM THE DEAN

Most of what I have said recently about the School has been in complaint. My complaint has usually been that the School has been given insufficient funds to do its job. The media gave top billing to that reason for my resignation as Dean. As a result, what probably came through to most of you was what was wrong with the School. With an accreditation re-inspection team coming soon, you will probably hear more about what is wrong.

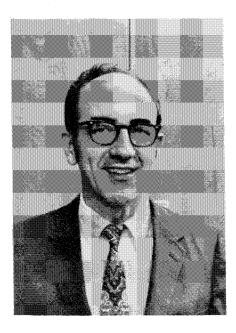
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Dean James White, ABA's Special Consultant on legal education, was just here at the invitation of the University's Central Administration. He announced the decision of the officers of the ABA's Section on Legal Education to re-inspect this law school. Their reasons included, he said, the fact that Wisconsin ranks almost at the bottom of Big-10 law schools in funding. However, he told a committee created by Central Administration to consider Wisconsin's need for a third law school that your School remained "very outstanding"-that its reputation as the "most innovative" in teaching techniques among Big-10 schools continued.

What has that innovation produced for our students? We have not revolutionized the curriculum or overwhelmed it with "practice skills" and "clinical programs" as some fear. Nor, on the other hand, do we teach only "theory" and "principles" as others complain. We try to do all of these things in moderation, and a good deal more.

There continues to be a general consensus on most of the first year core curriculum. We still teach procedure, contracts, property, torts and criminal law. But a number of other things have changed.

continued



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continued

#### **DEVELOPMENT OF SKILLS**

Present-day students share with members of the practicing bar an urgent desire to begin the development of lawyering skills while they are still in the Law School. Legal education from its very beginning has wrestled with this problem. Many students have sought out part-time jobs in law firms and government agencies as one way of being exposed to negotiating,

drafting, interviewing, arguing and examining witnesses. The rapidly developing clinical program is another.

The courses in Trial Advocacy and the General Practice offer a third approach, widely approved because of the carefully controlled and supervised opportunities they offer to deal with the very practical problems confronting new lawyers.

Trial Advocacy

A course in Trial Advocacy to "lay the sound foundation for the continuing learning process in court room skills" under the direction of Professor Stuart Gullickson has had an enrollment of 37 during the fall semester of 1974-75. "Our primary objective," Professor Gullickson says in his statement to the students, "is to train you in the single skill of examining witnesses. This skill is used by almost all lawyers, and in almost all forums-not just by trial lawyers, and not just in jury trials. Witness examination is important to lawyers in private practice, government, and industry . . . the cornerstone of lawyers' skills in a hearing before a court, administrative agency or legislative committee ... " Secondary objectives of the course include, among many, the techniques of introducing exhibits, making offers of proof, and qualifying expert witnesses.

Forty-five practicing lawyers have served with Professor Gullickson as the Faculty of the course during the first semester. In the early stages of the course, a teaching team of lawyers have demonstrated direct examination and cross examination, as well as serving as witnesses and judges. Interpretations of the process used is provided to the class, and the team of practitioners explained the techniques used and answered questions.

The second portion of the course, the class divided into groups of four students and one trial lawyer, provides an opportu-

nity for students to practice witness examination, by themselves serving as witness, lawyers, and judge.

Lawyers who participated in the course are:

Douglas Klingberg Wausau Richard Weber Wausau Adrian Schoone Racine James Heft Racine Robert Ruth **Beloit** Jerome Elliott **Beloit** John W. Roethe, Jr. Edgerton Byron Crowns Wisconsin Rapids Suzanne Kitto Janesville Waukesha William Reilly Raymond Colwin Fond du Lac Wisconsin Dells Francis Bannen Clark Demosev Whitewater Kenneth McCormick, Jr. Madison **Bradley Armstrong** Madison John Koeppel Madison Richard Lent Madison Donald McCallum Madison Sverre Tinglum Madison Jack Daley Madison Earl Munson Madison Donald Eisenberg Madison Frank Coyne Madison Henry Field, Jr. Madison John Winner Madison Carroll Metzner Madison Walter Thurow Madison Raymond Schrank Madison John Moore Madison Bradway Liddle Madison Robert Studt Madison Dennis Robertson Madison Gilbert Church Milwaukee Michael Tarnoff Milwaukee Robert Lerner Milwaukee Harry Peck Milwaukee Edward Dudek Milwaukee James Murphy Milwaukee Alvin Stack Milwaukee Larry Hammond Milwaukee

A Lawyer Looks at the General Practice Course from Inside

George Steil, of Campbell, Brennan, Steil and Ryan, Janesville, has taught in the General Practice Course for one week every year since 1969. When the decision was made to offer the Course in two semesters, necessitating the addition of a Co-Director for each, it was natural that he should be invited to accept the post during the first semester. J. Richard Long, Beloit, will become Co-Director during the second semester.

Mr. Steil's duties, generally, were to share Professor Gullickson's work. He participated in training the teaching teams, development of curriculum, planning demonstrations, teaching and supervising the evaluation of the students' daily written exercises.

The Faculty, he reports, was of very high quality. For the most part, visiting lawyers taught in the areas of practice where their professional proficiencies lay.

The students, generally, are planning on private practice. They impressed him as highly motivated and eager. For many it is their first chance to observe lawyers at their work; the coffee break conversations, he reports, provide an opportunity for informal contacts when questions arise and are answered.

Efforts are made to include consideration of the ethical problems involved in all aspects of practice included in the Course. The need for sound business management in law firms is also emphasized. Stress is placed on the drafting of documents to make them comprehensible to clients as well as to other lawyers.

"The students are eager and responsive," he noted. "The financial sacrifice made by lawyer-teachers is often mentioned by the students." He concluded, "the lawyers come to know students, and students come to know lawyers—."

To Mr. Steil, the most heartening result of the Course is found in the improvement of students' work from the beginning to the end of the semester. Each year, this has been so—it provides the ultimate justification for the course.

