

# The Gargoyle



**Alumni Bulletin of the University of Wisconsin Law School**

**Vol. 8 No. 2**

**Winter 1976**

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Justice Rehnquist

*On Friday, October 17, Justice William Rehnquist of the Supreme Court of the United States made a visit to the Law School, where he spoke to an overflow crowd of law students and faculty. He was introduced by Professor Fredericka Paff, who served as his law clerk*

*before joining the law school faculty in 1974. The Justice answered the questions of students—some of them very tough—and was rewarded with a standing ovation by the audience.*

Photo-credit The Capital Times  
Madison, Wisconsin  
Photographer—B. Fritz



**CHRISTMAS  
GREETINGS  
TO ALL OUR  
FRIENDS AND  
READERS —  
GARGOYLE**



### THE GARGOYLE

Bulletin of the University of Wisconsin Law School, published quarterly.

**Vol. 8 No. 2 Winter 1976**  
**Ruth B. Doyle, editor**

Photos by G. Schultz

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## ALUMNI VISIT LAW SCHOOL

*The annual Alumni Visitation of the Law School took place on Friday, October 22. It was followed by a joint meeting of the Board of Directors and Board of Visitors on Saturday.*

*Events of the visit included class attendance, lunch with students in the student lounge, discussion of problems with members of the Faculty, and a well-attended Faculty-Visitors dinner.*

*Mary Bowman, Assistant Attorney General, is currently Chairperson of the Board of Visitors. Her report to the alumni follows:*

November 3, 1976

Chancellor H. Edwin Young  
University of Wisconsin-Madison  
158 Bascom Hall  
Madison, Wisconsin 53706

Dean Orrin L. Helstad  
University of Wisconsin  
207 Law Building  
Madison, Wisconsin 53706

Re: October, 1976 Law School  
Visitation

Gentlemen:

Members of the Board of Visitors and of the Board of Directors of the Wisconsin Law Alumni Association and other interested alumni conducted the annual U.W. Law School visitation on October 22 and 23, 1976. The visitation included a morning of attendance at Law School classes, of which some 15 were made available to the visitors. This was followed by lunch and an "open forum" with students and faculty, discussion and demonstration sessions on new teaching techniques and curriculum questions, dinner

with faculty and friends of the Law School, and further discussion at the joint meeting of the Board of Visitors and Board of Directors of the WLAA on Saturday, October 23.

The Board of Visitors is pleased to report a productive exchange of views among alumni, students, faculty and administration. In particular, we commend the Law School community on the progress made in meeting and obviating the criticisms voiced in 1975 by the American Bar Association law school accreditation team. Those present at the visitation were made aware of substantial and timely assistance rendered to the Law School by the University administration and the legislature.

Since we did not report to you last year, this report will refer to issues raised at the October 3, 1975, visitation where appropriate.

I. *ABA Accreditation Matters.* Dean Helstad has kept the Chancellor, the alumni, and the law school community well informed of steps taken to correct the deficiencies identified by the ABA accreditation teams in 1971 and 1974 inspections. This report will not reiterate the details of the comprehensive reports submitted to the ABA on November 26, 1975, and May 27, 1976, which were published in the Winter, 1975 and Summer, 1976 issues of *The Gargoyle*, respectively.

To summarize, however: the Council of the ABA Section of Legal Education and Admissions to the Bar severely criticized the funding and physical plant of the U.W. Law School. Noting particular problems with inadequate library facilities, faculty salaries, faculty-student ratios, rooms for faculty offices, and provision of space for small-group instruction, the Council in 1975 required the Law School to submit proof of compliance with the Council's standards by July 1, 1976. By May of 1976, Dean Helstad was able to report substantial improvements, including: increased allocations to the annual instructional base budget totalling over \$166,000; an improvement in the student-faculty ratio from 28:1 to about 19.5:1; modest improvement in the faculty salary scale; acquisition of rented office space outside the Law School to alleviate the space shortage within the building; and progress on plans and funding for library and classroom additions to the Law School itself.

The Board of Directors of the WLAA offered further support through its October 4, 1975, resolution approving, inter alia, establishment of a \$50,000 fund available to the Dean of the Law School in his discretion for professional and program improvement activities. The dean indicated that his reports to the ABA Council have now shifted, from showing compliance with minimum standards, to showing progress beyond those standards.

## VISITORS cont.

We cannot overemphasize our commendation of the Law School administration, faculty, and students for their contributions to bringing the school into accreditation compliance, and for persevering in the business of legal education during the past several years in spite of the major inconveniences caused by insufficient funds and space.

In discussing pending plans for the proposed addition for classrooms and offices, members of the boards were unanimous in their concern that friends and supporters of the Law School might underestimate the difficulty of getting final approval and adequate funds for the proposed classroom and faculty office addition. Expanding enrollments are the most common justification for physical plant expansion. However, the Law School enrollment has exceeded the school's physical capacity since the late 1960's, and further enrollment increases are clearly unwarranted

until the proposed addition is constructed.

The boards agreed that close monitoring of the addition's legislative and administrative progress will be necessary, and that follow-up by Association representatives may be needed to: 1) secure the needed approvals of any classroom/office addition; and 2) obtain enough funds to counteract the effect of inflation on the amounts presently proposed for the addition.

Dean Helstad showed models of the proposed library and classroom additions. Construction of the library wing is expected to begin in early 1977.

*II. Law School Administration in General.* A recurring issue in the 1975 and 1976 visitations was the Law School's policy on the admission of women and minorities. Women students attending the "open forum" at the 1975 visitation pointed out that the percentage of women in the entering class had dropped from approximately 35 per cent in 1974 to 28

per cent in 1975. According to then Acting Dean Helstad, the drop resulted from abandonment of the school's admission policy of selecting a woman applicant over a man when all other factors were approximately equal. In selecting the 1975 entering class, the admissions committee had followed a sex-neutral policy in close cases, leading to the admission of approximately 15 fewer women than in previous classes. The women students strongly urged the restoration of the female preference policy. The policy was restored during selection of the 1976 entering class, with a comparable restoration in the overall percentage of women in the class. The visitors noted in 1975 that they were pleased to see the number of women students, compared to the profession generally. The visitors also supported the school's emphasis on increasing legal education opportunities for all minorities in the profession including women.



