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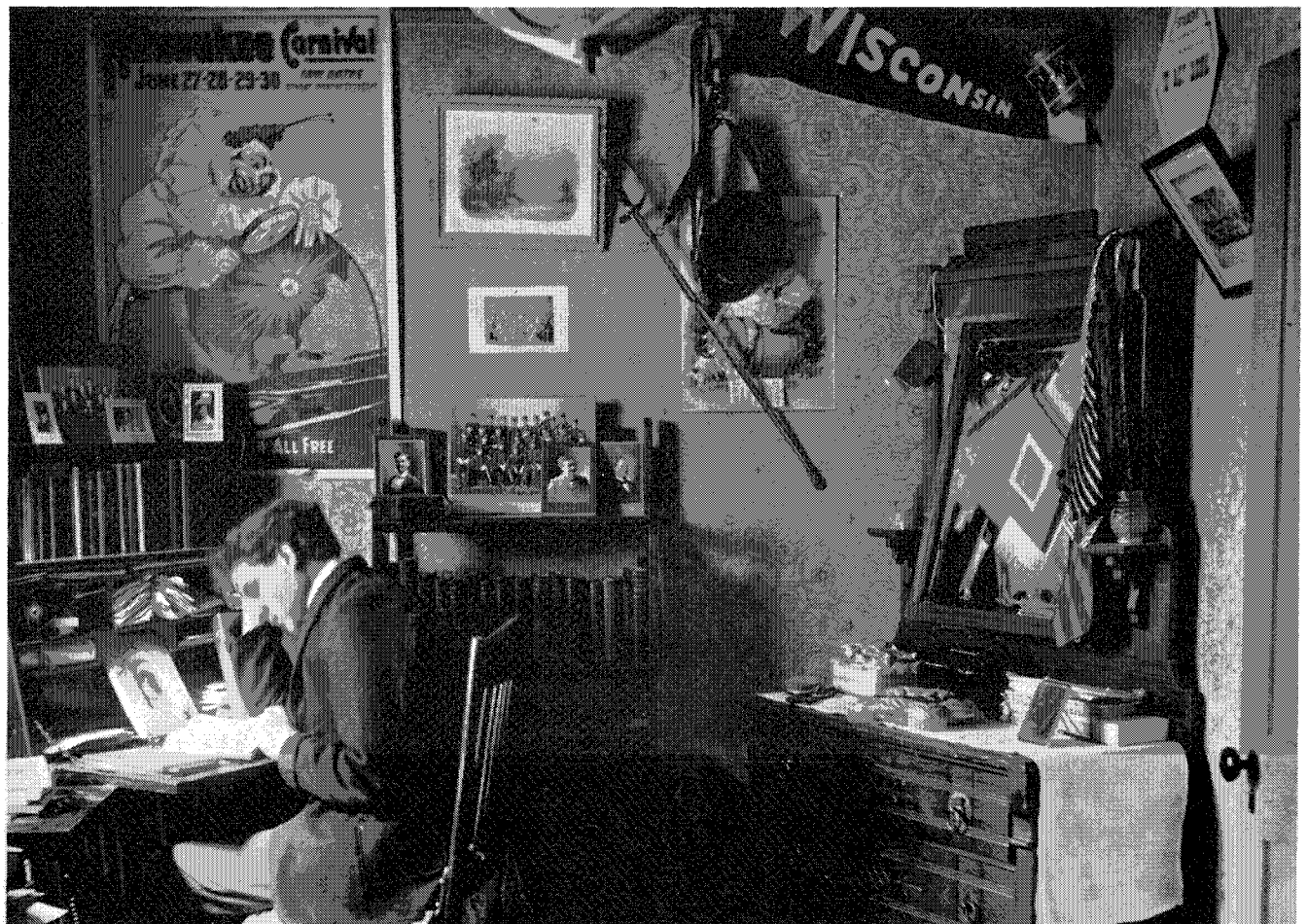
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Vol. 9 No. 3 **Spring, 1978**

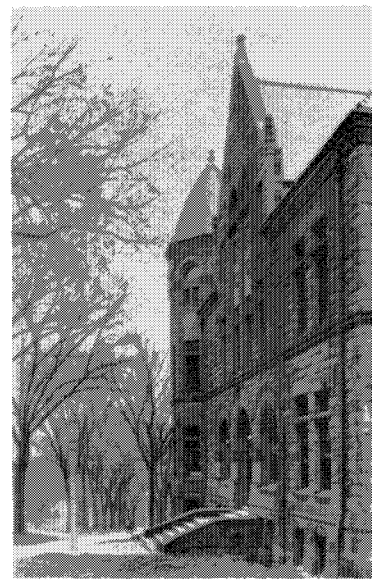
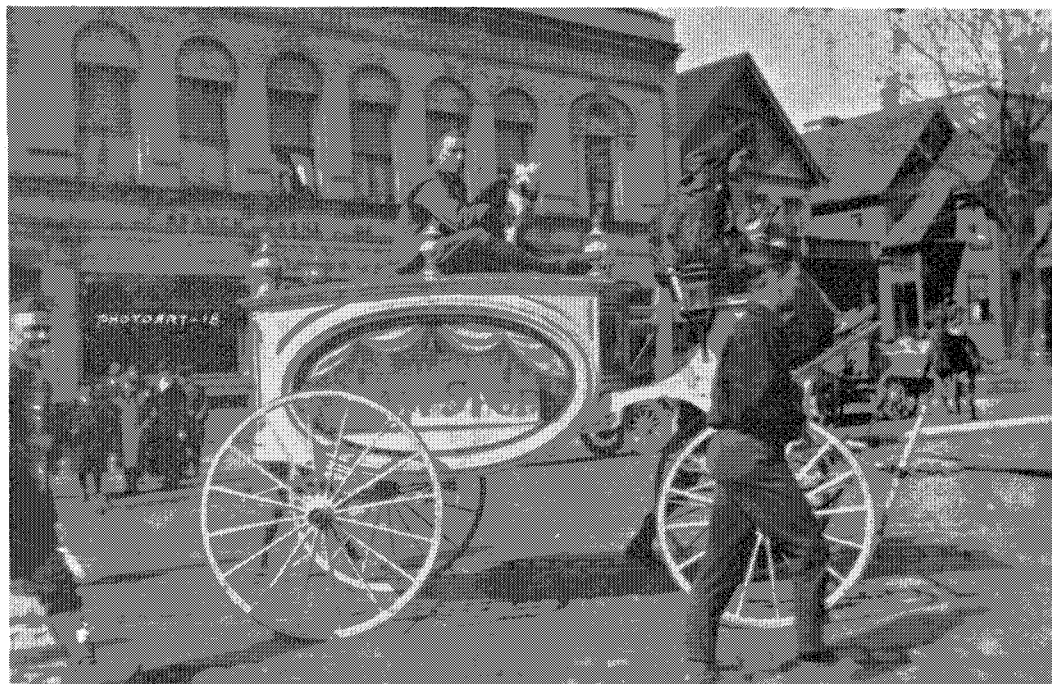
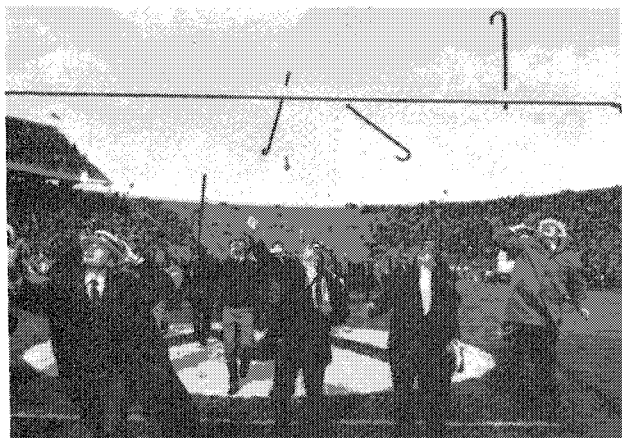