As in other years, four practicing lawyers serve as faculty in each week of the course:

#### Preparing the Defense of a Criminal Case—August 26-30

Mr. John O. Olson Lake Geneva Mr. Percy L. Julian, Jr. Madison Mr. Jack W. Van Metre Madison Mr. Franklyn M. Gimbel Milwaukee

#### Debtor-Creditor Proceedings-

#### September 3-6

Mr. Leonard V. Brady Milwaukee Mr. Paul Moskowitz Milwaukee Mr. Harry N. Loeb Madison Mr. Robert D. Martin Madison

#### Corporations—September 9-13

Mr. Gordon H. Smith, Jr. Milwaukee Mr. James R. Cripe Janesville Mr. Gilbert F. Barnard Darlington Mr. G. Lane Ware Wausau

#### Probate—September 23-27

Mr. Roy D. Stewart Racine
Mr. Patrick Kinney Lancaster
Mr. Harry V. Hill Madison
Mr. Deane C. D'Aoust Jefferson

#### Real Estate Transactions— September-October 4

Mr. W. Dale Phillips Milwaukee
Mr. Arthur C. Benkert Monroe
Mr. Joseph F. Preloznik Madison
Mr. Jerry E. McAdow Madison

#### Real Estate Closings, Leases,

#### October 7-11

Mr. Trayton L. Lathrop Madison
Mr. John K. Callahan Monroe
Mr. Donald A. Losby Eau Claire
Mr. Neil Hobbs Fond du Lac



**George Steil** 

#### Preparation of a Civil Case for Trial— October 21-25

Mr. Herman J. Glinski Stevens Point
Mr. Thomas D. Bell New Richmond
Mr. James R. Clark Milwaukee
Mr. John C. Mitby Madison

#### Preparation and Trial of a Civil Case— October 28-November 1

Mr. Harold Witkin Superior
Mr. James E. Garvey Eau Claire
Mr. Ted M. Warshafsky Milwaukee
Mr. Duane L. Arena Racine

#### Divorce—November 11-15

Mr. Leo H. Hansen Beloit
Ms. Agnes Loizeaux Marinette
Mr. Andrew R. Reneau Milwaukee
Mr. Robert P. Goodman Racine

#### Municipal Proceedings— November 18-19

Ms. Vel R. Phillips Milwaukee
Mr. Peter R. Dohr Madison
Mr. James F. Clark Madison
Mr. James F. Spohn Madison

#### Law Office Management—

#### November 20-22

Mr. Robert E. Tehan, Jr. Milwaukee Mr. Robert Oberbillig Des Moines Mrs. Virginia W. Sperry Jefferson Mr. Myron E. LaRowe Reedsburg

#### Wills and Informal Administration—Preparing the Defense of a

Criminal Case—January 13-17
Ms. Gilda B. Shellow Milwaukee

Monroe Mr. Thomas P. Doherty Milwaukee Eau Claire Mr. William F. Donovan Beloit Fond du Lac Mr. David J. Cannon Milwaukee

#### Debtor-Creditor Proceedings-

#### January 20-24

Mr. Donald D. Johnson Madison
Mr. Edward E. Hales Racine
Mr. Sidney Sodos Milwaukee
Mr. Joseph D. Becker La Crosse

#### Corporations—February 3-7

Mr. Roy C. LaBudde Milwaukee
Mr. Paul L. Witkin Superior
Mr. Robert C. Lovejoy Janesville
Mr. Robert A. Bachman Appleton

Probating Estates—February 10-14

Ms. Dorothy Nelson Topel Marinette Mr. Robert R. Lehman Madison Mr. Franklin L. Nehs Appleton

#### Real Estate Transactions— February 24-28

Stevens Point Mr. Robert R. Henzl Racine
New Richmond Mr. Gerald W. Jaeckle Beloit
Milwaukee Mr. Theodore B. Hertel, Jr. Milwaukee
Madison Mr. John H. Short Fort Atkinson

#### Divorce Cases—March 3-7

Mr. David L. Walther Milwaukee
Mr. Malcolm Gissen Richland Center
Mr. Clarence R. Parrish Milwaukee
Ms. Joan F. Kessler Milwaukee

### Real Estate Closings, Leases, Wills and Informal Administration—

March 17-21

Mr. David Y. Collins Beloit
Mr. Rodney O. Kittelsen Monroe
Mr. John L. O'Brien Eagle River

#### Municipal Proceedings— March 24-25

Mr. Milo G. Flaten, Jr. Madison
Mr. William T. Schmid Milwaukee
Mr. Henry B. Buslee Fond du Lac

Mr. William L. Seymour Elkhorn

#### Law Office Management— March 26-27

Mr. John W. Stevens Wausau
Mr. Gerald J. Berres Beloit
Mr. Irvin B. Charne Milwaukee
Mr. John D. Varda Madison

#### Preparation of Civil Cases for Trial— April 7-11

Mr. Kenan J. Kersten Milwaukee Mr. Howard A. Davis Milwaukee Mr. Mac A. McKichan, Sr. Platteville Mr. Robert J. Ruth Beloit

#### Preparation and Trial of Civil Cases— April 14-18

Mr. William E. Johnson Madison Mr. Gerald J. Bloch Milwaukee Mr. Leonard L. Loeb Milwaukee

#### THE FOUR LIVES OF

#### **GEORGE R. CURRIE**

It's no wonder that many able people desiring flexible, influential, varied and interesting careers have turned to the Law. There are some remarkable models for them to observe.

For example, there's George R. Currie—lawyer in general practice, Wisconsin Supreme Court Justice, Professor, dahlia grower of great renown, arbitrator, trial judge, all around citizen. All in one lifetime, too.

