

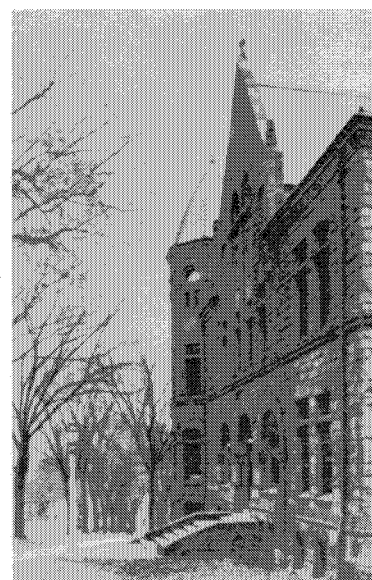
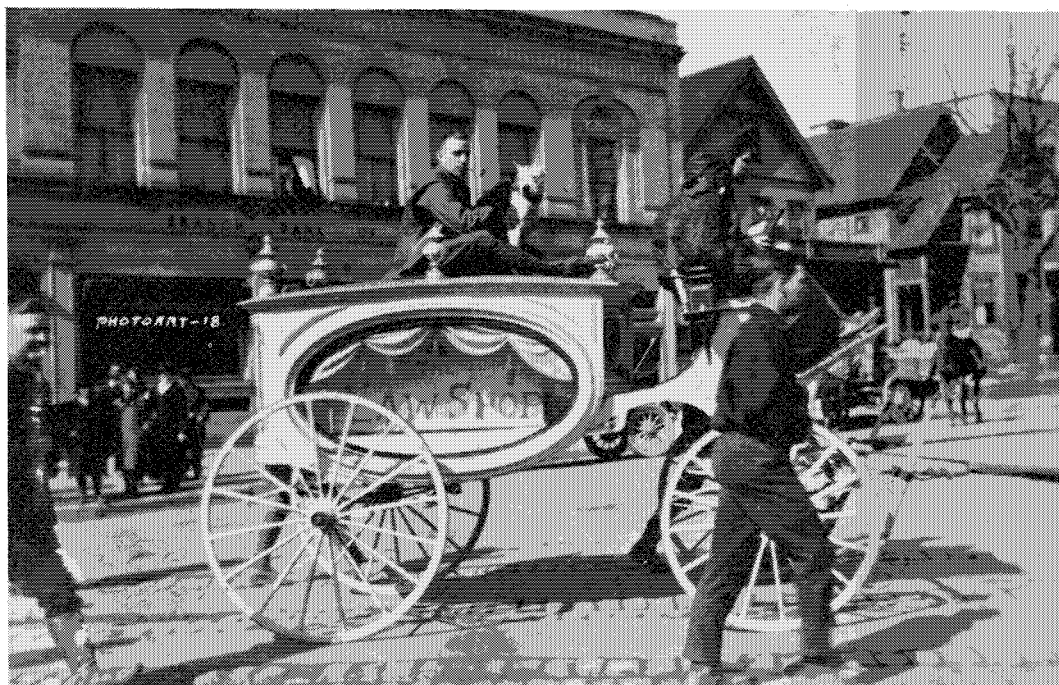
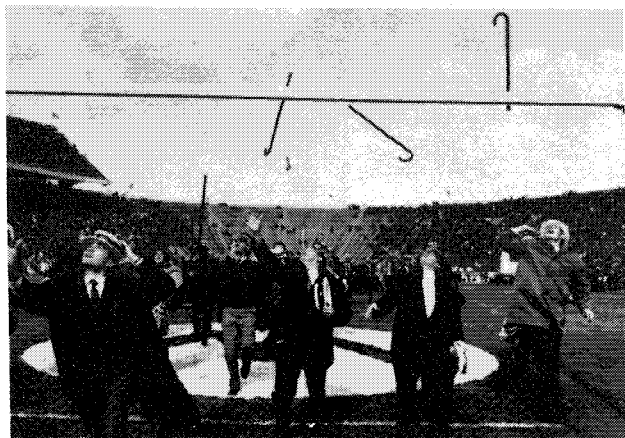