Visitors—left to right Paul Van Valkenburg, Robert Voss (foreground), Conrad Goodkind, Tomas Russell, Robert Pekowsky, Robert B. L. Murphy. Dale Sorden smiling in the rear; Professor Steven Herzberg, upper right; Justice Nathan Heffernan, back to camera.

At the 1976 visitation, women students expressed the opinion that the school's efforts to recruit and graduate women were still inadequate, and that the percentage of women in the school should compare closely with that of the general population—about 50 per cent. Dean Helstad raised the same question at the joint meeting of the boards, noting that considerable time had been spent at faculty meetings this year on the admissions policy. The second of two fairly close faculty votes reversed an earlier decision and favored restoration of the female preference policy; in light of the apparent division among the faculty, Dean Helstad asked the Boards' opinions. After discussion by members of both boards, the Board of Visitors voted three to one, with one abstention, in favor of a resolution supporting the faculty position, in which a female applicant is chosen over a male applicant when other factors are generally equal.

At both visitations, women students reiterated the need for adequate day care facilities for women students with children. Although the law school community had attempted to organize and assist such a program in recent years, persons working on the project reportedly found quality day care to be almost prohibitively expensive.

Dianne Post, a coordinator of the March 1977 national conference on Women and the Law, furnished printed information and a verbal report to the 1976 visitors concerning the conference. Planners of this, the eighth national conference, anticipate up to 2,000 participants from all over the country, and re-


quested the boards' support in the form of money, recommendations for seminar leaders, and housing. Noting that the Wisconsin women lawyers and law students had invested considerable effort in bringing the conference to Madison, the visitors commended the women for "winning" the host designation, over stiff competition from the University of Michigan and other law schools.

A number of students complained of significant inconveniences and disappointments in the perennially-difficult area of class scheduling and registration. The pervasive popularity of the office practice course, for which participants must be chosen by lottery, reportedly led to registration and class planning problems, since the results of the lottery were not announced until the morning students had to sign up for classes. Some students stated that the major time commitment required for office practice made late announcements of the lottery "winners" especially inconvenient, since many had to plan part-time jobs and family commitments. Other students mentioned continuing difficulty in getting the classes they wanted, suggesting that some popular courses seemed to be scheduled simultaneously so that attendance would be spread between them.

After hearing the dean characterize some of the complaints as valid and others not, the visitors acknowledged the extreme difficulty of balancing the desire for innovations in small-group teaching, the difficulty of getting the right number of faculty members to teach all of an optimum variety of courses at any given time, and the extreme physical

plant limitations of recent years. However, the visitors encouraged the administration to keep looking for ways to facilitate the registration and scheduling processes.

*III. Curriculum and Teaching.* In the 1975 and 1976 visitations, students, faculty, and visitors expressed a desire for greater emphasis on professional responsibility and ethics questions in the curriculum. The Student Bar Association passed a resolution last year that professional responsibility should be addressed in all law school courses. The dean reported that three practice and clinical courses, in addition to the traditional one-credit course, now satisfy the professional responsibility requirement. A new course will be offered next spring, emphasizing ethical questions. Several students commended individual faculty members for working ethical questions into their presentations of such traditional courses as Corporations and Torts. The visitors strongly approved this increased effort to emphasize ethics in both new and traditional courses as part of the training in responsible conduct for practitioners of the law.



**REMEMBER THE  
LAW ALUMNI  
FUND**

The 1976 visitors enjoyed demonstrations of the school's new videotape and computer research ("Lexis") systems, and commended the administration and faculty for their willingness to try these potentially productive new methods of teaching and research. The visitors strongly encourage continued exploration—and funding—of these and similar innovations, and note that substantial increases in faculty productivity (and, commensurately, student learning) may result from such labor-saving devices.

Both visitations included extensive discussions of the proper place of "clinical" and "practice" courses and apprenticeship in legal education. For purposes of discussion, "clinical" courses were defined as a teaching method giving students experience in the field with "real" cases, under law school supervision; "practice" courses were classroom courses, using simulated cases and emphasizing such practice skills as oral argument; and apprenticeship was a period of legal work and study in the field, under supervision of a licensed attorney but not of the law school.

Many visitors and some faculty expressed concern that the school might invest too deeply in time-consuming clinical courses, with a corresponding loss in the academic area. Prof. Stuart Gullickson, who has run the general practice course, pointed out that acquisition of practice skills inevitably takes an "inordinate" amount of time. He added, practice and clinical courses are necessarily time-consuming because they are conducted for students in transition between theory and application. One visitor noted that practice courses

may not be crucial for the graduate who will go to a reasonably large firm and receive supervision and training from older members; however, some solo and small practitioners have never acquired certain practice skills that the law school is now able to teach.

While most visitors expressed strong support of *some* clinical and practice education, both as a welcome break in the usual case-method routine and as a stimulating exposure to "real world" cases, others urged with equal vehemence that the traditional academic courses not be neglected, either in quantity, quality or variety. There was general agreement that a moderate offering of clinical and practice courses was desirable, provided they did not impair the quality of the basic academic curriculum.

This led the visitors, students, and faculty into the third area of apprenticeship as an element of legal education. It was generally agreed that the "apprenticeship" program which the Law School dropped several years ago provided insufficient supervision of the new attorney in too many cases. Several visitors argued that a program of supervised office training could be set up in such a way as to make the experience desirable and beneficial for both the apprentice and the supervisor. One visitor, speaking from long years of close contact with the medical profession, pointed out that the three-month "preceptorships" in the fourth year of medical school provide an intensity and diversity of clinical experience not available in Madison. He noted, and other visitors agreed, that the designation of supervisor or "preceptor" under those circumstances was considered an honor.