\* \* \*

Since his retirement in June, 1970 from his position as professor of Law, he has had at least three concurrent careers. He started out as a Reserve Judge, sitting in various circuits, chiefly in Dane County, where the presiding judge had a congested calendar or was unable to sit. In 1971, he was appointed by the federal Office of Economic Opportunity to participate in an evaluation of the California Rural Legal Assistance Program. Governor Ronald Reagan had vetoed the program's appropriations after an investigation by his staff. Judge Currie sat with former Chief Justice Williamson of Maine, and Justice Robert Lee, a member of the Supreme Court of Colorado. The opinion of the three commissioners was directed to the Director of OEO. The study took about four weeks and produced the decision that the charges leveled by the Governor's investigators were unfounded. On the contrary, the Agency was lauded by the visiting judges.

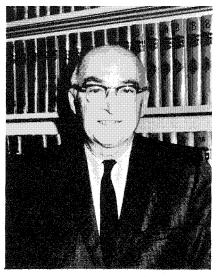
During 1973, Judge Currie devoted 91 full days to his judicial work as a reserve judge and expects his total for 1974 to at least equal that of 1973. This work is often spread part-time over many days, as he attempts to confine his decision writing to mornings. His iudicial specialty is the review of the decisions of many state agencies: the Department of Industry, Labor and Human Relations (formerly the Industrial Commission), the Public Service Commission, the Department of Health and Social Services, the Bureau of Personnel, Wisconsin Tax Appeals Commission and others. Appeals from agency rulings are heard in the Circuit Court of Dane County, where he is situated.

For eight months in 1972 and early 1973, he served as Chairman of the Governor's Commission on Real Estate Transactions, an examination of the state's procedure in the acquisition, sale and leasing of property. It was the University's acquisition of Lowell Hall, widely reported in the papers, that probably led to the investigation. The Commission found no dishonesty, but did recommend changes in the procedures used.

Mr. Currie serves as the permanent arbitrator between the Firefighters Union and the City of Madison, dealing with grievances which arise under the negotiated agreement. On a case by case basis, he is appointed by the state Department of Administration and the Wisconsin State Employers Union as arbitrator of disputes under the negotiated agreement between the State and the Union. Grievances have to do with claims for overtime pay, letters of reprimand, injuries by inmates in the state institutions, etc. In 1974 he has heard six of these arbitration cases and two additional ones have been scheduled for later in November.

All of these occupations have developed since 1970, the year in which Professor Currie retired. He had been a Faculty member only two and a half years. He taught large classes in Corporations, Evidence and Civil Procedure II, and also seminars on appellate practice. Even as a professor, his talents of judgment were put to work. He served as Chairman of the Mayor's Commission on the Mifflin Street disorders, with the charge of determining the facts of the 3 days turmoil, and recommending police procedures to deal with similar situations in the future. He was the first Chairman of the Legal Education Opportunities Committee. He worked, he recalls, three or four hours to prepare for each class hour, but always found it enjoyable.

He came to the Faculty after 16 years and 4 months on the Supreme Court of Wisconsin. Appointed in 1951, by Governor Walter Kohler, Jr., his Shebovgan friend, he was elected to the Court in 1957 without opposition for the term expiring January 1, 1968, and defeated for re-election in 1967. He was made Chief Justice in 1964. He has fond memories of his days as a Justice, though the work was hard. During the first nine years of his tenure, there were no law clerks. The law clerks, he recalls, permitted a greater depth of research and a sounder basis for judgment.



**George Currie** 

All of this began, of course, with graduation from the Law School in 1925, where he was one of the early editors-in-chief of the Law Review, a member of Coif, the 1970 recipient of the Law Alumni Association's Distinguished Alumni award. Shortly before graduation he borrowed a Model T Ford and went looking for work. His future awaited him in Shebovgan. where he became associated with Bowler and Bowler, later being made a partner in the firm. After Mr. E. R. Bowler died in 1937. Mr. Currie formed a partnership with Fulton H. Leberman, also a graduate of the Law School, which partnership continued until the latter's death in 1941. Thereafter, he joined the partnership of which he was a member when appointed to the court, the firm name then being Buchen, Currie, Federer, Grote and Hesslink. The senior partner, Gustav Buchen, was a long-time state Senator, the father of Philip Buchen, President Ford's partner in Grand Rapids and confidant in the White House.

It was a large and diverse practice, and much of his time was devoted to labor relations, on the management side. Although he developed deep roots in Sheboygan and an active involvement in many community affairs, he did not mind moving to Madison, as the future looked bright and the prospects good.

The future is still bright for George Currie.

Season's Greetings

#### **FACING THE FUTURE**

The people of the United States—and of much of the rest of the world, too—are examining with care the vital signs of the economy, eager to find some indication of the future.

One of the signs is the job market for the young professionals. And, as with other economic indicators, reading it is so difficult that even the experts have trouble making predictions.

The Class of 1974 included 44 graduates at mid-year (December, 1973), 254 graduates in May and 20 graduates in August. Of these 42 are women. Although, according to Mary Staley, the number of positions available appeared to be about the same as in other recent years, the increase in the number of graduates has tightened the job market, and created keen competition for the jobs.

As the *Gargoyle* goes to press, about 73 of the 318 graduates (about 28%) have not yet notified the Placement Office whether and where they have located employment

Of the 270 graduates about whom there is recent information, 143 (about 53%) have accepted positions in private practice, 108 located in Wisconsin and 34 outside the state. Of these 19 are establishing themselves as sole practitioners or partners of other recent graduates. Fifty students have government positions, 17 in the federal service, 28 in state and local government, some of them as assistant district attorneys and assistant city attorneys. Seventeen recent graduates have joined agencies which have become known as

No one knows, for example, how many jobs are presently available. Keeping track of the mobile young people is very difficult, many of them do not keep in touch with the Law School after they leave. Some recent graduates may not be looking for positions immediately; some limit their searches to certain limited areas of the law; others may be awaiting bar admission in other states; some are awaiting placement in certain communities. Some may just forget to let the Law School Placement Office know where they are.

Legal Services—8 in Wisconsin and 9 outside the state. Thirty-two members of the class have accepted positions in businesses, including banks and insurance companies among others. Twenty-three of these are in Wisconsin. Six recent graduates are serving this year as clerks to federal and state Supreme Court judges. Eight graduates are serving their deferred active duty in the military.