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## THE GARGOYLE

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Vol. 9 No. 1 Winter 1977

Ruth B. Doyle, editor

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## *In the Good Old Summertime*

Three hundred and nine students were enrolled in the summer session during 1977. The elaborate schedule of offerings included 25 different courses available in one 3-week session, two 5-week sessions, one 8-week session, and a 10-week session. All sessions ran simultaneously except for the two 5-week sessions, which

were consecutive. Students were able to earn 12 credits during the summer. Twenty-one members of the Faculty conducted the courses. Included among these were Professor Alex Brooks, a perennial summer visitor, who has met many of the recent alumni during his many summers here.

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*Next Time:*  
*Winter of '77*  
*All About Students*  
*Meet the New Faculty*

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## Faculty Notes

The Law School at Arizona State University, Tempe, will welcome *Professor G. W. Foster* as a visitor during the first semester. *Professor Walter Raushenbush* will be visiting professor at the University of Arizona Law School at Tucson during the second semester, 1977-78.

\* \* \*

*Professor Frank Tuerkheimer* is on leave from the Faculty to serve as United States Attorney for the Western District of Wisconsin, a position he assumed on July 1.

\* \* \*

*Professor June Weisberger* will be on leave during the first semester to teach at the University of Michigan, and *Professor Mark Tushnet*, recently replaced as Associate Dean by Professor Warren Lehman, will spend the academic year at the University of Texas Law School in Austin.

\* \* \*

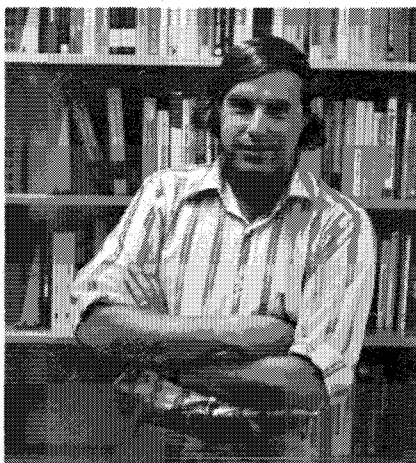
*Professor Thomas Heller* will be a visiting member of the Law and Economics Center at the University of Miami, Florida. He will conduct a research project on the illegal entrants to the U.S. from the Caribbean area.

*Professor Don Large*, who spent the 1976-77 year on leave to Vanderbilt University Law School, has accepted a permanent teaching position in the law school at Northwestern School of Law, Lewis and Clark University, Portland, Oregon.

*Professor Richard Z. Kabaker* has left the Faculty to join the Madison firm of Murphy, Stolper, Brewster and Desmond.

Perhaps the most envied visitor will be *Professor Charles Irish*, who will serve on the faculty of the Law School at the University of Hawaii for the second semester.

Before he begins to "serve his sentence" in Hawaii, *Professor Irish* will be in Geneva, Switzerland during late October and early November to serve as consultant to the United Nations group of experts on tax treaties between developed and developing countries. This assignment continues a long term interest of Professor Irish.



Professor Heller

In addition to his full-time teaching load and other activities, *Professor James E. Jones, Jr.* serves as Director of the Center for the Study of Equal Opportunity and Affirmative Action, an arm of the Industrial Relations Research Institute, which is the graduate department of industrial relations located on the Madison campus.

As Director, he conducts and participates in workshops and conferences all over the United States as well as in the production of various research projects. Over the past year, six of his publications have appeared in various law reviews and other professional journals. The third edition of his book on Employment Discrimination, of which he is co-author with Robert Covington of Vanderbilt and Julius Getman of Stanford, and which has been used in over thirty law schools, was published by the Bureau of National Affairs in September, 1976.

Some of the most recent of his other activities are:

1) The Southwestern Legal Foundation Short Course on Labor — A workshop on the Federal Executive Order EEO (Equal Employment Opportunities) Program at Dallas on March 15, 1977.

2) An EEO clinic at Vanderbilt University Law School on April 2, 1977.