At a continuation of the discussion Saturday morning, an attorney from northern Wisconsin mentioned that he and his partners had been extremely pleased with their supervised clerkship program. In the program, a student was encouraged to take off a semester or more from school, usually during the second year, and handle a variety of supervised assignments for members of the firm. Another visitor suggested that the school directly confront the continuing anxiety of graduates over their practice skills (or lack thereof) by establishing a one year required apprenticeship. Other visitors cautioned that any such proposals should under no circumstances reduce the number of years of academic courses required.

The teaching methods discussion on Friday afternoon led into an extensive exchange of ideas and concerns over the alarmingly low level of English writing and usage skills among many law students and new lawyers. The visitors acknowledged that the problem is not unique to the present law students; however, they noted that undergraduate educators were warning that entering undergraduates appeared to have steadily declining skills in writing and composition. Judges among the visitors commented that briefs submitted to them at times revealed a shocking inability to write clearly and effectively. Legal education, it was suggested, also needs greater emphasis on identification and effective use of significant facts from a client's narrative or from a trial transcript.

Some students and visitors argued that writing competence is something a law student either has or lacks; that legal education is not going to change the bad

## VISITORS cont.

habits or failures of the preceding 15 years of school; that "good writing" can't be taught; and that efforts to improve writing skills are an unwarranted deviation from the Law School's academic vocation. Others argued that writing skills *can* be improved, but the process is expensive because its requisites are frequent student written assignments and faculty feedback—both time-consuming.

Dean Helstad stated that the faculty had voted to emphasize writing assignments and skills in the small sections of first year classes, and was already requiring and critiquing more written work. Justice Heffernan noted that the Harvard School of Business strongly emphasized the future executive's communications skills and required frequent but not necessarily extensive written work throughout its graduate program. The school critiqued the assignments for English competence as well as substance, with a positive effect on the student's writing skills.

Mrs. Ruth Doyle, who has counselled hundreds of students interested in applying for law school, commented that she routinely encourages such students to take undergraduate courses requiring extensive writing practice. She noted that the school could always increase its prerequisites in the writing area.

Almost all participants in the discussion expressed dissatisfaction with—and ignorance of ideal solutions for—the school's present "Legal Writing" program. One student, a former English teacher himself, suggested that some of the second and third year stu-

dents teaching the writing sections were inadequately prepared to teach writing. He once returned his instructor's comments with annotations to the instructor's grammatical and structural errors. Another student commented that a fair amount of support for the legal writing program exists among students generally, but only because the course is the student's first and best exposure to the problems of legal bibliography and legal research.

One participant questioned the recent shift from numerical to letter grades which are not included in the student's overall average. Dean Helstad mentioned that inconsistency in grading had been a problem in the legal writing program, making faculty reluctant to give much weight to legal writing grades. Others commented that more faculty input could alleviate suspicion over student grading practices, and that the writing program would not be viewed seriously unless writing grades carried the same weight as substantive courses.

After discussing the subject further at the Saturday meeting, participants in the visitation concluded:

1. Many students and graduates increasingly demonstrate such deficiency in English writing skills as to impair their ability to practice law;

2. The traditional Legal Writing course is not adequate, as presently structured, to stem the increasing decline in writing competence;

3. The Law School faculty is to be commended for its efforts to emphasize writing skills in first year classes;

4. The Law School must invest the effort and money needed to improve students' writing skills, even though that responsibility arguably rests with educators at the undergraduate and secondary level; and

5. The Board of Visitors and Board of Directors should help the faculty in every way possible to develop and to fund a better writing skills program.

IV. *Miscellaneous.* The visitors were generally impressed with the excellent quality of teaching and student participation in the classes they attended. Recognizing that the Friday visitation suffered stiff competition from sunny autumn weather and the demands of students' part-time jobs, the visitors agreed that a visitation should be scheduled on a Monday, with the visitation portion compressed somewhat. The visitors also discussed condensing the "open forum" and discussion groups, with more emphasis on the "forum" aspects of lunch with students and faculty.

V. *In Summary.* The visitors were pleased to see some easing of the severe budget and space problems which have haunted the Law School since the late 1960's. Both boards recognize that serious crowding still exists, and that the relief anticipated from physical plant expansion may not materialize soon enough unless friends of the school remain alert to possible abandonment of projects and commitments, or erosion of the funding promised.

The boards continue to support and encourage the school's efforts to admit and graduate more women and minority students. To that end, the Board of Visitors specifically supports the faculty's vote to admit female over male applicants when all other factors are equivalent. The Visitors commend the women law students for their accomplishments and efforts in securing and planning the eighth national conference on Women and the Law, set for March, 1977.



## COMING ATTRACTIONS IN

### THE WISCONSIN LAW REVIEW

The familiar problems of class scheduling, crowding, balancing of traditional and clinical or practice courses, and boredom with traditional education methods remain with us, to no one's surprise. The visitors identified and expressed profound concern over the apparently accelerating decline in writing skills in some of the student population. While identifying pre-law school causes for the problem, the visitors agreed that a student's writing deficiencies become the Law School's concern and responsibility if not corrected earlier. The writing skills problem will undoubtedly occupy further time and discussion in future visitations.

Reports on the School's explorations into computerized legal research ("Lexis") and videotape teaching methods provoked considerable interest and excitement among the visitors, who encourage the school's continued investigation of these potential tools.

The Board of Visitors will experiment with different visitation days in the future in an effort to facilitate greater student and faculty participation in the visitation process. The Board of Visitors and the other attorneys who participated in the 1976 visitation were consistently positive in their reactions to the overall quality of education available at the U.W. Law School.

Respectfully submitted,  
WLAA Board of Visitors

Mary V. Bowman  
Chairman

In number 3, volume 1976 to be published in December 1976:

#### Articles:

Renaissance of Retribution—An examination of *Doing Justice*  
Martin R. Gardner

Electing State Judges  
David Adamany and Philip DuBois

#### Student notes and comments:

Access to Student Records in Wisconsin: A Comparative Analysis of the Family Educational Rights and Privacy Act of 1974 and Wis. Stat. Sec. 118.125

Campaign Finance in Wisconsin After *Buckley*

Procedural Due Process in Public Schools—The "Thicket" of *Goss v. Lopez*

Section 8(b)(1)(B) National Labor Relations Act: When Does Union Discipline of Supervisor-Members Constitute Restraint or Coercion of the Selection of Employer Representatives?