All of these placements, including those who have non-law employment (13 have reported) are similar to the graduates of 1973 and 1972.

The percentage of graduates who have stayed in Wisconsin, in various occupations, is more than 60%, about the same as 1973 and 1972. This may be, at least partially, the result of the Law School's marked reduction in the number of non-residents admitted to the Law School. Probably, the privilege of Bar admission (without examination) on the motion of the Dean was a decisive factor for some graduates.

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Although there is growing apprehension about the future in Law, as there is in almost all other professions, Mrs. Staley reports that the interviewing has brought to Madison about the same number of recruitors as last year and the year before. Most third year students realizing the uncertainties are actively exploring the world outside. They are using the Placement Office extensively, and looking around a great deal on their own. Recent graduates are using the Placement Services for re-location.

No one in the Law School can say accurately what the future holds. Applicants to the Law School who are seeking job security not available in the teaching profession, for example, should be aware that in the next three or four years many changes are in prospect, but whether the changes will expand the opportunities or contract them is something which no sensible expert can predict.

X MARKS THE SPOT ON YOUR CALENDAR— THE DAY OF THE LAW SCHOOL SPRING PROGRAM—

-ARGUMENTS, PROGRAMS, AWARDS-

SATURDAY, MARCH 22

LUNCHEON REUNIONS: 1920, 1925, 1930, 1935, 1940, 1945, 1950, 1955, 1960, 1965, 1970

**DETAILS WILL FOLLOW** 



**Placement Board** 

#### VISITORS AT THE LAW SCHOOL TWICE IN 1974

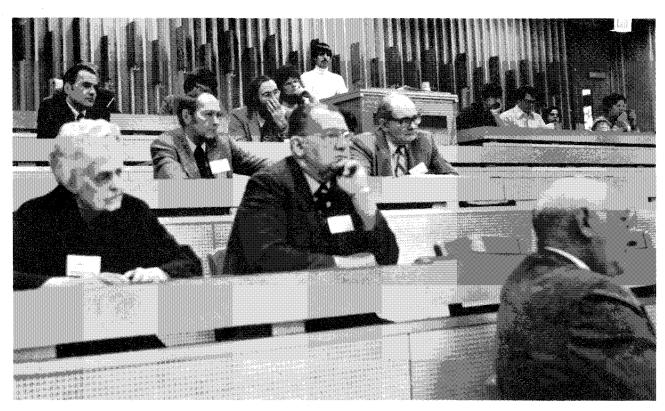
The annual alumni visitation of the Law School took place on November 15 and 16. Members of the WLAA Board of Directors and Board of Visitors were invited, as well as a number of other members of the Bar. As in other years, visitors attended classes on Friday morning, and had lunch with students selected by the Student Bar Association, the Black American Law Students Association, the Association of Women Law Students and other groups.

The annual gripe session (now called "Open Forum") was held in the early afternoon, followed by group discussions on the improvements in legal education and student placement problems.

Dinner with the Faculty closed the day.

On Saturday morning, November 16, there was an early morning meeting of all who participated to draft a preliminary report. The WLAA Board of Directors and Board of Visitors had a business meeting at 10:00 a.m., and the Board of Visitors met at lunch to frame recommendations.

Following is the long-delayed report of the most recent visitation, held on February 8 and 9, 1974:



Visitors - November, 1974 - included (left to right) Miss Dorothy Walker, Professor Sam Mermin, William Rosenbaum, Professor Stephen Cohen, Spencer Kimball, Corwin Guell, Mac McKichan (lower right corner)

#### REPORT OF BOARD OF VISITORS AFTER VISIT OF FEBRUARY, 1974

Chancellor H. Edwin Young University of Wisconsin Madison, Wisconsin

Dean George Bunn University of Wisconsin Law School Madison, Wisconsin

Re: Report of Board of Visitors University of Wisconsin Law School—1974 Visit

#### Gentlemen:

The Board of Visitors of the University of Wisconsin Law School visited the School on February 8 and 9, 1974. In addition to the Board of Visitors, members of the Wisconsin Law Alumni Association, members of the judiciary from Dane county, lawyer members of the Board of Regents, and lawyer members of the legislature were invited to attend; and a number of past and present members of the University of Wisconsin Law School faculty also were present.

Visitation started with an organizational and briefing meeting conducted by Dean Bunn. Representative class visitations were suggested by the Dean; however, members of the Board of Visitors were free to attend any classes they wished to visit. Ten classes were visited by one or more of the Board of Visitors.

In addition to class visitations, the Visitors divided into groups to discuss with students subjects which the morning briefing and orientation section concluded were particularly relevant to the current problems of the Law School. The three subjects for discussion were:

1. The Law School's response

to the demand for legal education: quantity and quality. Law School crowding, expansion or contraction; the Lockhart accreditation report; the budget, and the reputation of the School. Reports of admissions committee and curriculum reports.

- 2. The Legal Education Opportunities Program (LEO).
- 3. Women in the Law School and in the profession.

On Friday afternoon, February 8, a session was conducted in one of the large classrooms, in which both faculty members and students were invited to air any grievances or make any suggestions in respect to the School. This session was conducted by the Chairman of the Board of Visitors.

#### GENERAL IMPRESSIONS

It was the general impression of the Visitors that, despite serious budgetary problems, the quality of education remained surprisingly high and that students attending the University of Wisconsin Law School continue to receive a superior legal education, albeit under circumstances that make the continued availability of quality education doubtful in the near future.

The Visitors were particularly impressed with the quality of teaching in the classes visited. There was unanimous approval of the great teaching skill evidenced by new members of the faculty. The Visitors concluded that, despite the budgetary deficiencies that have prevented the recruitment of an adequate number of new law teachers, the quality of those recently hired fully accorded with the highest traditions of the Law School's history.

It was apparent to the Visitors that some classes were so large that little of the give and take necessary to the education of law students could take place. Only in the smaller classes—and there were few of these—was there an opportunity for student participation.