3) An EEO workshop for the staff of the Wisconsin Council on Criminal Justice.

4) Service on the Special Admissions Committee of the Association of American Law Schools preparing the amicus brief to the United States Supreme Court in *Board of Regents of California v. Bakke*, which was filed on June 7, 1977.

more on page 10

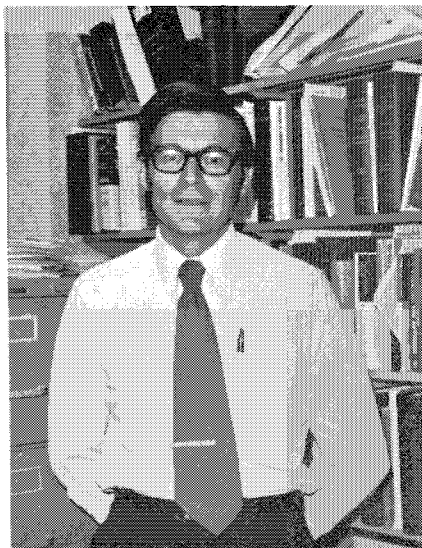
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*Thain*



*Lehman*

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*Emeritus Professor Abner Brodie*, who will teach again at the McGeorge School of Law at the University of the Pacific (Sacramento, California), will be joined in 1977-78 by his long-time colleague, *Emeritus Professor Robert Skilton*.

# What's a Good Housewife Worth?

At the invitation of the Homemakers Committee of the Commission on the Observance of International Women's Year, Professor Margo Melli has produced a brief, but very useful monograph on the Legal Status of Homemakers in Wisconsin.

Professor Melli discusses the disadvantages which a homemaker, who does not work outside the home, has in a separate property state like Wisconsin. One section reviews the state of the law in an on-going marriage, pointing out that the woman who has assumed total responsibility for raising children so her husband is free to devote himself to succeeding in business may acquire no property herself, unless, of course, her husband makes her a gift.

Another section reviews the problems caused to a widow by the separate property law of Wisconsin. The economic problems for a wife in divorce are discussed. Problems such as child support, custody, and wife abuse, are also covered.

The Legal Status of Homemakers in Wisconsin begins with an introduction by former U.S. Representative Martha Griffin of Michigan.

It is for sale (\$2.00) by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

\* \* \*



Professor Melli

# What's New in the Law Review Vol. 1977, No. 2

Mark Sostarich,  
Editor-in-Chief

The upcoming issue of the Wisconsin Law Review, Volume 1977, No. 2, published in mid-September, offers interesting reading on a variety of topics. Number 2 features two lead articles. "Subsidizing Open Communities," by R. H. Silverman, deals comprehensively with the problems of establishing low-income housing in suburban communities. And Marlene A. Nicholson takes a critical look at the Supreme Court's analysis of the Federal Election Campaign Act in "*Buckley v. Valeo: The Constitutionality of the Federal Election Campaign Act Amendments of 1975.*"

Several student case notes treat topics holding significance for Wisconsin attorneys. In the criminal law area, *State ex rel Prellwitz v. Schmidt*, a decision dealing with the due process implications of probation and parole revocation in Wisconsin, is examined.

In the public employment area, U.S. Supreme Court decisions in *Bishop v. Wood* and *Hortonville Joint School District No. 1 v. Hortonville Educational Assoc.* are reviewed. The *Bishop* note explores the historical development and current status of the "property interest" in public employment. The *Hortonville* note examines, in a due process-administrative law context, the school board's authority to dismiss striking teachers.

The topic of primary jurisdiction as between courts and administrative agencies is addressed in a case-note on *Nader v. Allegheny Airlines*. Finally, the propriety of paying contingency fees to expert witnesses is considered in a student review of *Person v. Association of the Bar of the City of New York*.