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Piercing the Veil of State Action: The Revisionist Theory and a Mythical Application to Self-Help Repossession.  
Anthony Thompson

Promotional Price Cutting and Section 261 of the Robinson-Patman Act.  
Daniel J. Gifford

#### Student notes and comments:

SEC Regulation of Corporations Making Illegal Foreign Payments

State Action and Primary Elections

The Use of Federal Receiverships to Protect Constitutional Rights

Scope of Bargaining in Teacher Negotiation in Wisconsin

Impleading Third Party Defendants in Workmen's Compensation Cases

—IN TIME FOR CHRISTMAS—

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## **GULLICKSON'S BOOK— A MANUAL FOR GENERAL PRACTICE COURSES**

*Professor Stuart Gullickson* is the author of a newly published book, *Structuring a General Practice Course*, published jointly in October, 1976, by the American Law Institute and the American Bar Association's Committee on Continuing Professional Education (ALI-ABA).

The book, which is a manual for law teachers and law school administrators, grew from Professor Gullickson's pioneering General Practice Course. Paul Wolkin, Executive Director of ALI-ABA, in the Foreword, states, "The book, reflective of the rich Wisconsin experience, is intended to aid educators in deciding to offer a practice course and to serve as a guide to those who choose to present such a course . . ."

Readers of the *Gargoyle* may remember several articles in previous issues dealing with the General Practice Course. The Course, now being offered to 80 students each semester, continues to be one of the most popular courses in the Law School. It is taught by 44 members of the practicing Bar, who come in teams of 4, to deal with different subjects each week for 10 weeks.

The book includes the following sections: roles of the Director, curriculum, teaching methods, teaching materials and future developments. A well developed group of Appendices provides samples of the exercises for the students and teaching plans for 150 hours of instruction.

Professor Gullickson is on leave during 1976-77, to serve on the Madison campus Chancellor's staff. He will return to the Law School in September, 1977.

\* \* \*

THE GARGOYLE

## **PROFESSOR ABRAHAMSON APPOINTED TO SUPREME COURT**



The Law School takes great pride in the appointment of Professor Shirley S. Abrahamson to the Supreme Court of Wisconsin on September 1. Mrs. Abrahamson became a member of the Faculty in 1961, and was promoted to professor in 1966. She takes with her from the Law School all the good wishes of her colleagues and her students.

# 'TIS THE SEASON TO BE JOLLY CHRISTMAS AT THE LAW SCHOOL

## ANNUAL FUND DRIVE IN PROGRESS

The 1976-77 Fund Drive is now underway. The fund drive theme, "TWO HUNDRED YEARS—TWO HUNDRED PERCENT," calls attention to the legal profession's contribution to the founding of this nation and to the fund drive's goal. This year our 5,600 alums are being called upon to double last year's record number of contributors (665).

The financial position of the UW Law School is better today than at anytime since the sharp upswing in student population in the late 1960's, thanks in no small part to the assistance of its alumni. Be that as it may, tax support is, and will continue, to provide only the basics of legal education. Most of the LAW SCHOOL FUND goes for student financial aid. The need for this assistance shows no sign of abatement.

If the legal profession is to continue fulfilling the role carved for it by such lawyers as Adams, Jefferson and Henry, it will have to depend upon the unselfish contributions of time, energy and money from its practitioners. Help us now, and help the future of your profession and your country.

**YOU HAVE UNTIL  
JANUARY 31  
TO CONTRIBUTE**



## WHERE ARE YOU?

Name	Last Known Location	Class
Sachtjen, Peter D.	Madison, WI	'66
Safer, Edward I.	Madison, WI	'59
Saunders, Eugene B.	New York, NY	'36
Scallon, Hugh J.	Los Angeles, CA	'62
Scheinfeld, Aaron	Chicago, IL	'23
Schlicht, William M.	Madison, WI	'35
Schneider, Donald R.	Merrill, WI	'59
Schroeder, Lee J.	Suitland, MD	'66
Schuldt, Jess M.	Madison, WI	'43
Scorgie, John G.	Boulder, CO	'72
Scott, Richard J.	Madison, WI	'66
Seaver, Claude E.	Miami, FL	'59
Shannon, Frank J.	Madison, WI	'19
Sheldon, William A.	Kenosha, WI	'29
Siegel, Richard M.	Madison, WI	'39
Silverman, Eldon E.	Washington, D.C.	'71
Silvian, Westley W.	Palm Beach, FL	'36
Simmons, Robert M.	Washington, D.C.	'73
Simrell, Earle V.	Madison, WI	'38
Siratovich, Thomas H.	Seattle, WA	'64
Skewis, Harry C.	Shullsburg, WI	'41
Skroch, Ernest J.	Sacramento, CA	'61



## THE LAW SCHOOL'S PROGRAM FOR TEACHING WRITING SKILLS

No gathering of lawyers and law school teachers is able to avoid the subject of legal writing. Why can't law students write in *persuasive, direct, accurate and simple English*?

Almost everyone agrees that

the best way to learn writing is by writing. All efforts so far in the University of Wisconsin Law School are directed toward providing a variety of opportunities, with supervision and evaluation, to gain writing experience.

\* \* \*

Legal Writing at the University of Wisconsin Law School is a three-credit course required of all students in the second semester of the first year. The Legal Writing program is designed to teach first year students to use legal analysis, research and writing skills to solve specific problems. It is taught in 20 sections by teaching assistants who are third year students. For the past two years, it has been supervised and coordinated by Mary Beth Gleaves ('74), who was herself a high school English teacher before coming to the University of Wisconsin Law School.

Many law schools have legal writing courses—some called by other names. All the courses, however, include instruction on basic research and writing techniques. Increasingly, legal writing courses also teach students the basic analytical skills they need to interpret and use statutes and appellate court decisions. In some law schools, legal writing is bound to a moot court or law review program. In others, like Wisconsin, the director is a member of the Law School staff supervising teaching assistants.