The Law School's Response to Increased Demand for Legal Education

The most obvious response to the increased demand for legal education has been to increase the size of the student body. The Law School, which was designed for a maximum of 750 students, at the time of the Board of Visitors' meeting had 938 students enrolled. This enrollment has been accomplished without a proportionate increase in the financial resources available. Accordingly, the Law School is attempting to educate many more students in the identical building and with only a slightly increased faculty. This has resulted in having Law School classes with as many as 190 students, a number far above the optimum figure for law school education. The increase in the number of applicants has also resulted in ever increasing academic and test standards required for admission.

In 1973, there were 2300 applicants for admission to the freshman class. In 1974, the number was approximately 1900. While the number of applicants has decreased slightly, the credentials of those applying are higher than ever. This leads to the belief that the demand for legal education is just as great, but that there is greater self-selection as the excessively high admission requirements become generally known.

Based upon the standards of the Law School 10 years ago, almost all of the recent applicants would be admissable. Because of the limited student places available, the admission requirements have, however, become higher. The median LSAT score of the 1973 class was approximately 650, and the grade point average 3.5. At the time of the Board of Visitors' meeting, it was the intention of the faculty to improve the student-faculty ratio to a small degree by limiting the first year class to approximately 280 students as contrasted with some 330 who were admitted in 1972. Of the 280 students to be admitted, approximately 55 would be nonresidents of Wisconsin. The Law School faculty estimated that at least 350 Wisconsin students with outstanding academic records and who all predictors indicated would be highly successful law students would be deprived of legal education in their own publicly supported law school.

The Law School faculty has been caught between the Scylla of increasing demand for admission by well qualified students and the Charybdis of being financially unable to supply the quality of legal education for which the University of Wisconsin Law School has received national and international recognition.

This dilemma and the necessarily unsuccessful efforts of the Law School faculty to satisfy these competing interests were reflected in the report of the American Bar Association's law school accreditation committee. That committee pointed out three serious deficiencies in the Law School. The committee's survey showed that the student-faculty ratio of 28 to 1 is far above the recommended minimum of 20 to 1 and is even more out of line when compared to the optimum. Significantly, it is far higher than the student-faculty ratio of 18 to 1 that existed at the Law School as recently as 1968.

Another serious deficiency is the salaries paid to members of the faculty. The Lockhart report concluded:

"The salaries 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."

A third serious deficiency pointed out by the A.B.A. report was the inadequacy of the Law School library. Since the time of that report, considerable progress has been made to improve the library collection, but it is the impression of the Board of Visitors that the physical facilities available for student study—the number of sitdown places in a library environment—have not been increased and remain grossly inadequate.

The Board of Visitors endorses the faculty's attempt to secure adequate financing. Underfinancing is at the heart of the Law School's problems. It is the cause of the inadequate size of the faculty and is the cause of the deplorably low faculty salaries.

Despite the critical need for additional faculty members-13 new positions were recommended as a minimum by the Lockhart report -only 5 new faculty positions could be filled under the limits of the University imposed budget. While the Visitors were impressed with the high quality of new law teachers who had been recruited in recent years, outstanding young faculty members have left Wisconsin once they have established their reputation here, and were unable to receive salaries commensurate with their nationally recognized abilities. There is great danger that the Wisconsin Law School will keep few, if any, of the outstanding young faculty members that have been recently recruited. While the beauties of Madison and the traditions of academic freedom at Wisconsin will continue to attract young scholars and teachers, man lives by bread as well as by beauty and tradition.

Figures presented to the Board of Visitors show that the per student support in terms of funds from the University is the lowest of any Big Ten law school. The Law School is grossly underfinanced also when compared to other graduate schools in the University. In 1972, the amount budgeted per law student was \$1,150, for a medical student \$7,626, for the average graduate department \$3,130 per student. The 1973-74 budget increased that amount to \$1,308 per law student and to \$9,820 per medical student. The support to other graduate schools remained about the same.

Under these straitened financial conditions, Wisconsin cannot continue to give quality law school training even by the most traditional methods. In addition, the budget makes no allowance for the important and now universally recognized need for clinical education. The University of Wisconsin Law School has traditionally been recognized for its responsiveness to the sociological needs of the community and state. Numerous new opportunities are available to law schools which are in financial position to take advantage of these opportunities. Through federally funded programs, internships are available to law students in prosecutors' offices and as law clerks for trial judges. It is recognized that these programs are of great academic and practical importance. The Law School, however, cannot give academic credit for most of these programs, because they do not have the necessary faculty supervision to make sure that each intern in each program is receiving training with a high academic content. Far less than an optimum advantage has been taken of new and important programs that are available to law schools which are sufficiently funded. If there were adequate faculty supervision available in the various internship and student practice programs, much important academic work could be done outside the confines of the Law School, and even with the present excessive enrollment, the rabbit warren atmosphere of the Law School could be—to a degree at least—ameliorated.

The Board of Visitors realizes that there is a movement by the Wisconsin Bar Association for the re-certification of lawyers-that in a rapidly changing society the theories studied and skills acquired in law school, except as to basic principles, become, to a considerable degree, outmoded. Traditionally, the Law School has felt, in accord with the "Wisconsin Idea," that it, as a branch of the University, had a particular responsibility toward the bar and the practice of law. The Law School ideally should be the center from which lawyer re-certification and re-training programs could be accomplished. As things stand now and in the foreseeable future, only very limited assistance, if any, can be given to the practicing bar by the Law School faculty.

While the Board of Visitors recognizes that legal education is primarily an academic discipline and the greater portion of it must be accomplished through classroom work, nevertheless students who graduate are afforded the diploma privilege and are legally entitled to practice law from the date of graduation. Yet, except for a few highly successful practice courses, which only a limited number of students can attend, Wisconsin law students receive little exposure to practice situations. Wisconsin law students may hang up their shingles although they are woefully deficient in fundamental legal skills. They lack intensive training in legal writing and draftsmanship. Training in advocacy is almost entirely limited to volunteer programs; and the fundamentals of law office practice and interviewing and counselling clients are only beginning to receive the consideration that they deserve.