## Goings on in the Summer

For the past several years, the three weeks between graduation in May and the opening of the summer session late in June has been designated as Intersession on the Madison campus. In the Law School, students can earn three credits in one of a number of offerings which in 1977 included Constitutional Law, Creditors and Debtors Rights, Professional Responsibilities, Law and Contemporary Problems. A seminar in Law and Correctional Institutions was conducted for students enrolled in the Legal Assistance to Inmates Program during the regular summer session.

The work is difficult. One course, for instance, had two meetings (1½ hours each) every day, with lengthy study assignments for each. But most participants relish the chance to concentrate on one subject without other distracting demands.

In addition, the Intersession offers an opportunity to provide innovative educational experiences to law students.

For example, under the sponsorship of the Institute of Environmental Studies, Professor James MacDonald in the Intersession recently passed, conducted a study tour which was devoted to a survey of land use and water problems in Colorado. The thirteen students who were enrolled observed irrigation projects, coal strip mines, an oil shale experiment, and hydro-electric plants. The group had opportunities to talk with federal, state, and local administrators, as well as with spokesmen for user groups which included mining and irrigation companies, the Denver Water Board and Trout Unlimited. In addition to their contacts in Colorado, the class visited one county planning committee in Wyoming and met with the city officials responsible for flood plain acquisition after the most disastrous flood in Rapid City, South Dakota, in 1972.

Each student prepared in advance of the trip a report on one phase of the problems to be observed.

\* \* \*

## Visitor to the Law School

Often, during the summer, the Law School has interesting and unexpected visitors. During this summer (1977), Mr. Ernest Schopfler, class of 1940, visited his classmate, Professor George Young. Mr. Schopfler has retired as an editor in the Lawyer's Coop Publishing Company, Rochester, New York. He is remembered by his contemporaries and others as having earned one of the best academic records in the history of the Wisconsin Law School, and as the Dalberg prize winner in 1940.



Group visits Paraho Oil Shale Project, Rifle, Colorado.

# CRIMINAL JUSTICE REFERENCE AND INFORMATION CENTER

By Sue L. Center, Director

It is 8:15 A.M. The telephone at the Criminal Justice Reference and Information Center rings and a caller explains that he has been appointed to a citizen's committee charged with the responsibility of screening applicants for the position of town police Chief. Does the Criminal Justice Center have any information or standards that might serve as guidelines for his committee? The Librarian taking the call responds affirmatively and promises to send the materials on loan that same day.

Child abuse; hollow point bullets; adolescent suicide; battered women; halfway house programs for juveniles, women, alcoholics, and ex-offenders; police policy manuals; and defense of drunk driving cases are but a few of the thousands of topics about which people have requested information at the Criminal Justice Center. Located on the first floor of the Law Library, this specialized lending library is comprised of over 20,000 volumes and 350 periodicals on the criminal justice system. It is open Monday through Friday, from 7:45-4:30. The staff includes the Director, Sue Center; Cynthia May, in charge of Cataloging and Technical Services; and Barbara Meyer, Public Services Librarian, all of whom give reference first priority. This unique library, which is jointly supported by the Law School and the Governor's Office, is a prime example of the Law School's commitment to outreach and "The Wisconsin Idea" — the concept of University service to the entire State.

The collection is divided into seventy broad subject areas. Included among these are different types of crime; police administration, training, and education; arrest, search and seizure; pre-trial procedure; sentencing; prosecution and defense functions; jails; correctional programs; volunteers; probation and parole; juvenile delinquency; juvenile corrections; civil disorders; alcoholism; and drug abuse. In addition to this basic collection, special collections include penal press publications (inmate newspapers) from correctional institutions throughout the United States, theses and dissertations, and local and state criminal justice agency statistics and research reports. The Staff has devised its own subject headings and classification system which provide rapid, in-depth access to the wealth of information available.

Last year the Center circulated 4300 items in response to 1700 requests for information. Approximately 50% of these requests were from persons affiliated with the University of Wisconsin System, and 50% were from patrons around the state working in the field. This library is open to anyone with an interest in criminal justice. User groups include public defenders and prosecutors, correctional personnel, inmates, social workers, law enforcement officers, judges and their staffs, students and teachers, specialists from the Wisconsin Council on Criminal Justice, libraries, committees and task forces, and special interest groups.