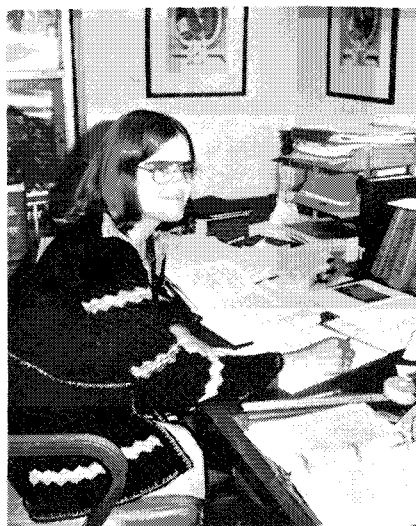
For the first time this year, the third year students who will teach Legal Writing in the second semester are themselves taking a three-credit course in research and legal analysis taught by Ms. Gleaves. They are working together to study problems and provide a legal writing course in the second semester which will have equal standards of performance.

It is now quite clear that the Legal Writing course itself is not sufficient to make good writers out of poor writers or even writers out of non-writers.

The efforts to meet the crisis of literacy among law students now proceeds on several fronts.

### A. The Small Section Program

For several years, each first year student has been assigned to one small section in one of the regular courses offered in the first semester. These sections have enrollments of 15-20 students and are taught by regular faculty members in the areas of contracts, torts, civil procedure, and substantive criminal law. They provide an opportunity to use other teaching methods in addition to, or instead of, the large lecture or the Socratic method of analyzing only the decisions of appellate courts.



Mary Beth Gleaves

## LEGAL WRITING Cont.

Professor Lawrence Church, Associate Dean, is the coordinator of the small section program. He emphasizes that the program is not primarily a legal writing course. In addition to its substantive component, it provides an early exposure to legal analysis and American legal process. Nevertheless, the writing skill is the one most readily used to communicate, so that it inevitably becomes an important part of the program. Although there may be differences in the day to day classes, each section requires three papers and a mid-term examination, in addition to the regular final examination. The course teacher comments extensively on each paper and the mid-term examination, often in individual conferences with each student.

The small sections lend themselves admirably to the development of communicative skills, because the professors are able to evaluate in detail the work accomplished, and the students are provided an opportunity to express themselves in various ways. They have another important aspect: the written requirements are an integral part of a regular course and greatly enhance, in the opinion of nearly all the professors involved, substantive understanding of the respective courses.

### B. The Writing Tutor

Students with particular problems in expressing themselves are referred by the professors teaching small sections and others to the writing tutor. The tutor works with each student individually to correct basic deficiencies, which include grammar, organizational and editing handicaps. Consultation with the tutor is voluntary.

During the first semester, 1976-77, the tutor is June Gertig, a third year student who in spring of 1976 won the Davies Prize given to the two students of highest standing in the second year class. She, too, has been an English teacher. Her experience includes teaching English as a foreign language in West Africa during her service as a Peace Corps volunteer.

Any student enrolled in the Law School is eligible for the tutorial program. Students voluntarily consult the tutor or faculty members refer students for assistance. About 40 students have sought the tutor's assistance during the first semester, 1976-77. Many students consult her more than once.

The tutorial program allows students to improve their writing and analytical skills by working closely with a tutor. Ms. Gertig critiques student writing and comments on grammatical, organizational and stylistic strengths and weaknesses. Students may ask her to evaluate a specific writing sample or to develop a long-term program for improving the student's general writing abilities. She also helps students acquire the skills necessary to write a variety of documents including law examinations, memoranda, essays and briefs.

In addition to working with individual students, Ms. Gertig will teach a small legal writing section during the second semester, 1976-77. Students in her section will have a chance to work intensively on legal writing skills in a setting designed to increase contact with the instructor and maximum feedback on writing techniques.

### C. Hastie Fellows

The two Hastie Fellows are graduate lawyers from minority groups, who are earning LL.M. degrees to prepare themselves for law school teaching. They serve as

half-time advisors to those enrolled in the Legal Education Opportunities Program. While they do not devote themselves exclusively to writing, it inevitably becomes a part of their efforts to assist students in developing a number of skills.

### D. Assistance in Regular Classes

It must not be overlooked that many members of the Faculty have been attempting to add some training in legal writing in a substantial number of the courses offered in the regular program. They are handicapped, of course, by large classes (some almost 150 students), which makes any large amount of writing in the first year class an unmanageable burden on the professor.

To second and third year students, the seminars offer chances for very specialized study and writing.

### The Future

Some people in position to know, state that the recent writings of law school graduates are more careful, more concise, and more communicative than are those presented by older, more experienced lawyers.

Others dispute this categorically.

Whatever may be the truth, there is anxiety in the extreme over the apparent failure of the nation's vast educational system to produce graduates who can read and write. Clearly, if the elementary schools were doing their jobs and the high schools were doing theirs, colleges and law schools would not need to worry about what should be assumed to be unnecessary.

A number of colleges, including the University of Wisconsin, are about to launch a variety of experiments in search of a workable method of teaching writing. The law schools and other graduate programs will eagerly await the results.

## PRE-LAW FAIR

Sponsored by the Midwest Association of Pre-Law Advisors, a second annual law school caravan visited the University of Wisconsin campus on October 20. Forty-one law schools sent admissions officers to provide information to students who are considering application to law schools. The schools were widely spread geographically from Boston and New Haven to California. They were private and public law schools; large and small. They included some large and venerable law schools such as Harvard, and some new and small, like Western State in California. Each set up a table on the second and third floors at the Wisconsin Center, and answered questions and discussed admissions policies with hundreds of law school applicants who came from the Madison campus and several other state universities and private colleges in Wisconsin.

No law schools need to solicit applications these days. These caravans have as their main purpose answering prospective applicants' questions in an efficient manner.

Other stops in the Big Ten were made at Northwestern University, the University of Michigan, and Indiana University-Bloomington. Professor Walter Raushenbush spoke to the group in Madison. He has been Chairman of the University of Wisconsin Law School's Admissions Committee for many years and has carried a number of responsibilities in the Law School Admissions Council, including in some past years, the preparation of the invaluable Pre-Law Handbook.

