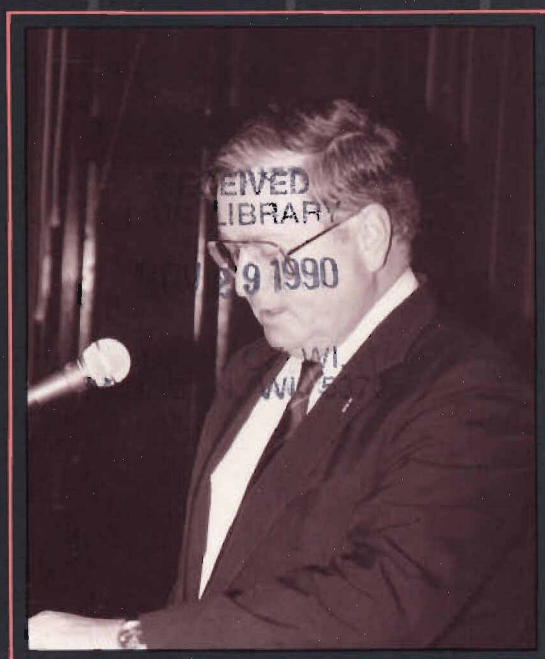


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University of Wisconsin Law School Forum

GARGOYLE



Volume XXI

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12th Dean Looks Forward

Dean Daniel O. Bernstine

2

Farewell, Dean Thompson

Associate Dean Gerald Thain

Professor John Kidwell

3

6th Annual Opening Convocation:

On Being a Corporate Lawyer

Russell G. Cleary ('57)

6

Badger Village, The Great Housing Experiment

Timothy R. Verhoff

8

Featured Alumni:

Clark Byse ('38), Arnold Weiss ('52),

Judith Lichtman ('65)

Timothy R. Verhoff

12

Alumni Notes

16

Faculty Notes

17

Editor's Note

19

Mystery Picture

19

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Cover photo: *Russell G. Cleary ('57) speaks at the Class of 1993 convocation.*

Dean's Note

Dean Daniel O. Bernstine

I welcome this opportunity to write to you in my new capacity as Dean of the Law School. I am honored to have been selected as the 12th Law School dean and look forward to many years of service to my alma mater.

First, I want to thank my predecessor, Dean Cliff Thompson, who served as dean for 7 years and to wish him the very best on his sabbatical year at the University of London.

These first few weeks of my tenure have been both hectic and exciting, as I have traveled around the state and the country, meeting with fellow alumni to discuss the status of the Law School and our objectives for the future. Over forty alumni gatherings have been planned for this year, and I hope that through these events I will have a chance to see as many of you as possible.

I am very excited about the future of the Law School. We are currently ranked in the top twenty academically, but, more importantly, we have the ingredients and commitment to be even greater. My major objective during my tenure will be to increase the Law School's overall ranking. In order to achieve this objective, we will continue to pursue academic excellence while at the same time enhancing our academic reputation even further. We already have an outstanding faculty, and we must remain competitive in terms of salaries and research support for the faculty so that we can retain them as well as recruit new faculty.

The student body continues to be outstanding. The median LSAT for this year's entering class is 40 which is in the 90th percentile. The median undergraduate grade point average is 3.4. I am committed to a strong student recruitment program and, in addition to alumni events, I will be traveling around the state and the country recruiting potential applicants to the Law School.

One primary goal in our faculty and student recruitment efforts will be to further enhance diversity here at the Law School. As most of you know, in 1989 the Law School received a well-deserved award from the Society of American Law Teachers in recognition of our hiring four minority faculty members in one year. Our current student body is composed of 9 percent minority students compared to about 4 percent on the rest of the campus. Furthermore, this year's entering class is about 48 percent female. These figures represent significant strides on the Law School's part to maintain excellence through diversity and we are all committed to capitalizing on our momentum.

Another major ingredient in enhancing the Law School's overall reputation and strength involves even further support to our Law Library. In recent years, the Library has taken extraordinary steps toward halting the decline that the library experienced during the 1970's.

The Law School is currently part of the Campaign for Wisconsin, the University's capital endowment campaign; our goal is \$3.5 million. Two million dollars will be



Dean Daniel O. Bernstine

used to endow competitive grants for faculty so that they can become more involved in special projects which will add to the quality and distinction of the School. One million dollars will be used to support students who will work with faculty on these projects. The remaining half million dollars will be used to build an endowment for the Law Library.

This current capital campaign will go a long way toward improving the quality of our already strong institution and will help us to become more competitive with our peer institutions. I encourage you to support this campaign.