*continued*



Center staff Barbara Meyer, Sue Center, Cynthia May.



# Alumni Events

EDWARD J. REISNER, EXECUTIVE DIRECTOR, WLAA

Although reference is the main function of the Center, other services are also provided for its users. Special bibliographies of materials contained within the Center on particular subjects are prepared upon request. Illustrations of recent compilations are crime and the elderly, courthouse security, solitary confinement, and restitution. In addition, two abstracting newsletters, "Current Criminal Justice Literature" and "Current Corrections Literature" are mailed on a regular basis to law enforcement and correctional personnel, respectively. They provide patrons with a brief synopsis of new materials received by the library which are available on loan. Another project implemented by the staff has been the collection and dissemination of court report advance sheets to three correctional institutions in Wisconsin.

Questions about the Center or reference requests may be submitted by mail (c/o Law School), by telephone (608-262-1499), or in person. The staff attempts to answer all reference questions, but policy precludes engaging in legal research or advice. A brochure describing the Center is available upon request.

\* \* \*

## *Alumni Note*

The new Dean of the Northwestern University Law School is *David S. Ruder, Class of 1957*. A native of Wausau, Dean Ruder practiced with the firm of Quarles, Herriott and Clemons, Milwaukee, before joining the faculty at Northwestern in 1961. He was Editor-in-Chief of the Wisconsin Law Review, and elected a member of Coif.

THE GARGOYLE

While summer is a traditionally slow period at the Law School, the WLAA office has been alive with activity. In June, we co-hosted the third annual UW-Marquette Law Alumni Reception in conjunction with the State Bar of Wisconsin's annual meeting. But for the underestimation of alumni appetites, coexistence reigned supreme, and we look forward to a long continuation of this event. The Alumni Association also acted as host for a reception at the annual meeting of the State Bar of Arizona, thanks to the efforts of Walter Raushenbush, who taught there last semester. The summer of receptions culminated in the ABA reception at its annual meeting in Chicago. More than 100 alums from around the country met and shared reminiscences.

The tempo shows all signs of picking up for the Fall. As part of the annual Fund Drive, beginning in late October, WLAA anticipates publishing its first alumni directory since 1953. The directory will be available either as a premium for contributions or for purchase. Since the directory will be compiled from our mailing list, if you wish to make any changes, please do so now.

We cannot emphasize too often the importance of the annual Fund Drive. The cost of attending law school continues to rise. Resident tuition this year tops \$1,000, while non-resident tuition is \$3,272. The crisis in financial aid will be severe for second semester unless the Fund Drive again sets a new record. While pleased with last year's effort, compared to other schools, UW is not among the leaders in alumni support. Please help us.

## Lest You Forget

AS YOU MAKE PLANS FOR  
YOUR TAX-EXEMPT CONTRIBUTIONS  
FOR 1977

*remember*

*the Law Alumni Fund*

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## Alumni Notes

### Belle Case La Follette

### Women in Law School

What follows is an excerpt from a chapter prepared for a book about *University Women* published by the Office for Women, a part of the University's Central Administration. This chapter, written by the Gargoyle, deals with women in the Law School. Audrey Roberts and Marian Swoboda are co-editors.

In her biography of her husband, Robert La Follette, Sr., Belle Case La Follette (class of 1885) seldom mentions herself. One of her rare personal comments follows:

When our first baby, Fola, was born, I was profoundly happy. During the first year of infancy her care absorbed my thought and time. I experienced wonderful contentment and restfulness of spirit, although I had never been troubled over problems of a career . . . I am sure there is no inherent conflict in a mother's taking good care of her children, developing her talents, and continuing to work along lines adapted to motherhood and homemaking.

Bob was the first to suggest that I take the University of Wisconsin law course. It did not require much urging to convince me I could do so without neglecting my child and other home duties. The course was then two years. I entered in 1883 and was graduated in 1885, being the first woman to graduate from the University of Wisconsin Law School.