The Law School has responded to the need for additional faculty by using a large number of practitioners in selected courses which deal primarily with practice and procedure and oral advocacy. The Board of Visitors encourages and approves of this interchange between the faculty and the practicing bar. Law practitioners are uniquely able to bring reality to the academic study of law and assist materially in the teaching of legal skills. Yet, each member of the Board of Visitors, while approving of such part-time faculty, recognizes that no part-time teacher can devote to his work in the Law School the same undivided attention that is expected of a regular member of the faculty. While we believe that this interchange should be encouraged irrespective of the financial ability of the School, it should not be used as a crutch to avoid the hiring of necessary full-time faculty. The practice program, though well conceived, directed, and organized, is insufficiently staffed to provide acrossthe-board skills training that should be given to each student accorded the right to practice law upon graduation.

The University Administration refuses to recognize that there should be a differential in salaries paid to teachers in the Law School who are members of the bar, as compared to faculty members who are not members of practicing professions. The Board of Visitors, on the other hand, recognizes that the legal abilities required to be a law teacher must be at least as high as those that are required to be a leading member of the practicing profession. Yet, their income is far lower. The problem is recognized by the University Administration in respect to the Medical School faculty, and they receive salaries substantially in excess of faculty members who are not members of the traditional practicing professions. It should also be pointed out that accreditation standards penalize law schools in which the faculty supplements its income by private practice. In the Medical School, private practice, however, is encouraged. The Board of Visitors believes that the same salary recognition should be given to lawyers who are professors of law as is accorded to professors of medicine who are licensed physicians.

The Law School faculty has made various responses in an effort to alleviate its current problems. The fundamental need, however, is simply a matter of money. The Dean and Faculty have responded to that need by a reasonable request for increased funding from the University Administration and the Board of Regents. The Board of Visitors endorses this request.

Another response to the demand for legal education has been to reduce the size of the first year class in order that the Law School may to some degree accommodate its enrollment to budget realities. This, to some extent, has been accomplished, but we believe, to the detriment of the people of Wisconsin. Literally hundreds of exceedingly well qualified Wisconsin students have been deprived of an opportunity for legal education. Many of these rejected students admittedly would be outstanding lawyers. The reduction in enrollment has been largely accomplished by increasing the standard of academic qualifications. This has resulted in a highly elitist student body. While studies have shown that there is a high correlation between academic ability and success in the practice of law, hundreds of Wisconsin students are turned away who have gilt-edged academic qualifications. It is highly doubtful that the excessively high qualifications now required for admission will contribute to average citizens' needs for good legal representation in the cities and small towns of Wisconsin.

The Board of Visitors disapproves of the excessively high standards that are now required for admission to Law School, but it acknowledges that no better solution to the problem than that offered by present faculty practices has been offered.

Until the summer of 1974 a preadmission program was offered to students with marginal qualifications. Those students who showed substantial promise in representative courses were admitted to the Law School. The program was dropped because of the excessively high sacrifices-in terms of time and money by students-when at best only about two-thirds of the pre-admission students could finally be admitted. The Visitors, however, regret that this "safety valve" program, which at least gave marginal students another opportunity to qualify, was abandoned. It should be noted that "marginal," as used in this context, refers only to the fact that they were near the bottom of the group, all of whom had met very high standards. In terms of traditional admittance standards, they were highly qualified.

The Law School faculty has, however, innovatively responded to this problem by recommending a second law school in the State of Wisconsin, a law school with the same high teaching standards that have been traditional at Madison. An additional school would make possible the admission to Law School, both at Madison and at another location, of well qualified students now denied admission. Law School education is extremely inexpensive for the taxpayers of the State of Wisconsin, and another law school could be established with little financial impact upon the citizens. The Board of Visitors has given its approval to a second law school,

and a committee of lawyers, citizens, and faculty organized by the Chancellor of the University has recommended that a second law school be started. A committee formed by the Central Administration has, however, by a divided vote, withheld its approval. We believe that additional facilities for legal education are required in Wisconsin. This possible solution to the admissions problem—a second law school—should receive renewed consideration.

The faculty has rejected a trimester program. There is also little enthusiasm for a night law school. A trimester program would require a considerable increase in faculty positions, and the night law school would probably be inappropriate except as a part of a second law school in a location other than Madison.

We believe that the Law School faculty, by and large, has responded responsibly to increasing demands for legal education. Their response, however, could not solve the basic problems. These can only be alleviated by adequate funding of the Law School and an augmentation of physical facilities in Madison or elsewhere.

#### Open Forum

In recent years it has been traditional for the Board of Visitors to meet in an open forum with student and faculty members. An hour and a half was devoted to that meeting in the 1974 visitation. The session was billed and noticed in advance as a "gripe session." We believe this is a misnomer, and in the future we suggest to the faculty that it be billed merely as an "open forum," in which there may be a free interchange of ideas between the Visitors on one hand and the students and faculty on the other.

The emphasis at the 1974 session was not upon gripes or complaints but upon the need for the planning of law school activities and the seeking of information in respect to the future of the school. It should be pointed out that the general tenor of the meeting was far different than it had been in the past. During the period of campus unrest, there appeared to be a considerable amount of faultfinding over relatively trivial issues. The students in this session addressed themselves to the same serious concerns shared by the Visitors. There were comments and questions about the recent law school accreditation report, the size of the faculty, the need for physical expansion of the law building, the problems of library security, and the need for specialization in the law. There was also a discussion of discrimination against women in the practice of

There were specific criticisms directed to the inadequate response of the University Administration and the State government to the needs of the Law School.