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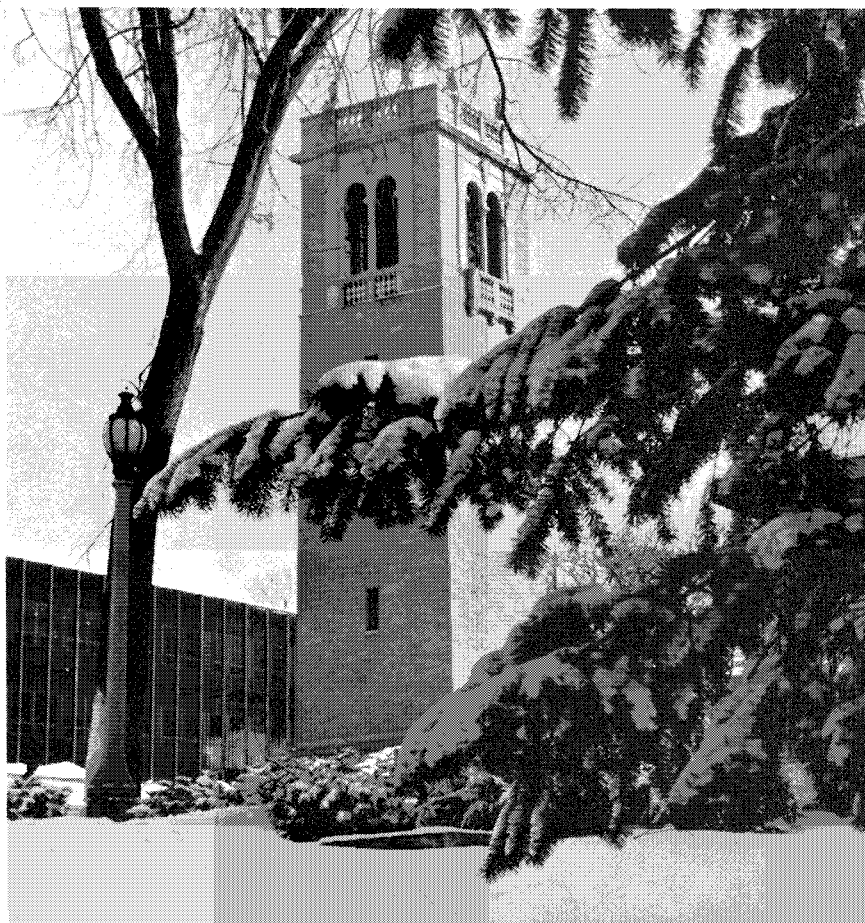
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Spring Program

A detailed announcement and program will be mailed to all alums in March. Highlights include ...

- ... Special activities and reunions for the Classes of 1938, 1953 and 1968
- ... Recognition at the Annual Luncheon and Association Meeting for the other reuning classes: 1928, 1933, 1943, 1948, 1958, 1963 and 1973
- ... Saturday events:
 - Moot Court final arguments
 - Luncheon
 - Awards Convocation
 - Special musical performance
 - Cocktail Party
 - Dinner and Dance
- ... Friday events:
 - Bencher Society Dinner
 - Law Student Satire
 - Watch for an announcement from Law Extension concerning a continuing legal education program to be held in conjunction with the Spring Program.
 - This year's Distinguished Service Awards are to be presented during the Saturday luncheon. Election of Directors and Officers will also be held.



Winter Scene

Report of Annual Visit

The annual visit by the Board of Visitors of the Wisconsin Law Alumni Association on October 31, 1977. What follows is the report submitted by the Chairman, Robert B. Murphy, Madison.

The Board of Visitors of the U.W. Law School was established in 1958 by the Wisconsin Law Alumni Association for the stated purpose:

"of assisting in the development of a close and helpful relationship between the Law School and the University of Wisconsin Law School alumni on all matters of mutual interest including Law School facilities, cur-

cont'd. on page 3

THE GARGOYLE

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

Vol. 9 No. 3 Spring, 1978
Ruth B. Doyle, editor

Photos by G. Schultz
 Artist, Elaine Sweet

Publication office, Law School, University of Wisconsin, Madison, Wis. Second class postage paid at Madison, Wis. and Waterloo, Wis.

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Visitors *cont'd.*

riculum, placement, admission and public relations of the school and the Bar."

The Board is made up of 12 Visitors, who are alumni of the U.W. Law School. They are elected to office by the Directors of the Wisconsin Law Alumni Association for terms of three years and are limited to two full consecutive terms. The Board of Visitors elects its own Chairman, Vice Chairman and a Secretary for one year terms.

Typically, the Board meets three times a year. The major meeting and visitation of the Law School typically occurs in late October. The second meeting is held at the time of the Midwinter Meeting of the State Bar. The third is held at the time of the Spring Program of the Law School, typically in April.

The Board of Visitors met jointly with the Directors of the Law Alumni Association on October 30, 1977, for a rather extended meeting on raising funds from alumni of the Law School, the inadequacies of the funds presently available, the rising volume of unpaid loans and other matters. In the evening a dinner meeting was held at which the speaker was Professor Willard Hurst. He made a thoughtful and stimulating presentation of U.S. Supreme Court trends in the emerging law of privacy and other areas involving individual rights.

The Board of Visitors met briefly the morning of October 31, after which the members fanned out to classrooms of their choice for the balance of the morning. At noon, most of the Directors stayed at the Law School for a box lunch and a chance to meet with the students and faculty. In the afternoon three forums were held on Developments in Legal Education, Law Teaching, and CLE and the Law School. A discussion followed

which was open to the Board of Visitors, Directors of the Law Alumni Association, faculty, students and guests.

By intention, this report has offered a sketch of the structure of the Board of Visitors and the way a visitation is conducted because inquiries on those subjects are made from time to time by interested alumni.

A variety of subjects and of problems associated with them were addressed by the Board and others during the course of a full and stimulating day. The balance of this report will be limited to an enumeration of those which aroused special interest or received principal attention by the Board members. It should be kept in mind that the Board of Visitors does not feel called on to take formal positions or to make specific recommendations unless it deems such action essential or appropriate. It conceives of its functions primarily as auditing and evaluating. If it concludes a matter has gone as well as can be expected, it can commend or it may say nothing.

The following subjects aroused special interest:

1. "Operational" Report. For purposes of summary reporting, the Board of Visitors observed the primary "product" which was being turned out by the Law School, namely, students, and those who were turning out the "product," the faculty. The impressions of the Directors of both the Board of Visitors and the Law Alumni Association were consistently favorable as to the quality of teaching and the general alertness exhibited on the part of the students. In the minds of many alumni the quality of instruction and the adequacy of selection of the student body are perhaps the most important single criteria by which to judge a successful law school "operation."



Murphy

2. Non-Teaching Faculty Functions. Also of great importance, although receiving lesser emphasis, are two other functions of law faculties. One is research and writing; the other public service. Time did not permit the Board of Visitors to receive a detailed report of these additional functions. Dean Helstad has been kind enough to furnish the Chairman such a report in preliminary form. It is the view of the Chairman that the "productivity" of the law faculty in areas other than direct instruction is of sufficient significance to warrant a rather detailed presentation at another meeting of the Board of Visitors. Overall excellence in all three areas is the mark of a distinguished faculty.