Finally, one of my major commitments as dean is to witness the construction of the long-awaited and much needed addition to the current building. Our existing facility, which was designed for 650 students, now houses nearly 900 students. Our library also needs room for growth. We need more space to house clinical programs, student activities, a new simulation courtroom and a host of other projects. Moreover, a major portion of the existing building will be renovated—allowing enhancements to the present courtroom and other building improvements which are consistent with a law school of the first rank. In short, the Law School must have a physical plant which can adequately and competitively prepare lawyers for the 21st Century. I will be in touch with you later about how you can support us in this very important initiative, and I look forward to and expect your vigorous support.

Again, I am honored to serve you in my new role as dean.

It feels good to be back home.

Remarks on the Occasion of the End of Cliff Thompson's Deanship

Associate Dean Gerald Thain

This is not a faculty meeting (for which undoubtedly all of us are grateful) but rather a gathering of faculty members to honor the deanship of Cliff Thompson over the last seven years and some of the significant accomplishments of our school, under his leadership.

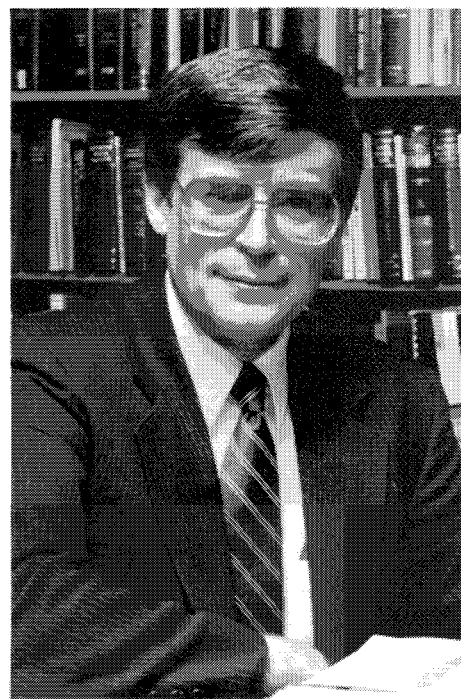
Although the accomplishments of which we take note today are not listed in a formal order of significance, it is probably accurate that, for most of the faculty, raising faculty salaries to a competitive level is the achievement that comes first to our minds. When you began your tour of duty as dean, the general level of faculty compensation at Wisconsin had descended to the point where we were ranked 92nd among accredited law schools. Your commitment to ending this abysmal situation bore fruit and we were ultimately raised to a much more competitive position, ranking among the top thirty law schools in terms of dollar compensation per academic year. It took considerable time and lobbying within the University by you to carry the day and convince people that the concern was not simply a matter of our desiring to be competitive with a few "elite" law schools, mostly private and all wealthy, but a vital need to preserve our position in the world of legal academia. Had you not been successful, the consequences would have been disastrous—many of our best people would have left and those who remained would have been severely disgruntled. In conjunction with raising the overall salary level, you provided the leadership that allowed us to fend off attempted raids on our faculty by such law schools as Columbia, UCLA, Miami and others.

A major feature of your administration was the tremendous improvement in alumni relations. The usual measures of success in financial terms, such as a capital campaign which exceeded its goal, a four fold increase in annual giving during your time as dean, and even the obtaining of a significant number of named professorships to provide important "perks" to faculty are inadequate to indicate the true improvement in this area. Your continuing and tireless efforts to establish contact with our alumni throughout the state and in every area of the country in

which we have significant numbers has brought about a significant surge of pride and involvement with the Law School by our alumni. A major role of a law school dean is to represent the institution to the alumni and you have done that for us superbly!

Another major achievement of your tenure as dean was getting the building renovation project safely underway. The bureaucratic mazes of the UW-Madison, the University system and the legislature, in conjunction with the past changing moods of the law faculty concerning the best way to address its needs for more space presented a tremendous challenge which you met successfully. We now have a very well-received plan that will not only address our internal needs for classroom and office space, but will bring the entire law school community, including its clinical and outreach programs, together under one roof. By somehow finding the time to attend meetings of the campus planning commission, the building committee, and other groups, you've insured that this plan will go forward in the proper form and with the proper priority.

It was during your deanship that the Law School received several awards for its success in increasing the diversity of its faculty, most of them stemming from the four minority faculty members hired under the Madison Plan two years ago. This success which, among other things, won the Law School an award from the Society for American Law Teachers, was certainly notable, but the attention given to it should not detract from other significant achievements concerning diversity. The Hastie Fellowship program, which can safely be said to be the principal incubator of minority law faculty since it was installed here under the leadership of Professor James Jones, was doubled during your tenure, so we now have two Hastie Fellows per year, rather than one. Moreover, after nearly 20 years of failure to respond to Wisconsin Law School's urging of other schools to adopt similar programs, it appears that at least a few other "elite" school have now seen the light and are willing to follow our lead from past decades. Again, your promotion and highlighting of this program and



Associate Dean Gerald Thain

our achievements under it had much to do with the ultimate acceptance by other schools of similar programs.