One comment not brought out elsewhere was the need for more administrative assistance in the Law School for the Dean. Dean Bunn acknowledged in the Board of Visitors' meeting that there was a lack of administrative assistance in the Dean's office and that, as a consequence, much of the routine administrative work was handled by full-time faculty and this reduced the ability of the faculty to do necessary teaching and research. He acknowledged that, because ostensibly full-time teachers were spending a considerable amount of time on administrative work, the student-faculty ratio was even more aggravated than the statistics would indicate. On the other hand, Dean Bunn indicated that it would be a mistake to have a large administrative staff that was removed from the problems of the faculty and the students. He agreed with the Wisconsin Law School's tradition of having administrators come from the academic ranks and returning to academic work after a term in which they performed administrative duties.

As a matter of priority, the Dean indicated that the funds should be allocated to the academic faculty before there should be any increment in the strictly administrative staff. The Visitors agreed with Dean Bunn's theories, but they felt that additional funds are needed now to provide additional administrative support and that additional academic positions should be created with the specific purpose of taking into consideration the problems that arise when administrative responsibilities are given to faculty personnel. Faculty people involved in administrative duties should be substantially relieved of their teaching duties and the faculty-student ratio should be adjusted to reflect the true relationship-i.e., if academics are to be used as administrators, some additional faculty must be provided to reasonably staff the administrative and traditional teaching functions.

Legal Education Opportunities Program

The LEO, the Legal Education Opportunities Program, was one of the areas of major concern to the Board of Visitors. The Board of Visitors is satisfied that this program has become a substantial success and has made it possible for a larger number of students from minority groups to enter law school and to successfully complete the program for a J.D. degree. As a consequence of this program, minority enrollments in the Law School have increased. It was suggested that the program be augmented by greater scholarship funds where possible, particularly in the second and third years, since adequate funding is generally only in the first year.

The Board of Visitors endorses the LEO program and urges greater funding, the recruiting of additional faculty members from minority groups where feasible, and the establishment of specific allocations to the LEO program in future fund-raising efforts.

It was interesting to note that LEO students, although particularly concerned with the problems resulting from their origin in minority groups, expressed the same concerns about the quality of the Law School that were expressed by students generally. Their concern was not merely for their status in the School but for the University of Wisconsin Law School in its totality.

# SUPPORT THE LAW SCHOOL FUND

Women in the Law School and the Legal Profession

Another major area explored by the Visitors was the problem of women in the Law School and in the legal profession. The women students present at the meeting complained that too few women had been hired to teach full time in the Law School. They felt that the ratio of women to men in the faculty should bear some relationship to the proportion of men to women in the student body. They called to the attention of the Visitors that by that standard the number of male members of the faculty is excessively high. They also expressed the feeling that the faculty should pay more attention to the opinions of the women students in the hiring of women faculty members. They believe particularly that they should be permitted to attend the final hiring meeting, so that their recommendation can be considered by the persons actually doing the hiring.

A major complaint of women students stems from the fact that

many of them either have small children or must work during the law school term. Present rules require that a first year student take at least 15 credits, and in addition a first year student has no choice of the class sections to be attended. This, the women students point out, does not allow sufficient flexibility to allow them to care for small children. They have recommended a reduction in the number of credits required of first year students and the opportunity to take a required course at a time that is most compatible with their obligations as mothers or as students who are required to work outside of school. There was also some interest expressed in a fulltime Madison night law school which would make it possible for students who work, and particularly the mothers of small children, to attend school in the evening. Some of the same students also urged that there be a day care center in conjunction with the law school. While a day care center would appear to be infeasible unless it were an all-University project, the Visitors support an effort to give additional flexibility to class schedules. Present rules also require that law school be completed within five years. This in some instances imposes an excessively onerous burden on students with non-academic responsibilities. Further study should be made of this problem and the desirability of the five-year rule.

One serious complaint made by law students was the continued use of Wisconsin Law School placement services by firms, business and legal, which indicated that they would not consider hiring a woman. They urged that a condition of using the University of Wisconsin placement services be that no prospective employer refuse to hire a student on the ground of sex. The Board of Visitors recommends that it be made clear to prospective employers that hiring should not be made on the basis of sex and that the placement services of the Law School be afforded to only those employers who were to abide by that principle.

It was also brought to the attention of the Visitors that a number of the faculty members, including part-time faculty members from the practicing bar, were insensitive to the problems of women, and it was felt that some effort should be made to sensitize faculty members to these real concerns of women law students.

In respect to sexist remarks by the faculty, the Board of Visitors recognizes that probably the most that can be hoped for is an increased sensitivity and a consciousness of the problem by those who are teaching in the Law School. There was no evidence of any conscious sex discrimination by any faculty member either full or part time. It is the hope of the Board of Visitors that mutual education of the faculty and students, one by the other, will reduce both oversensitivity and undersensitivity. The Law School has adopted a strong position to encourage qualified women students to attend the school, and the problems that now exist, we believe, are temporary. Although the concern of women students is legitimate and its cause must be eliminated, this is a matter that we hope time and propinquity will cure.

#### **CONCLUSIONS**

In conclusion, the Visitors can only reiterate the obvious-for good reason or bad the University Law School has been systematically starved of adequate funding. The genesis of these financial problems may well lie with the State government, but the facts show that the Law School has been shortchanged of its fair share of University funding. While pride in our own profession adds vehemence to our position, the fact is that the continued high quality of the University of Wisconsin Law School is fundamental to the political health of the State and to personal liberties of Wisconsin citizens. The traditions that have made the University of Wisconsin great—"sifting and winnowing" for the truth and "Academic Freedom" -are essentially concepts that have found expression in the discipline of law.

There is an explosion of legal activity nationwide. It seems a strange and inexplicable misallocation of the University's resources to starve one of its most distinguished schools at the time of the State and Nation's greatest need for legal services.

The Law School, under the circumstances, is surprisingly good, but under these circumstances it cannot long survive as an institution in which either the University or the people of the State can take pride. It is only because the School was far ahead of most others before the present enrollment-financial dilemma that it is not now far behind. It retains a faded respectability, but its claim to national distinction grows more tenuous each year.