It appears that Belle La Follette was misinformed. The earliest alumni directory lists Elsie M. Buck as a graduate in the class of 1875; however, skimpy records prevent us from asserting with certainty that she was the first Law School graduate. Buck mar-



ried John H. Bottensek, also a member of the class of 1875. She never practiced law but was an instructor in art at Lawrence College.

Belle La Follette had a natural interest in law and lawyers. She worked closely with her husband when he was Dane County district attorney. As a college girl she was a prize-winning debator as well as a brilliant student. She was a writer of great accomplishment, a leader of the suffrage movement and a founder of the Women's International League for Peace and Freedom. She was a founder and editor of *La Follette's Weekly* which has become in our generation the *Progressive Magazine*. She wrote occasional briefs for her husband during his few years of practice. Early in his career as Dane County district attorney, La Follette, when praised by the Chief Justice of Wisconsin for a brilliant brief, admitted to the court that it had been written from "start to finish" by his wife.

But she never practiced law.

Joel P. Smith, Class of 1961, has recently been appointed vice-president for development at Stanford University in Palo Alto, California. A graduate of Beloit College and Oxford University in England, Mr. Smith had a brief career as a practicing lawyer before he joined the staff at Stanford. He served as President of Denison University in Granville, Ohio, between 1969 and 1975.

In his law student days, Mr. Smith was note editor of the Wisconsin Law Review and was elected a member of the Order of the Coif.

\* \* \*

Professor August G. Eckhardt, Professor of Law at the University of Arizona School of Law, Tucson, has written a glowing review of Professor Stuart Gullickson's recently published book, *Structuring a General Practice Course*, for the ALI-ABA CLE Review. Professor Eckhardt, during his long career on the U.W. Law Faculty, was director for a time of the U.W. Law Extension Program.

\* \* \*

# CLEW Year-Long Plans for Continuing Legal Education

## PLANS LIVE SEMINARS

CLEW's Fall line up of live seminars begins with the annual CLEW Tax Workshop. The distinguished speakers from the Wisconsin Department of Revenue return for the 12th year and include: Howard T. Lynch, Director; Donald E. Kunde, Supervisor and Neal E. Schmidt, Inheritance Tax Counsel.

The dates and locations are:  
September 23-24, 1977 —  
Holiday Inn, Stevens Point  
October 7-8, 1977 —  
Concourse Hotel, Madison  
October 14-15, 1977 —  
Pfister Hotel, Milwaukee  
October 28-29, 1977 —  
Lake Lawn Lodge, Delavan

Other fall programming is to be announced. The New Year, however, brings the final course in the "Advising the Small Business" series. It is entitled "Organizing the Small Business" and will be held January 12-14, 1978 at the Lake Lawn Lodge in Delavan.

The faculty, returning to complete the series, includes Robert A. Schnur and Gaar W. Steiner of Michael, Best & Friedrich and Don Grande of Arthur Young & Co., all of Milwaukee.

For further information about CLEW seminars call or write CLEW, Suite 309, 905 University Avenue, Madison, WI 53706. Phone: (608) 262-3833.

## TAKES TO THE WIRES AGAIN

Continuing Legal Education for Wisconsin will continue to use the University of Wisconsin-Extension's Educational Telephone Network to present CLE programs. CLEW will offer an expanded schedule of telelectures for the fall of 1977. Eight courses will be presented statewide. Attorneys and CPAs may choose, from the over 85 locations, the location most convenient for them. For those in the Madison and Mil-

waukee areas, many of the courses will be repeated the same day, later in the afternoon, providing a second opportunity in those heavy attendance areas.

The titles, names of instructors, dates and times are listed below. For more information on any one of these programs, simply call (608) 262-3833 or write Pamela A. Butler, Program Coordinator, Suite 309, 905 University Avenue, Madison, Wisconsin 53706.

## FALL 1977 CLEW Telelecture Schedule

\* September 7, 12, 14, 19, 21, 26, 28  
October 3, 5, 10, 12, 17, 19, 24, 26, 31

\* \* \*

"Organizing a Small Business in Wisconsin"

Robert A. Schnur  
12:00 - 1:20 p.m.