\* \* \*

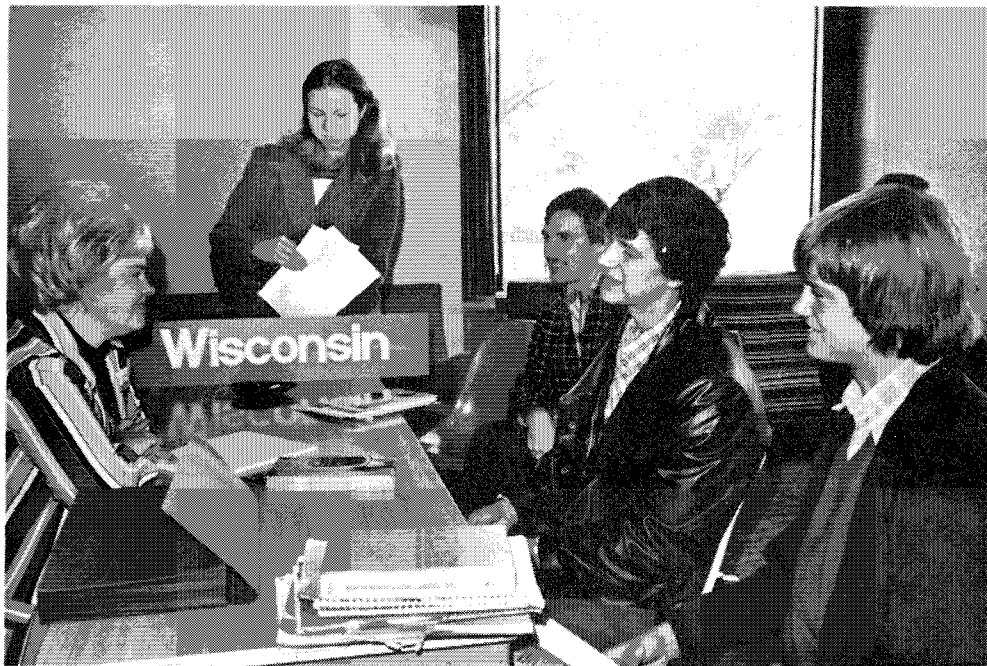
## CHRISTMAS COMES AND GOES—AND SUD- DENLY IT'S SPRING!

**34th Spring Program  
Friday and Saturday  
April 22 and 23, 1977**

**Continuing legal education . . . Special recognition for Reunion classes: 1927, 1932, 1937, 1942, 1947, 1952, 1957, 1962, 1967, 1972 . . .**

**Special Events for 25th and 40th; Dinner and Dance on Saturday.**

**DETAILS LATER**



**Mary Duckwitz at the Pre-Law Fair**

## PRESSURE ON ENROLLMENT CONTINUES

Two hundred eighty-eight full time law students enrolled in the first year class in September, 1976. The total was three wide of the mark (285) set by the Faculty.

To come that close to its target, the Admissions Committee spends many hours in the slow, careful selection from almost 2,000 applications.

Applicants are notified when their files are complete and consideration can begin. Early in the month of April all applicants offered admission are asked to respond promptly to a letter asking their intentions. After responses to the second mailing are received, the files in the "Hold" category are reviewed again. All of those placed in "Hold" are considered to be potentially successful law students. Some are accepted, and in late spring some others among them are placed on a ranked waiting list, from which applicants are selected right up until Registration Day.

The Class of 1979 was chosen from 1,991 applications, the largest number for several years. Of these, 845 are residents of Wisconsin, and 1,146 are non-residents. In the class as it arrived to enroll, 237 members are classified as residents, and 51 as non-residents.

Despite the advantages given residents of Wisconsin in terms of numbers admitted, the Law School still turns away hundreds of qualified Wisconsin residents each year.

\* \* \*

The median undergraduate grade point average of the class of 1979 is 3.51; the median LSAT score is 628, down a little from a year ago.

There are 98 women in the entering class, compared to 83 who registered in 1975, and 96 in 1974. It is a trend which accounts for some of the pressure on enrollments, and there is no reason to believe it won't continue.

Nineteen participants in the Legal Education Opportunities Program are members of the new class, making the total LEO enrollment in the Law School 49.

Students entering in 1976 represent 95 undergraduate colleges from all areas of the United States. The University of Wisconsin-Madison contributed 110, while other campuses in the University system produced 65 of the new law students, 24 of them from University of Wisconsin-Milwaukee.

\* \* \*

Law School faculties and administrators keep testing the winds of change to get some notion of what is ahead. There are a few indicators this year which may have implications for the future. One is the increase in undergraduate enrollments—a development which has filled the dormitories in Madison and elsewhere, and has caused some colleges and universities to announce enrollment limits.

Another indicator adds uncertainty to the future. There has been a small decrease in the number of people taking the Law School Admission Test and in the number of candidates registered with the Law School Data Assembly Service, a service of the Educational Testing Service which prepares transcript summaries for law school admissions committees and officers. This decline will not immediately have any effect, since every law school has many more applications than it can handle. As a possible indication of a trend, however, it deserves close observation over the next few years.

Speculation as to the future of the profession also clouds the enrollment picture. Although it is not possible to judge the present job market with any hard data, nor that of 1980 and beyond, some applicants may fear what has been called a "glut" of lawyers. This may appear to be true in some areas. At the University of Wisconsin Law School (and probably at many others) the employment picture for 1977 is somewhat brighter than in 1976—which turned out to be a pretty good year, after all. [See page 15.]

Professor Walter Raushenbush, long time chairman of the Admission Committee, will be on leave at the law school of Arizona State University during the spring semester, 1976-77. Professor Arlen Christenson will replace him as chairman.

\* \* \*



# REPORT FROM THE PLACEMENT OFFICE

## THERE WAS AN OLD WOMAN WHO LIVED IN A SHOE

Like the nursery rhyme mother with more children than she could handle, some law school placement offices facing a tight job market and an increasing number of graduating students are wont to throw up their hands in despair. Thanks to the diligence and achievement of the students at the University of Wisconsin Law School, the favorable reputation of the school itself, and the positive relationship of employers with the school, we have not experienced the same problems many other schools have, and certainly have not begun to despair.