3. Plant. As might be expected, after considering that the new Law Building was designed for a maximum of 750 students and that it has approximately 900,

cont'd. on page 4

the space is crowded at some class periods and for study purposes. Some classes are already being held outside the Law Building. Some students find that there is not sufficient study space when they wish or need to study there. It is hoped that this space shortage may be substantially improved within the next two years.

4. Admissions. Applications for first year admissions still run close to 2,000 a year, with the greater majority anywhere from adequately to highly qualified, to the extent that qualifications can be measured in advance of actual performance. These applicants are competing for slightly under 300 places. Of those admitted in the fall of 1977, approximately 40 percent were women. This poses a series of interesting questions. Some women believe that an adequate recognition of the qualifications of female applicants and of their total numbers in the general population would warrant even a higher percentage of female admissions. Some of the unsuccessful male applicants and some of the practicing bar, on the other hand, inquire whether this may not result long range in an unfair disadvantage to male candidates and the possibility in time of an insufficient number of male lawyers. These questions are sufficiently complex and even emotional in nature to make their objective consideration or proof difficult.

5. Evening Classes; Part-Time Students. The Legislature in 1977 provided in its Budget Act that:

"the Board of Regents of the University of Wisconsin System shall report to the Joint Committee on Finance by December 1, 1978, the extent to which it is possible for students to obtain an undergraduate degree or graduate degree by attending courses offered during evening hours or weekends and make recommendations directed at extending such opportunities."

Pending in the Legislature is Assembly Bill 490, the substitute amendment to which provides in substance that the Law School be required to establish evening classes and to allow up to 10 years for completion of the course work required for a J.D. Degree.

The Budget Act intimates a legislative policy favorable to evening and weekend classes. The above bill allows a student up to a decade to complete his law studies. It also mandates the faculty to offer on weekends and evenings at least every three years all courses required by the Law School for graduation and by the Supreme Court for admission to the Bar.

The matter is under current study by the law faculty, which must report to the Board of Regents late in 1978. Comments by the Board of Visitors would appear premature before the faculty reports its findings and any recommendations. The policies of the Legislature taken together raise many questions, however, which University administration, the Law faculty and the Legislature, as appropriate, should address before any final legislative policy is established. They include whether:

(a) Our society has continuing need for the very substantial increase in the numbers of those desirous of studying law and of those who are being graduated in law.

(b) The Legislature is prepared to fund the cost of such continuing increases.

(c) The present Law School Building can accommodate for instruction, library space and faculty offices, the increased numbers involved.

(d) A faculty willing to teach evenings and weekends will be of the same quality as the present one.

(e) The part-time students will be of the same quality as the present student body.

(f) The proposals will favor part-time over full-time and less qualified over better qualified applicants.

(g) Such legislative preference is fair to qualified but rejected applicants who would have taken a full course of study.

(h) There is a danger of two grades of training and of graduates.

(i) A law student who takes 10 years of part-time study will really be qualified to practice in basic areas of the law a decade after he studied them.

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ADVERTISING by Lawyers

Professor Gerald Thain recently addressed the Dane County Medical Society on the impact on the medical profession of the recent decisions which held that prohibition of advertising of professional services is unconstitutional. He also discussed the pending action by the Federal Trade Commission against the American Medical Association.

In November, 1977, Professor Thain appeared before the Wisconsin Supreme Court, urging rejection of proposed guidelines for advertising by lawyers. He urged establishment of an interim period during which all advertising allowed in general be allowed for lawyers. This position, urged by many others, was adopted by the Court, effective January 1, 1978.

* * *

Professor Thain has served as reporter for the Joint Committee of the State Bar and the Wisconsin Judicial Council established to recommend revised Provisional Remedies and Exemptions statutes. He explained the joint committee's recommendations to the Judiciary Committee of the State Senate on January 19.

* * *

An article describing the work of a Ford Foundation project called *Selling to Children: Is There a Need for Public Intervention?* by Professor Thain appeared in the December issue of the Newsletter of the American Academy of Child Psychiatry. Professor Thain is the director of the project.

On February 28, the Federal Trade Commission issued a proposed rule for governing TV advertising aimed at children. The proposal relied heavily on material produced by Ford Foundation seminars.



Thain

Visitors cont'd.

6. The inadequacy of the scholarship and loan funds. Although it is not possible to designate a specific figure, because an unknown number of needy law students probably assume in advance of asking that they could not get funds, it is the estimate of those who administer loan and scholarship funds that the total available falls far short of those needed. Older law alumni, in particular, would do well to consider that the present cost of Law School fees is more than the cost 40 years ago for fees, books and living expenses for those who then had to operate on a modest budget. The number of credits required for graduation has risen measurably, the kind of instruction has changed, competition is keen, and it is probable that the average law school student of today has less time and energy available for work on the side than was true in earlier decades.

In addition to the need for additional scholarship and loan funds, two other developments

were reported which bear on that subject. One is the indication of non-growth or even a slight decline in the number of alumni donors. There appears also to be an actual decline in the average gift during the past five years.

Second, there is a substantial rise in unpaid loans or loan installments. The Board of Visitors wishes to work closely with the Directors of the Law Alumni Association in improving the giving and reducing the delinquency pattern. Success in these endeavors will mean both fresh funds and the freeing up of currently frozen loan funds.

7. The Law School and CLE. The history of continuing legal education in this state has at one time or other, over a period of more than two decades, involved the two law schools, U.W. Extension Service and the State Bar in varying degrees of cooperation and contribution. In 1976 the U.W. Law School faculty voted to lend greater support to the continuing education of the profession. It recommended the creation of an Associate Deanship for Continuing Education and Outreach Services. The position was authorized and Professor Arnon Allen, earlier the Chairman of Extension Law, was appointed to the position in January, 1977. It is hoped that this new Law School program will serve to enlarge and enrich the continuing education programs available to Wisconsin practitioners.

* * *

As is true in most human endeavors, the U.W. Law School presents an admixture of achievements, headaches and planning. The mix changes from time to time, but not the ingredients. Considered over all, the faculty and student body seem clearly to merit the category of achievers.

Submitted on behalf of the Board of Visitors.

Robert B. Murphy, Chairman

Law Clerks to New Appellate Judges Already Selected

Professor Fredericka Paff

The twelve judges for the new Wisconsin Court of Appeals will not be selected until April. However, the twelve third-year law students, nine from UW Law School and three from Marquette Law School, who will serve as law clerks for the judges during the new Court of Appeals' first year have already been selected and are participating in a training program during their last semester in law school. The law clerks were chosen by the Wisconsin Supreme Court in December and January pursuant to transitional provisions in the legislation creating the new Court of Appeals. The Supreme Court was assisted in the selection process by a screening committee consisting of Supreme Court Executive Officer Robert Martineau, Assistant Legal Counsel Arnold P. Anderson of Marquette University and Assistant Professor Fredericka Paff of the UW Law School.

As a result of the early selection of next year's clerks, the new judges will not be faced with the problem of hiring law clerks in late April after many of the students in the graduating law school classes have already accepted other jobs. The early selection also makes it possible to offer the future clerks some preparation for their jobs in a seminar run by Justice Shirley Abrahamson, and a four to five hour a week internship with a Justice of the Wisconsin Supreme Court during one half of the semester and with a member of the Court's permanent staff during the other one-half

semester. In the seminar various topics in judicial administration are discussed, focusing on how the Wisconsin Supreme Court and other appellate courts handle their caseloads. The internships will give the students a first-hand opportunity to see the operation of the Wisconsin Supreme Court.