\* \* \*

\* September 6, 13, 20, 27  
"Drafting Trust Instruments"  
Richard Z. Kabaker  
12:00 - 1:20 p.m. Statewide  
4:00 - 5:20 p.m. Madison and Milwaukee, replay (same day)

\* \* \*

\* October 4, 11, 18, 25  
"Current Challenges in Estate Planning"

Neal Schmidt  
Mike Wilcox  
Jerry Fine  
Howard Sweet  
12:00 - 1:20 p.m.  
4:00 - 5:20 p.m. Madison and Milwaukee, replay (same day)

\* \* \*

\* October 5, 7, 12, 14  
"Self Incrimination"  
Frank Tuerkheimer  
4:00 - 5:20 p.m.

\* November 1, 8, 15, 22, 29  
"Freedom of Information Act and the Privacy Act of 1974"  
Robert L. Gordon  
12:00 - 1:20 p.m.  
4:00 - 5:20 p.m. Madison and Milwaukee, replay (same day)

\* \* \*

\* November 16, 17, 18  
"Titles to Wisconsin Real Estate"  
James J. Vance  
11:45 - 1:30 p.m.

\* \* \*

\* December 5, 7, 12, 14, 19  
"1977 Income Tax Preparation Refresher"  
12:00 - 1:20 p.m.

\* \* \*

\* December 8, 9  
(Title to be announced)  
12:00 - 2:00 p.m.



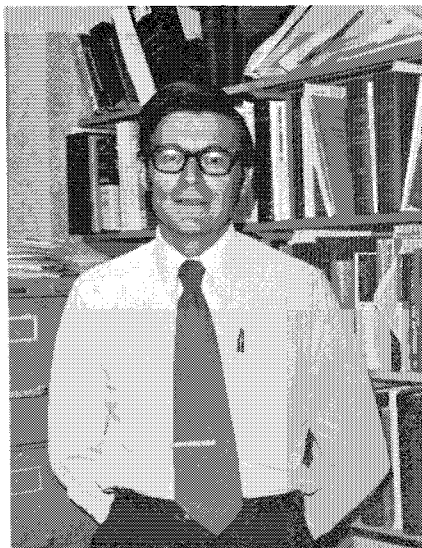
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# Outstanding

*Patricia Banks*, Class of 1972, has been honored as one of the outstanding young citizens of Chicago in 1977 by the Junior Chamber of Commerce of Chicago.

Miss Banks works in the Legal Department of Sears, Roebuck and Company. She is a member of the Advertising, Selling and Labelling group, dealing with all the legal problems connected with radio, television and other advertising, with warranties and money-back guarantees.

She has also served as Vice-president of the Cook County Bar

Association, a predominantly Black organization of lawyers. She is a member of the Board of Directors of the Home Investment Fund which assists members of minorities to find adequate housing in the various areas in and around the city of Chicago.

During her third year in Law School, Miss Banks served as a legal writing instructor.

With this award, Miss Banks joins a distinguished company, which includes Professor Herman Goldstein, a 1967 recipient.



Patricia Banks



Stephen Brown

*NADER'S NADIR* — A new book by Stephen D. Brown

*Stephen D. Brown*, class of 1973, is the author of a new book, based on his experience with Ralph Nader's Congress Project during 1972 and 1973. Mr. Brown participated in the project as a member of the team which studied the Commerce Committees, and published its report in 1975.

*Nader's Nadir* is the first inside account of a Nader investigation. It is the story of Nader's biggest, most expensive, complex and controversial project, and his last "raid." The book provides a glimpse of what it means to work for America's number one non-elected personality, recounting the frustrations, internal dissension, and ultimate failure of the Congress Project.

During his third year in law school, Mr. Brown served as President of the Student Bar Association. After several years as directing attorney in the Division of Consumer Protection of the Wisconsin Department of Agriculture, Trade and Consumer Protection, he is now in private practice in Madison.