The class of 1976 consisted of 66 graduates in December of 1975, 211 in May of 1976 and 15 in August, for a total of 292. Data on the August grads is still too incomplete for meaningful comment.

Of the 66 December graduates, 12 failed to supply information to the placement office. It is our assumption that most of these graduates are satisfied with their employment status. Only two of the 66 indicated that they were not placed and were actively seeking employment. One of these situations resulted from a spouse completing his education and relocating. Of the fifty-four December graduates who supplied information, 38 (73%) remained in Wisconsin including 12 in Madison, 12 in Milwaukee and 14 in other Wisconsin communities. Seventeen of these 38 are in private practice. Three persons went to Chicago and three to Washing-

ton, D.C., while seven went to other states and one to Japan. Seventeen of the 52 persons employed (32%) are associated with private law firms, 10 with governmental agencies (19%), 6 in prosecuting offices, 5 in corporate or business situations, 4 with legal aid or defender offices. Two are continuing their educations, one has accepted a judicial clerkship, one is unidentified, and six have opened their own practices. Three of these have opened an office together.

Of the 211 May graduates, sixteen have not supplied information. Eight are not employed and actively are seeking work, and one is not seeking employment at this time. Ninety-six percent of those reporting are employed (187 persons). One hundred thirty-nine (74%) stayed in Wisconsin, including 59 (32%) in Madison, 30 (16%) in Milwaukee, and the remaining 50 in at least 32 other communities. Eighty-two of the 139 are in private practice. Forty-seven persons (25%) left Wisconsin, going to Illinois (12 persons, 6%), Washington, D.C. (7 persons, 4%), and 18 other states and one foreign country. Of the 187 employed persons, 88 (47%) are associated with private law firms, 26 (14%) with governmental agencies. Fifteen (8%) accepted judicial clerkships, 12 each (6%) have legal aid and corporate/business positions. Ten (5%) opened their own offices, 9 (5%) joined prosecuting offices, 2 concentrated on bar exams, and 7 went into other types of situations.

This statistical compendium is necessarily cursory. Looking at the individual employment data cards, one is impressed by the rich variety of situations and locations. Several of the members of this class have already run for political offices. Many of the nations most prestigious firms have employed members of the class of 1976. The future is certainly bright for these new lawyers.

The future also seems bright for the class of 1977, currently seeking employment. The number of on-campus interviews during the peak, fall season is up more than 25% over the fall of 1975, and interviewers report an increased need for lawyers in their firms.

Ed Reisner, Placement Director

## DISTINGUISHED ALUMNI-FACULTY AWARD

*A part of each annual Alumni Visitation of the Law School is the Faculty-Alumni dinner, purely a social occasion.*

*This year, there was a program. An important former faculty member returned to the Law School to*

*present the Distinguished Faculty-Alumni award to Emeritus Professor William Gorham Rice, still active and busy 15 years after his retirement.*

*The important former faculty member is Justice Shirley Abrahamson.*

*And here is what she said:*

When the Law School called and asked if I would come to this dinner at which the WLAA distinguished faculty/alumni award would be presented I was delighted. I then discovered I was not getting the award, but I decided to come anyway.

It is truly my honor tonight to make the presentation of the Wisconsin Law Alumni Distinguished Faculty/Alumni Award to William Gorham Rice, Emeritus Professor of Law. It's only fair to tell you that a significant number of hours of my life in Madison have been spent attending dinners and testimonials honoring Bill Rice and his wife Hazel Briggs Rice, noted author. The WLAA is joining a multitude of organizations and individuals that have already honored Bill for one facet or other of his distinguished career. Therefore it is very appropriate that the Association has decided to recognize the totality of Bill's achievements.

Two years ago, October 12 was proclaimed Bill of Rice Day. On that day Bill was toasted by the Capital Area Chapter of the Wisconsin Civil Liberties Union for his continuing fight for the cause of civil rights and civil liberties on the national, state and local levels.

On Bill of Rice Day Professor Joel Grossman attempted to trace the accomplishments of Bill and said the following:

"It is a tradition in events like this not only to recount the life and extoll the virtues of the guest of honor, but to demonstrate how he has personified the Horatio Alger myth; how he has risen from poverty and obscurity, through the strength of his character and fortitude, to wealth and fame. . . . I looked for some evidence that Bill Rice was born in a log cabin or raised in an orphanage the likes of Oliver Twist. But my search was in vain. All I could find was that his grandfather was a congressman who voted *against* the impeachment of Andrew Johnson; his father was an important public official in New York; his grandfather-in-law was the President of Harvard College; and he himself attended Harvard College and Harvard Law School and clerked with Justice Louis Brandeis. And to top it off he was initially educated in the White House with the children of that distinguished civil libertarian, Grover Cleveland. This *was* an inauspicious beginning. We might say of Bill Rice not that he has risen from rags to riches but that he has risen *out of the establishment into a place in history.*"

Bill joined our Law School faculty in 1922. He was attracted to Wisconsin by then Senator Robert M. La Follette, although in later years Bill was to become an outspoken critic of La Follette's isolationist policies.

Since 1922 Bill Rice has been of service to the law school, the community, this state and the nation.

I met Bill first in 1957. He was a faculty member when I was a student. Then Bill and I were colleagues on the faculty and worked together in the Civil Liberties Union at the state and local levels. On retirement from the Law School Bill hung out a law shingle in Madison and became a fellow practitioner at the young age of 70. Few of us after many years of practice are fortunate enough to have to our credit a landmark case. Bill had such a case involving the rights of unwed fathers.

\* \* \*

Bill is a constant reminder to me—and I hope to each of you in this room—that advancing age and prominent position give us the opportunity and obligation to review each accepted truth and tradition and ask Why?, and give us the opportunity and obligation to review each cry for change and ask Why not?