The School is well administered and staffed by a distinguished but underpaid faculty spread too thinly to discharge the pedagogical, research, and administrative duties required in a law school that lays claim to excellence.



N. S. Heffernan

The deficiencies in the Law School are the result of policies external to the School itself. They stem from the failure of the University to give adequate support to public legal education.

Board of Visitors University of Wisconsin Law School

N. S. Heffernan, Chairman



The future is bright for the class of 1975, with their friends: Professor George Young, Dean Bunn, Chancellor Young, President Weaver

#### 1974 ADMISSIONS

Can you believe it? During the fifties and the beginning of the sixties, the Law School enrollment dropped steadily, from 759 in 1950 to 462 in 1960. An ad hoc committee of the Faculty was formed to develop recommendations for ways of increasing the enrollment. The shortage of lawyers was acute. "We need not belabor the question of whether there is a sufficient number of law students today; the number is on the level of 1926, although there has been a population increase of 60 per cent," the Committee stated. Recruitment teams of Faculty members visited college campuses both within Wisconsin and outside.

The efforts to enlarge the student body probably did not produce the sudden change, for there seems to be a relentless, mysterious and complex tidal movement, with influence far beyond that of a law school committee, which for the time being, at least, is tipping a large mass of young people toward training in the law.

For the last three years, the

Wisconsin Law School has made a careful effort to reduce the enrollment in the Law School to a size more compatible with the budget, the size of the Faculty and the limitations of the physical plant. The effort has resulted in a reduction of the total enrollment by approximately 100 students in 1972, 1973 and 1974, and in fact 857 have been enrolled.

The number of applications (1805), completed and considered, rose only slightly in 1974 over 1973. Resident applicants numbered 876; non-residents 929. Of the 269 new students who arrived in late August, 220 are residents of Wisconsin, while 49 are nonresidents. Median grade point averages also remained about the same (between 3.4 and 3.5), and the median score on the Law School Admission Test is down slightly.

Seventeen students in the first year class are participants in the Legal Education Opportunities Program, 14 of them residents of Wisconsin, 3 non-residents.

Ninety-six members of the first year class are females, bringing the total now enrolled to 239, more than 27% of the full-time enrollment.

Only one student was admitted without a bachelor's degree, representing a marked decrease since 1970, when 26 members of the first year class were admitted without bachelors' degrees.

Nineteen transfer students were admitted, many of them late in the summer, when it became clear that a number of the applicants offered early acceptances chose, at the last minute, to go elsewhere.

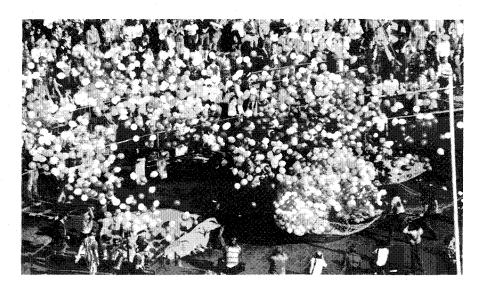
The transfers come from 13 different law schools in many parts of the country.

One hundred seven of the members of the Class of '77 have bachelors' degrees from the University of Wisconsin-Madison, and forty-four are graduates of the other campuses of the merged University. Of these, 14 are from the U.W.-Milwaukee.

Private liberal arts colleges and universities in Wisconsin contributed 19 graduates to this year's entering class, the largest groups from Marquette (5) and St. Norbert's (7).

The remainder of the group came from about 75 different colleges and universities, located all over the country. The small group of non-residents claim twenty-three states and two foreign countries as home.

The entering class includes students of many backgrounds, ages and sizes. Individually, they have many interests, as well as diverse purposes for studying law. There is a student who until recently was an investment banker, and the recently retired mayor of Ripon (aged 22) is a member of the first year class.



**Homecoming Balloons** 

#### PLEA FROM THE STUDENTS

Dear Law School Alumnus:

This is a plea bargain. The plea is from UW law students for you to join us in urging Governor Lucey to support the additional Law School funding recommended by the Board of Regents in its biennial budget request. The bargain is better legal education for us and better lawyers for Wisconsin.

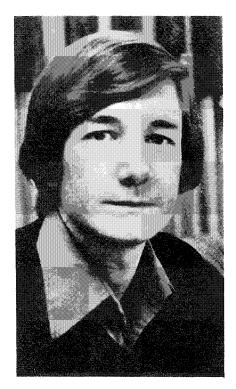
The Regent proposal sent to the Governor calls for a \$217,000 annual increase in the Law School budget to provide advanced training opportunities in selected subject areas so that law students may begin to specialize. Possible areas of specialization are criminal law, taxation and business law, estate planning, labor law and litigation. The money will also be used to reduce the high student-faculty ratio so that there can be more individual and small-group training of law students, particularly in legal practice skills including legal writing, trial preparation and advocacy and law office techniques of client interviewing and counseling.

The purpose of all this is to produce more than textbook attorneys. In recent years, because of insufficient funding to meet the demands of increased enrollments. the Law School has been unable to provide students with adequate skills training and supervised clinical experience. This is especially serious in Wisconsin where, under the diploma privilege, law students are admitted to the Bar and represent themselves to prospective clients as qualified attorneys immediately upon graduation.

We turn to you as a group of people who share our concern for improved legal education in Wisconsin. Please join us in expressing that concern to Governor Lucey by writing a letter today asking him to support the Regent-requested funds for the Law School.

Sincerely,

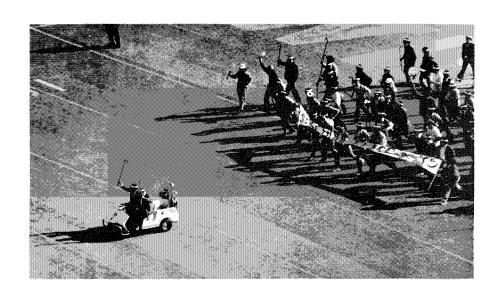
Mark Bradley SBA Law School Budget Committee



**Mark Bradley** 



Homecoming





## Season's Greetings