The nine students selected from UW Law School are:

Peter Gunther
Margaret Garms
Ronald P. Hammer
Margaret Maroney
Stuart Mondschein
Ann L. Petersen
William Soderstrom
Glen Fritz
Gretchen Viney



Paff

WHATEVER HAPPENED TO ... ?

University of
Wisconsin
Law School
Alumni Directory
1868-1977



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Professor and Students attack Water Pollution

Prof. W. L. Church

Law students and faculty are engaged in a review of standards and regulations which may be necessary to control non-point pollution of surface waters. Under the 1972 amendments to the Federal Water Pollution Control Act, the United States Environmental Protection Agency (EPA) provides federal funds for area-wide and state-wide water quality management programs which must address both point and non-point sources of water pollution. (Point pollution comes from a pipe; non-point is typically run off in open land.) Under the auspices of the EPA, a multi-disciplinary team of Madison campus professors and graduate students is working with state officials and elected representatives in Washington County, Wisconsin, to develop a proto-type non-point source pollution control program for Wisconsin and other states. Professor Church, recent graduate Bill Fahey and Donn Kremmel, a second year law student, are working with professors and graduate students from the Departments of Soils Science, Engineering, Geography, Water Resources, Agricultural Economics, Political Science, and Urban and Regional Planning.

The task of the graduate students in the natural science and engineering departments is to determine the impact on water quality of land development and farming practices in Washington County and to propose strategies to mitigate them. These proposals will then be evaluated as to their cost-effectiveness, political feasibility and institutional impact by the people in Agricultural Economics, Urban and Regional Planning, and Public Administration. The job of Messrs. Church, Fahey and Kremmel is to draft ordinances for consideration by the Washington County Board implementing the proposals.

While the process of developing management strategies is fairly straight-forward, much research goes into the final product; drafting acceptable ordinances is, of course, a complicated assignment. There are several significant issues to be dealt with.

One of these issues concerns the question of whether to prescribe certain development and farming practices or to set maximum quantities of soil loss per acre per year which cannot be exceeded by the developers and farmers. An ordinance of the first type can easily become overly complicated because the kind of practices required will vary with the soil type, slope, kind of crop grown, and proximity to water. An ordinance which establishes a maximum allowable soil loss is less complex, but would be difficult to enforce because of the expense involved in accurately monitoring whether a parcel of land is exceeding its allowable soil loss. The actual water quality impact of a given amount of soil loss has not been established; and the amount of soil lost per acre depends to a large extent on the soil type, slope, and kind of crop grown on a parcel of land. A farmer on hilly land, with highly erodable soil, may employ excellent soil conservation practices and still exceed soil loss limits while a farmer on flat land may employ no soil conservation practices and be within soil loss limits. This raises questions of equity and efficiency.

A second issue concerns the

resistance of the agricultural community to government regulation. It is presently contemplated that the Soil and Water Conservation District (SWCD), will administer an ordinance directed at curbing soil loss from agricultural lands. In order for such an ordinance to be adopted in the county, a majority of the electors in the unincorporated area must approve it in a referendum. An ordinance, therefore, which prescribes farming practices in too much detail or which sets maximum soil loss limits too low will probably not be approved in the referendum, and will thus cause local efforts at regulation to come to naught.

A final difficult issue is the complex interrelationship of Federal, State and local governments in the field of regulating non-point source water pollution. The Environmental Protection Agency is the Federal agency responsible for achieving Congressionally mandated water quality goals. The Wisconsin Department of Natural Resources has the responsibility for achieving Federal water quality standards in Wisconsin. County Soil and Water Districts are presently envisioned as being the administrator of an ordinance designed to abate soil loss from agricultural lands. SWCD's are special purpose units of local government. The Soil Conservation Service (SCS), a department of the United States Department of Agriculture (USDA), provides personnel and other assistance to SWCD's. Thus, the SWCD's, to the extent that they make use of SCS assistance, must be responsive to some USDA direction in achieving EPA prescribed water goals enforced by the State. The task of remaining responsive is rendered difficult because federal and state agencies sensitivities shift in their attitudes toward proper regulation of pollution.

Working on the Washington County Project not only requires an understanding of numerous areas of the law, such as local government law, property law, and legislation. It introduces the law student to the process of solving problems with legal, scientific, political and economic dimensions.



Professor Church

New Library Wing Is Underway

Maurice Leon, Librarian

If the contractor's calendar is correct, the new addition to the Law Library will be finished and usable by 1 September 1978. The addition of some 11,000 sq. ft. extends the Library on its south and east sides, adding faculty study offices, student study space, some stack area, library staff offices and seminar rooms. In addition, a new public elevator and outside stairs will be built on the east side. The elevator will be designed to accommodate the handicapped.

Because the State cut back the original cost estimates, the addition is essentially a compromise to get the most space for the least money. Since space was needed mainly on the third, fourth, and Reading Room levels, the construction is concentrated there. The result creates an addition on stilts. The overhang of the new upper floors provides what will probably be the best sheltered bike parking on the campus.

At the time of this writing the Library's exits to the south parking lot and east towards Music Hall have been blocked by construction work. However, tradesmen, students and other patrons still manage to find their way into the Library through the Law School.

This present inconvenience is minor compared to that of a few months from now when the contractors breach the existing walls. Plans are being made for the shifting of people and thousands of books prior to this. For three months, conditions will be crowded in the new reading room where both materials and students will be squeezed together. But we hope the wooden and canvas barricade built along the south and east walls will contain the construction noise and concrete dust.



Library Wing

Within the remodeling plans for the Library there will also be a book detection system to forestall theft and other unauthorized removal of Library materials. The Library plans to have only the Reading Room and the fourth level within this new security system so that students can continue to move in and out of the other levels without hindrance.

The Student Bar Association and the Library Committee have for many years pressured for some means of reducing book and periodical losses in the Law Library. It is only with the remodeling in conjunction with the addition that it has become possible to consider a workable book detection system. Since the whole Reading Room will become a secured area, the present reserves will disappear and a much smaller Circulation/Reserves enclosure will take its place.

The library staff intends to remain flexible as to how much and what kinds of materials now called "Reserves" will be brought out into the remodeled Reading Room. Various library models around the campus are being studied to see which might work most successfully in the Law Library.

Labor Law Group

Jones is New Chairman

Professor James E. Jones, Jr. has been elected Chairman of the Labor Law Group, an association of Labor Law teachers, organized to prepare teaching materials for the law school courses in labor law. It was established in 1947, at a conference on the training of law students in Labor Relations. The Group's first book, *Labor Relations and the Law*, was published in 1953 and has been revised several times since. There are now ten books (units) under the general title of *Labor Relations and Social Problems — A Course Book*, published by BNA. All profits earned by their publication are used by the Group to finance its planning and editorial activities; no member receives any financial remuneration.

Professor Jones has also been elected to the Executive Committee of the Industrial Relations Research Association, which has its headquarters on the Madison campus. Secretary of Labor, Ray Marshall, is the immediate past president. Edwin Young, University of Wisconsin President, was president of IRRA in 1965.

When Is a Lawyer Not a Lawyer ?