\* \* \*

Bill, please come up. Accept this certificate, Bill, as a token of our esteem. The WLAA honors you. Your life work and your presence here does the Law School and WLAA honor.

\* \* \*

*Professor Rice's response in accepting the award was gracious and brief.*

Madam Justice Shirley Abrahamson, members of the Board of Visitors and friends of the University of Wisconsin Law School:

This evening I shall long remember—if for those of my age prospective memories can be called long. The person chosen to present the award as well as the award itself make it a memorable occasion. For this school a century ago first granted a law degree to a woman, Belle Case, and now Governor Lucey has distinguished the state by conferring for the first time on a woman, Shirley Abrahamson, the right to don the robes of its highest tribunal. I am proud to accept your award from her hands.

But how can I respond to your bounty when I know and you know that many in this room have done more to deserve such recognition? At least I can wish you in the years ahead many opportunities to add to your distinguished service to the school.

For me our school has been a happy place in which to have spent most of my efforts as a lawyer. You in large part have made it and continue to make it so. For teaching should be an interchange of ideas. The man on the platform is not a soloist though he has to be to some degree a conductor at all times ready to make his voice clearly heard. But (changing from



William Gorham Rice

the figurative to the concrete) so should the student speak out clearly. He is addressing the whole class, not just the instructor or the speaker's next seatmate.

But we are not at this dinner to confer about how to teach. Probably most of you would prefer to be hearing from Jimmy Carter and Gerald Ford what they so eagerly wish to tell us about the laws they would like to have us embrace as voters next month.

This situation reminds me of a verse my grandmother taught me when I was learning in school to declaim some famous orations of past generations. My apologies to those of you who may have heard me recite it two years ago when the C.A.W.C.L.U. with friendly humor turned Bill of Rights Day into Bill of Rice Day for that year. I think the verse fits better this evening when Demosthenes Ford and Cicero Carter are in the spotlight.\*\*

So let the anonymous\* author speak for me:

You'd scarce expect one of my age

To speak in public on the stage.

So if perchance I fall below Demosthenes (Ford) or Cicero (Carter),

Don't view me with a critic's eye

But pass my imperfections by.

But do not pass my thanks by, my thanks for your bounty in adding my name to your roll of awards for distinguished service.

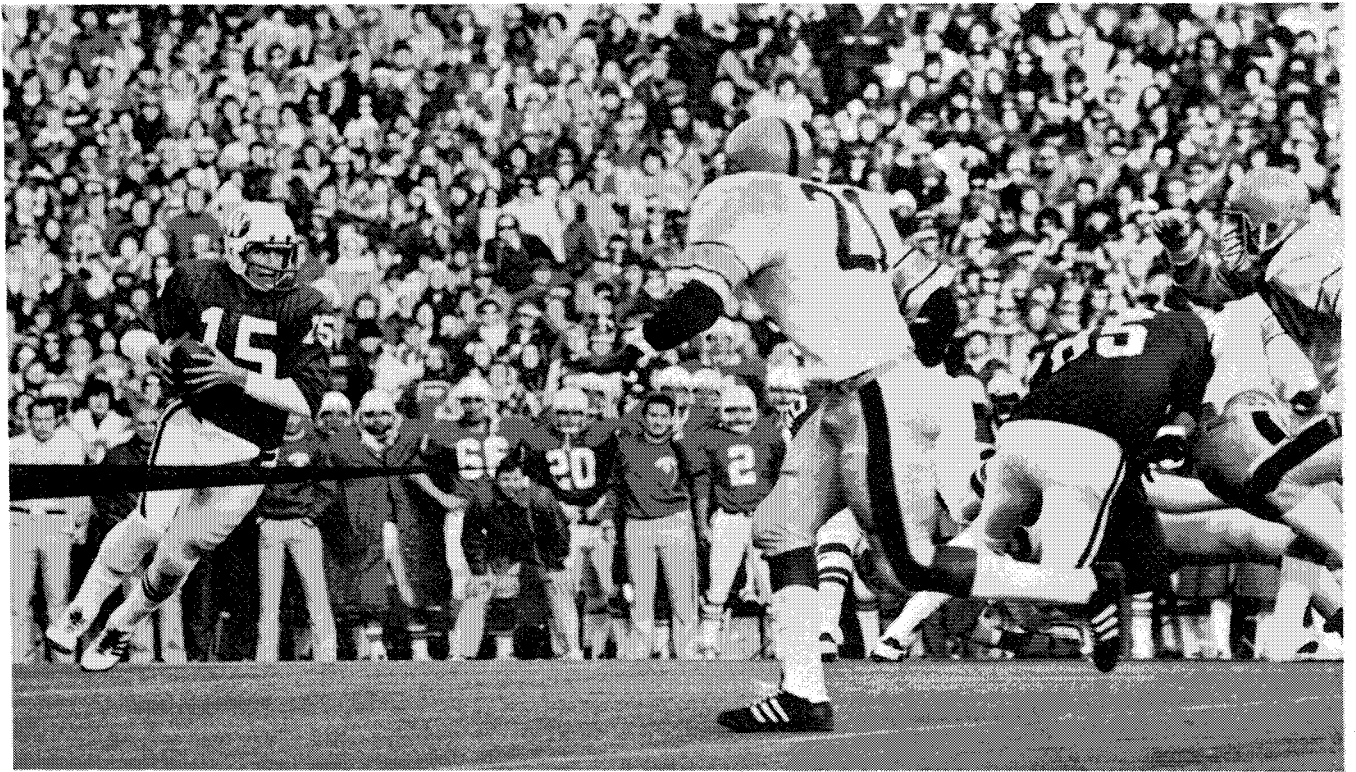
#### RICE'S ADDENDA

\* Hazel has now found in Bartlett, p. 401, that this verse was composed in 1791 by David Everett for Ephraim H. Farrar, aged 7. W.G.R.

\*\*The references to Ford and Carter stem from the fact that the WLAA dinner happened to coincide with the third of the televised debates between the two presidential candidates. (Ed.)

# HOMECOMING ---

The Badgers won;





--- 1976

so did the lawyers.



THE GARGOYLE

XIX