Elmer Winter

Prospective law students often ask what lawyers do day by day. They are often fascinated by the various occupations lawyers get themselves into. For the past thirty years Mr. Elmer Winter, Class of 1935, has had one of the most interesting careers of all, as a non-lawyer lawyer.

Elmer Winter is a happy man. He exudes good health, good sense, and good humor. His roots are deep

in Milwaukee, but he is comfortable among friends and business associates in the 34 countries into which Manpower, Inc. has expanded during the last thirty years. His lifetime of devotion to Jewish causes, community problems, and his deep involvement in the Arts have added other dimensions to his life. He considers himself a fortunate man.

To the outside world, he is Mr. Manpower, Inc.

* * *

Manpower, Inc. — a temporary help service with 700 franchises in 34 countries — was established during the time of extreme pressure on business and shortage of qualified workers, more than 30 years ago. At the time it was established, Mr. Winter and his partner, Aaron Scheinfeld, were practicing law, and they continued to practice for seven years. Theirs was a general practice, many of their clients were old friends and families well-known to them.

The decision to close their law offices and give up the practice they had built from zero to devote full-time to Manpower was not an easy one. Of course, they have not been sorry.

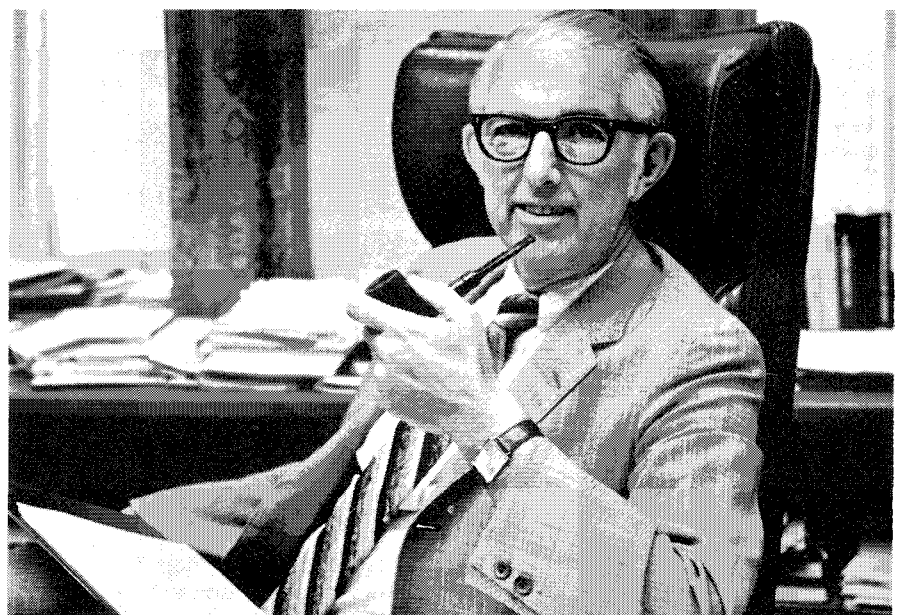
Manpower, Inc. occupies a many aced site in northwest Milwaukee. It is a remodelled warehouse, providing comfortable work space for more than 200 people. It is decorated in brilliant red, white and blue. Exposed beams and girders are painted white, carpets are red. Interior partitions are moveable and overhead lights are on trolleys, so the interior is completely flexible. Interesting paintings and art objects are displayed throughout. There is a very large conference room used for training sessions attended by Manpower personnel from throughout the world.

Manpower, Inc. is well run and well managed, and business is very good indeed.

As a result, his interests have shifted. He is the immediate past President of the American Jewish Committee, a position which involved him in Israeli-American relations and took him to Israel three or four times a year. He continues to commute to Israel, because he is currently serving as Chairman of a Committee for Economic Growth in Israel, a group organized to stimulate American investments in Israeli enterprises and to encourage a greater trade between the two countries.

Recent exchange agreements have provided American markets for Israeli-made medical equipment, clothes, tools, and high technology products.

Much of his time goes to what he considers to be America's most serious economic problem — unemployment among the young. He has been delegate to the White House Conference on Youth and is a member of the White House Task Force on Employment and the Economy. He believes that private business must play a greater role than it has thus far in providing employment opportunities for the people just entering the employment market. Business, he feels, needs greater incentives, including tax breaks, wage incentives and training funds.



Winter

For the past ten years Manpower, Inc. has had a summer job placement program (called Youthpower) in the Milwaukee area. It has provided some training programs and job listings. More than 80,000 young people have been placed on summer jobs through the Manpower program. But it is not enough.

He is a painter and a sculptor.

His paintings are abstract. His sculpture is made entirely of auto parts — usually bumpers, although he uses headlight frames, an occasional chassis and other parts. Bumpers aren't much good nowadays, he says. Those of the 1950's are sturdier and have better design and more character than those presently available. He has certain dealers who save choice parts for him.

There is a "Moon buggy" in the parking lot at Manpower, Inc., complete with chassis and four worn balloon tires. Beside the impressive front entrance is a towering chrome piece (all bumpers) which was built in three sections and assembled on the scene. Others are on display in the spacious grounds of Manpower, Inc. and around his fine summer home in Fish Creek, Wisconsin, where he has a large welding shop in an old barn which was moved onto his property.

Many of his works have been shown — including a large sculpture inspired by the Packers in Green Bay in 1967, and another of Kareem Jabbar in Milwaukee. Mr. Starr expressed his appreciation; Mr. Jabbar had no comment. At one display in Philadelphia, a viewer was heard to comment "I don't know about the art, but this guy sure is a lousy welder."

His artistic career began more than twenty years ago, when he and five friends established a Monday night art class, which usually met on Thursday evenings. He has gone for guidance to the Door County Art School at Fish Creek. A paint box usually accompanies him on his worldwide travels. Using acrylic paints and water colors, he brings back a little bit of scenery from each stopping place. Recently he attended a program at the Milwaukee Art Center during which his fifteen year old granddaughter's first publicly displayed painting was hung.

Elmer Winter is an author. His ten books, published mostly by Prentice Hall, are outcomes of his business interests; they are all "How to" books, a type which enjoys enormous popularity in the United States. For example, after Manpower, Inc. offered its stock to the public in 1959, he wrote the *Complete Guide to Making a Public Stock Offering*. Based on his company's own experiences, the book has been revised and made current several times. Among his subsequent books are *Woman's Guide to Earning a Good Living*, *How to Go Into Business for Yourself*, *How to be an Effective Secretary*, *How to Get a Job Abroad*, and *Secretary and Manager*.

Mr. Winter's father was a clothing manufacturer. His brother Jack Winter is a thriving manufacturer of women's sportswear; a retired sister lives in Florida. Two of his three daughters are wives of lawyers. The third is married to a rabbi.

Mrs. Winter is his travelling companion, and has developed interests and associations of her own. A frequent visitor to Israel, she participates in Planned Parenthood and in the beautification programs there — making use of her Milwaukee experiences.

He is not without honor in the United States and elsewhere. A Fellow of Brandeis University, he is also a member of the Board of Governors of Haifa University. He is an honorary alumnus of the Hebrew University of Jerusalem. He has earned the B'nai B'rith Interfaith award, the Brotherhood award of the Milwaukee chapter of the National Conference of Christians and Jews, the Equal Employment award of the Milwaukee Urban League, and Rotary Club's Vocational Service Recognition Award. He holds an honorary LLD from the University of Wisconsin-Milwaukee.

His life is not without disappointments. On the day of our interview, we drove through the Third Street area of Milwaukee — a dilapidated section of empty buildings and rubble, vacant lots. A small motel stands on the spot where Elmer Winter was born.

There is now a group of Milwaukeeans who wish to restore and build up the Third Street area, which is not only his home turf, but the location of his father-in-law's women's apparel store, a handsome building, unused and untended for many years. When it was discovered that the building was scheduled for destruction, last minute efforts were made to at least postpone if not prevent the deed. But, as we drove by, we saw the destruction of the building in progress.

ALUMNI NOTES

At a ceremony in Washington on December 16, 1977, David Ullrich was awarded a gold medal by the Environmental Protection Agency, where he serves as Chief, Case Development Section in the Chicago Regional office. Mr. Ullrich, a member of the Class of 1973, is a native of Wausau and a Dartmouth College graduate. He was photographer for the Gargoyle while he was in Law School.

Part of the citation honoring Ullrich follows:

"David A. Ullrich has served as an extremely effective enforcement attorney and supervisor during his four years at U.S. EPA. Particularly during the last 15 months, he has been the lead Agency attorney on two major steel mill pollution cases successfully brought to settlement. He has shown a unique ability to handle both air and water pollution cases, and carry out supervisory responsibilities at the same time. He has clearly distinguished himself as an invaluable asset to the Agency.

Mr. Ullrich is the primary individual responsible for U.S. EPA's historic victory over United States Steel Corporation, Gary Works, in the Seventh Circuit United States Court of Appeals and the successful settlement of the matter following the Seventh Circuit's decision.

The Seventh Circuit decision is of incalculable value to U.S. EPA in its work to protect the environment. The unique circumstances of the case, which included one of the staunchest opponents of U.S. EPA in U.S. Steel and one of the dirtiest pollution sources in the Gary Works, led to an unprecedented decision which was favorable to the Agency on all the significant issues being raised by dischargers throughout the country.

While awaiting the decision of the Seventh Circuit, U.S. EPA continued to negotiate with U.S. Steel, hoping to reach an out-of-court settlement. Mr. Ullrich served as the lead Agency attorney in the negotiations and was responsible, as such, for coordinating all legal, technical, and policy matters associated with the discussions. With the large number of people involved from both the Agency and the Department of Justice, this was a difficult task. Throughout the negotiations, he was able to consolidate the government position on all issues and present the position to U.S. Steel in a convincing manner. He was also able to keep the very complex and cumbersome settlement discussions moving forward in an expeditious fashion. When the Seventh Circuit opinion was handed down, he successfully mobilized the settlement efforts to make full use of the extremely advantageous position of the government was in. The result was a settlement one month later.

When viewing the three years of Mr. Ullrich's work on this case, in two ways he demonstrated particularly unusual ability. First, throughout the administrative and judicial stages of the case, he effectively marshalled the technical facts and legal principles in such a way as to present a very convincing Agency position both to the Court and to U.S. Steel. This

was especially difficult because of the number and complexity of issues involved. Secondly, his oral argument to the Seventh Circuit substantially enhanced the credibility of the Agency and its case in the eyes of the judges. He approached the bench at a time when it appeared the Agency's case was going very badly and left twenty-five minutes later with the judges appearing much more convinced in the merits of the case. Mr. Ullrich demonstrated a striking ability to communicate a wealth of technical and legal knowledge to a panel of judges in a very short time.

While working on the U.S. Steel water pollution case, Mr. Ullrich was preparing for the trial of a criminal contempt case. The case was brought against U.S. Steel for violations of a 1974 consent decree. Over a seven month period, Mr. Ullrich developed a sound criminal case which appeared to be headed for trial and a successful verdict. In particular, his exhaustive work in reviewing, assembling, and organizing complex technical data and other facts relating to the charges was outstanding. This thorough preparation by Mr. Ullrich made it very clear the Agency was prepared to go to trial and win. Consequently, U.S. Steel agreed to pay a substantial penalty and bring the source into compliance in one month.

cont'd. on page 11



Ullrich

THE GARGOYLE

The leadership he provided in these matters was pivotal in bringing about the outcomes, and all contributed to a very successful Region V air enforcement program.

Citation: This award is given in recognition of your exceptional performance in managing major cases yourself and directing the work of others to bring about a cleaner environment for the citizens of this country.

Faculty Notes

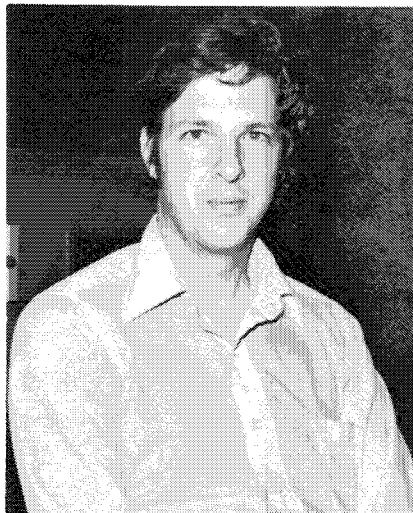
Professor Robert Gordon, who joined the Faculty as Associate Professor in September, 1977, appeared on the program of the Seventh Annual Meeting of the American Society for Legal History in Boston in November, 1977. The subject of his paper was *Lawyers and Merchant Clients in New York, 1780-1807*.

Vilas Professor Willard Hurst, who is teaching the two spring quarters at the Holland Law Center, University of Florida, Gainesville, gave the seventh Sulzbacher Memorial Lecture on September 20, 1977, at Columbia Law School.

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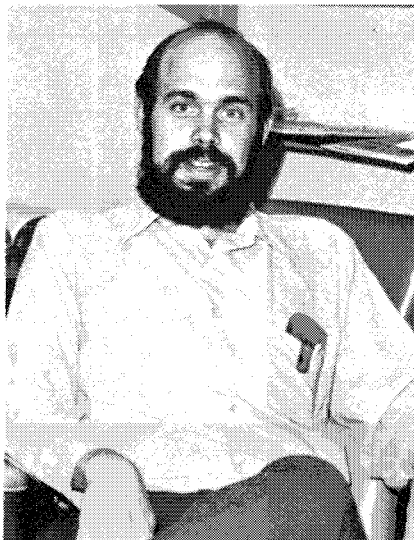
Two articles by Professor Peter Carstensen have been completed and are ready for publication this spring. One, which will be published in the *Washington and Lee Law Review*, reviews the anti-trust decisions of the United States Supreme Court during its last term.

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Gordon

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Carstensen



Kelley

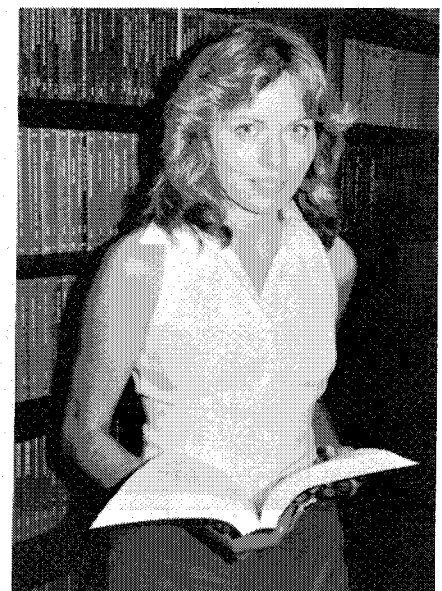
CLEW Continues to Grow

CLEW introduces two new staff members. *Tiffany S. Meyer* and *Thomas F. Kelley* began their duties as Assistant Director and Associate Director, respectively, on September 1, 1977.

Ms. Meyer, a 1976 graduate of the University of Wisconsin Law School, returns to Wisconsin after teaching at Arizona State University at Tempe. She previously was a short course instructor for the UW-Extension Department of Business and Management and has had experience in the private business sector.

Mr. Kelley, a native of Massachusetts, is the former director of Nebraska Continuing Legal Education, an activity of the State Bar of Nebraska. A graduate of Suffolk University Law School in Boston, he did corporate legal work before entering the continuing legal education field.

With the addition of Ms. Meyer and Mr. Kelley to the staff, CLEW anticipates an increasingly active future in programming and publications. Ms. Meyer's activities will include working with practitioners and specialists on future courses and projects. Mr. Kelley will assume some of the responsibilities of CLEW Director Arnon Allen, who is also an Associate Dean of the Law School, responsible for CLEW and other outreach activities.



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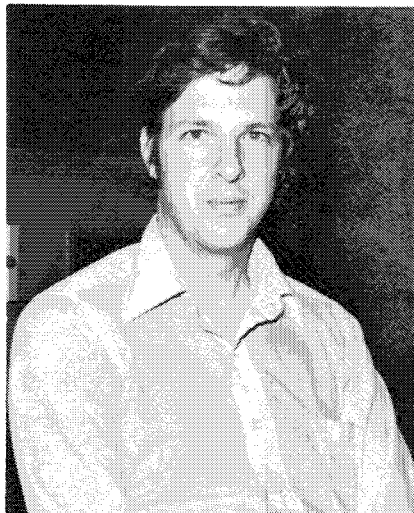
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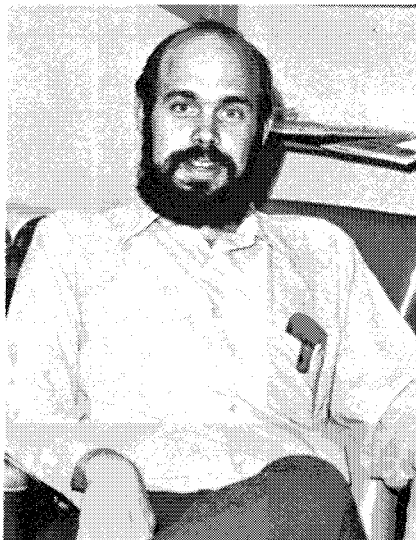
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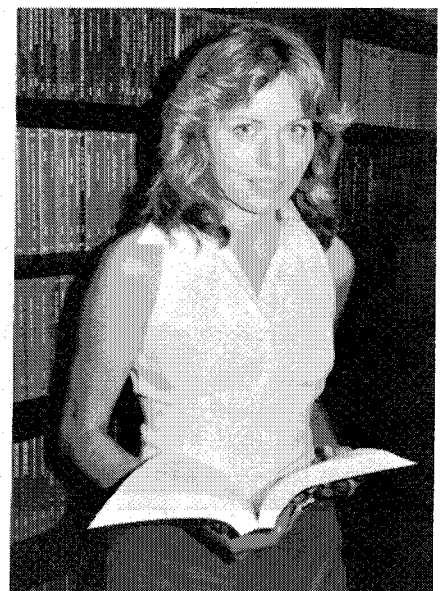
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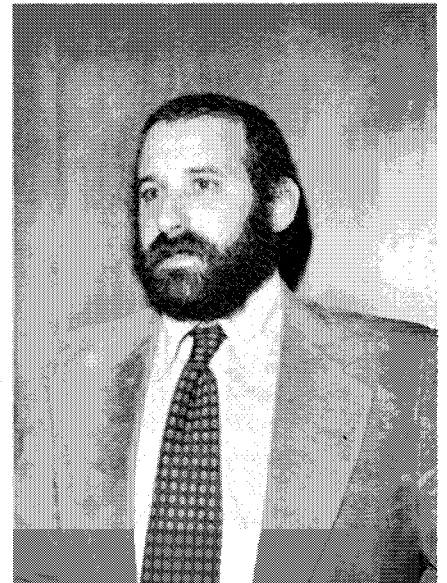
MacDonald goes to Japan

During the last week of March, *Professor James B. MacDonald* will leave for Japan where he will study and report on the laws and customs which affect the allocation of water rights in that country. Water has been used for irrigating rice fields in Japan for centuries. That use is changing due to increasing demands by industry and urban areas. Professor MacDonald teaches water law and has drafted water rights allocation legislation recently in-

troduced in the Wisconsin legislature. His study in Japan is supported by the Japan Society for the Promotion of Science (JSPS), an institution comparable to the National Science Foundation in the United States. He will be working with Professor Akio Morishima of the University of Nagoya Law Faculty.

This will be a return trip to Japan for the MacDonalds, who spent part of the summer of 1975 there, on a tour for the United States Department of State. They will return home in January 1979.

In the busy months before departure, Professor MacDonald, in addition to his teaching, has served as Chairman of the Faculty Recruitment Committee.



Steinglass

Visiting Faculty 1977-78

Professor Steven Steinglass is on leave from his post as Director of Legal Action of Wisconsin, the expanding program which provides legal services for the indigent under the federal Legal Services Corporation. A graduate of Columbia Law School, he teaches *Civil Procedure* and *Problems in Legislation: Federal Court Reform*.

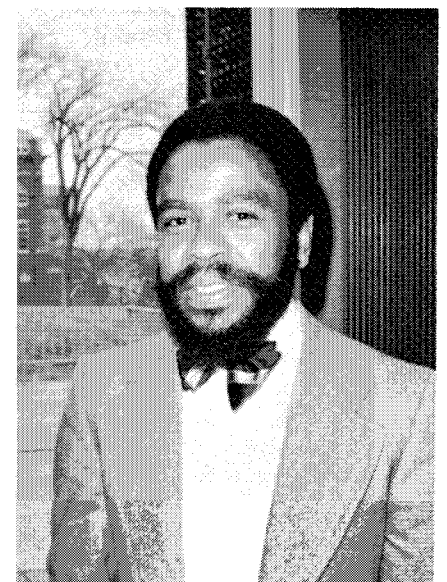
Professor Kathryn Powers comes from Holland Law Center, University of Florida, where she is Associate Professor. A graduate of Vassar and the University of Florida Law School, she has had experience in government and private practice before embarking on her teaching career. She teaches *Women and the Law* and *Securities Regulation*.

Professor Patricia A. Cain was here only first semester, on leave from the University of Texas School of Law. She is a Vassar graduate who attended the University of Georgia Law School. During her stay, she taught *Taxation* and *Estate Planning*.

Professor Lawrence Goffney comes from the Law School of the University of Detroit. He is an alumnus of Detroit, has done graduate work at Columbia and Harvard. At UW he teaches *Torts* and *Restitution and Other Remedies*.



Powers Cain



Goffney

Bunn named consultant

On January 16, 1978, Professor George Bunn was named Consultant to the United States Arms Control and Disarmament Agency. His assignment is to assist the Agency in the International Fuel Cycle Evaluation, which was announced by President Carter in the spring of 1977. The evaluation is being undertaken in an effort to achieve compliance with the Nuclear Nonproliferation treaty by persuading other nations not to pursue peaceful nuclear power goals which might lead to the "bomb." These goals include the reprocessing of spent fuel to take out the plutonium and the enriching of uranium to high levels.

Professor Bunn will work on that part of the evaluation which will try to determine how the needs for nuclear power in other countries can be met without the building of re-processing or enrichment plants. For example, the Agency will study the feasibility of establishing an International nuclear fuel "bank."

Last year, Professor Bunn acted as Chairman of the Hearing Board established by the United States Nuclear Regulatory Commission to review a Generic Environmental Statement on Mixed Oxide Fuel. At the termination of the hearings, Professor Bunn was complimented by Commission Chairman Joseph M. Hendric, for his "scrupulously fair and open consideration of all the viewpoints presented," and for his "prompt and able attention to the many administrative aspects of the proceedings ..."

Before coming to the Law School in 1969, Professor Bunn served as General Counsel of the U.S. Arms Control and Disarmament Agency and as American negotiator at the Geneva Disarmament Conference. Professor Bunn was dean of the Law School from 1972 til 1975.

Baldwin Back to Bolivia

In January, 1977, Professor Gordon Baldwin was asked by the United States State Department to serve as a member of an American team which went to Bolivia to investigate first hand the Bolivian jails in which there were 34 incarcerated Americans. Most of them were held for illegal dealings in dope. The team visited American prisoners in jail, and consulted with local law enforcement officers and judges in an effort to speed up arraignments, trials, and sentences. (Gargoyle, Vol. 8, No. 4, P. 10.)

Below is Professor Baldwin's report of the progress made.

In December, 1977, I was asked by our Ambassador in La Paz to return to Bolivia as a consultant in various matters concerning the involvement of United States citizens with Bolivian narcotics laws. In most respects conditions have improved since my first visit in 1976. During 1977 the Bolivian judicial system began functioning more effectively, and a treaty allowing for the "exchange" of prisoners is nearly ready for submission to the U.S. Senate. Many trials in Bolivia have finished, the mandatory appellate review completed, and a significant number

of defendants, Bolivian and American, have been released. A few were found not guilty, others were granted conditional liberty and some were released having served their allotted time. While no one, including the Bolivians, has claimed that their judicial system is a model of efficiency or of speedy justice, the improvement in their process is notable and promises to continue.

One encouraging event is the Bolivian government's decision to undertake a comprehensive review of their narcotics law procedures. A special commission was recently appointed to recommend reforms, primarily directed at making enforcement of the narcotics laws conform to the more general norms of their criminal law. Heretofore the narcotics laws were enforced without some of the procedural safeguards afforded to ordinary criminal defendants.

Of particular assistance to this commission, and to the United States citizens in Bolivian jails, have been the efforts of several highly competent Bolivian lawyers hired by our Embassy to monitor the progress of the trials. Their observations will doubtless be useful to the commission and to eventual law reform.



Bunn



Baldwin

ADVERTISING by Lawyers

Professor Gerald Thain recently addressed the Dane County Medical Society on the impact on the medical profession of the recent decisions which held that prohibition of advertising of professional services is unconstitutional. He also discussed the pending action by the Federal Trade Commission against the American Medical Association.

In November, 1977, Professor Thain appeared before the Wisconsin Supreme Court, urging rejection of proposed guidelines for advertising by lawyers. He urged establishment of an interim period during which all advertising allowed in general be allowed for lawyers. This position, urged by many others, was adopted by the Court, effective January 1, 1978.

* * *

Professor Thain has served as reporter for the Joint Committee of the State Bar and the Wisconsin Judicial Council established to recommend revised Provisional Remedies and Exemptions statutes. He explained the joint committee's recommendations to the Judiciary Committee of the State Senate on January 19.

* * *

An article describing the work of a Ford Foundation project called *Selling to Children: Is There a Need for Public Intervention?* by Professor Thain appeared in the December issue of the Newsletter of the American Academy of Child Psychiatry. Professor Thain is the director of the project.

On February 28, the Federal Trade Commission issued a proposed rule for governing TV advertising aimed at children. The proposal relied heavily on material produced by Ford Foundation seminars.



Thain

Visitors cont'd.

6. The inadequacy of the scholarship and loan funds. Although it is not possible to designate a specific figure, because an unknown number of needy law students probably assume in advance of asking that they could not get funds, it is the estimate of those who administer loan and scholarship funds that the total available falls far short of those needed. Older law alumni, in particular, would do well to consider that the present cost of Law School fees is more than the cost 40 years ago for fees, books and living expenses for those who then had to operate on a modest budget. The number of credits required for graduation has risen measurably, the kind of instruction has changed, competition is keen, and it is probable that the average law school student of today has less time and energy available for work on the side than was true in earlier decades.

In addition to the need for additional scholarship and loan funds, two other developments

were reported which bear on that subject. One is the indication of non-growth or even a slight decline in the number of alumni donors. There appears also to be an actual decline in the average gift during the past five years.

Second, there is a substantial rise in unpaid loans or loan installments. The Board of Visitors wishes to work closely with the Directors of the Law Alumni Association in improving the giving and reducing the delinquency pattern. Success in these endeavors will mean both fresh funds and the freeing up of currently frozen loan funds.

7. The Law School and CLE. The history of continuing legal education in this state has at one time or other, over a period of more than two decades, involved the two law schools, U.W. Extension Service and the State Bar in varying degrees of cooperation and contribution. In 1976 the U.W. Law School faculty voted to lend greater support to the continuing education of the profession. It recommended the creation of an Associate Deanship for Continuing Education and Outreach Services. The position was authorized and Professor Arnon Allen, earlier the Chairman of Extension Law, was appointed to the position in January, 1977. It is hoped that this new Law School program will serve to enlarge and enrich the continuing education programs available to Wisconsin practitioners.

* * *

As is true in most human endeavors, the U.W. Law School presents an admixture of achievements, headaches and planning. The mix changes from time to time, but not the ingredients. Considered over all, the faculty and student body seem clearly to merit the category of achievers.

Submitted on behalf of the Board of Visitors.

Robert B. Murphy, Chairman

CLEW Plans Ahead

Pamela Brady, CLEW Coordinator

1978 programming at Continuing Legal Education for Wisconsin (CLEW) is off to a good start. Our first program of the new year, "Organizing the Small Business," was held at Delavan, January 12-14. From these dates on, there is at least one program or one telelecture per month throughout the year.

Below is a list of titles and dates of offerings in 1978.

TELELECTURES

Title	Speaker	Dates & Times
The Federal Register; What it is and How to Use It	Carol A. Mahoney	Feb. 6, 13, 20 12-1:20 p.m.
Recent Developments in Criminal Law	William Gansner Howard Eisenberg	March 7, 14, 21, 28 12-1:20 p.m.
Buy-Sell Agreements	Stephan R. Leimberg	March 30, 31 12-1:50 p.m.
Accounting for Lawyers	Wilbur G. Katz	April 4, 6, 11, 13 12-1:20 p.m.

Telelectures are located around the state and all of these programs will broadcast statewide. Further programming in April and May will be announced.

LIVE SEMINARS

Title	Dates	Location
Marketing Legal Services	Feb. 20-21	Madison
Mining Leases and Contracts	March 3	Rhineland
Consumer Law for Businesses	March 7 & 10	Madison, Milwaukee
Title VII-Civil Rights Law	April 27-28	Madison
ALI-ABA: 'Estate Planning in Depth' and 'Fundamental Bankruptcy'	June 18-23	Madison
Trial Advocacy	July 10-14 July 24-28 August 7-11	Madison
Criminal Trial Techniques	July 17-21	Madison
CLEW Tax Workshops	Sept. 22-23 Oct. 13-14 Oct. 20-21 fourth location	Wausau Milwaukee Madison to be decided

Brochures on all of the above listed courses are mailed approximately one month to 6 weeks before each course.