Our library, for so many years the tail-end in funding (although a leader in service) of law libraries in Big Ten Universities and comparable institutions, received a tremendous upgrading under your leadership. The probably unprecedented situation of a law school student body voting to increase its tuition so that the funds from that increase could be used to improve the library, occurred only because of your diligence in explaining the situation to the students. (And, as matters ultimately developed, this student support proved vital in obtaining legislative approval of the proposal.) The library is also an expected beneficiary of our next capital campaign but the achievement of a truly modern, state-of-the-art library for which our library director, Blair Kauffman, is aiming, could not be achieved without the resources obtained from the tuition increase.

Finally, since time is short and I am dwelling only on a few highlights from the past seven years, it should be noted that you have used the office of dean to improve the morale and productivity of the law school community in a myriad of ways, many of which may have gone unnoticed by some of us. Despite the modest resources available to you, the rearrangement and upgrading of the faculty/staff lounge has improved the entire atmosphere of the law school. Your creativeness in finding ways to put faculty summer research grants on a more permanent financial footing and your willingness to support internally funded sabbaticals for deserving law faculty, have increased the productivity, as well as the psyche of our faculty. Your sponsorship of our periodic works-in-progress luncheon, at which ongoing research is discussed with faculty and staff and our "afternoon chats" at which non-research matters of significance are taken up collegially, have improved our knowledge of each other's activities and our overall esprit de corps.

Although "faculty governance" is a well-known fact of life at this institution and not merely a slogan, leadership is vital for success, even in such a jointly governed enterprise. The abbreviated list of significant achievements during your tenure as dean that I have noted in the



Dean Thompson was presented with a 250 pound concrete replica of the real Gargoyle, here shown with the Dean's face. We assume he did not take it along to England on his sabbatical, however.

past few minutes constitutes no small tribute to your ability to lead an institution composed of "governors" as diverse and as fiercely independent as the members of this faculty. The list of achievements under your stewardship as dean attests to that and will serve as a challenge to our next dean to build on the progress made by the law school under you. In recognition of your true dedication to public services the law faculty has

begun the process of establishing a Cliff Thompson Lectureship Fund, which will bring speakers to the Law School, to address matters of public policy, as a lasting memorial to your deanship.

We will shortly present you a somewhat more tangible indication of our appreciation for your service, but at this time, we simply wanted to note them for the record and to say to you, "well done!"

Remarks Upon the Occasion of the Close of Cliff Thompson's Deanship

Prof. John Kidwell

My first impulse upon being asked to make some remarks today was to turn for inspiration to my standard reference work for such occasions. Ambrose Bierce, as it happens, said nothing explicitly about the leave-taking of Law School deans. I thought, however, that a thorough search of his writing might reveal a suitable adage. Bierce defined "adage" as "boned wisdom for weak teeth." As some of you may know, Cliff will be away from the Law School for much of the time between now and a year from now. This has led to some fear of a decanal interregnum. Bierce did address the interregnum:

Interregnum, *n.* The period during which a monarchical country is governed by a warm spot on the cushion of the throne. The experiment of letting the spot grow cold has commonly been attended by most unhappy results from the zeal of many worthy persons to make it warm again.

I finally found, in Bierce's definition of physician, some words of wisdom for us all. Bierce's definition for physician might in a way serve as well for a dean. "Physician, *n.* One upon whom we set our hopes when ill and our dogs when well."

I've learned a lot from Cliff over the last seven years, and Cliff, I think, has learned from us. I noticed on the wall behind his desk a small sign, probably only visible to him, which I surmised he might often turn to for inspiration. It said:

Cliff's Law: It is unfair to assume that faculty won't get reports in on time . . . but is seldom a mistake.

I also learned that when Cliff told me, "I'll think it over and let you know."—I knew!

Many, in the course of any dean search comment on the fact that a dean should be a diplomat—and I agree. I've always found Cliff to be a diplomat. But what, more precisely, does that mean? Now some people think that a diplomat

is a person who thinks twice before saying nothing. That's not what I mean. What I mean by a diplomat is a person who can tell you to go to Hell in such a way that you actually look forward to the trip.

I don't know whether the following story reveals Cliff as a diplomat, but it does show his negotiating skills. It appears that Cliff was in England and had decided that he wanted to try his hand at the game of golf. He decided to start at the top, and so he went into the clubhouse at Sandringham, one of England's finest golf clubs, and inquired at the desk if he might play. The Club Steward looked up and asked, "Member?"

"No."

"Guest of a member?"

"No."

"I'm sorry sir."

Cliff, disappointed, turned to leave when he noticed Lord Portly, father of a former classmate, sitting reading the paper. Cliff approached, and said, "Lord Portly, I'm Cliff Thompson, a classmate of your son's. I wonder if I might play a round of golf as your guest?"

Lord Portly looked up, and asked, "Education, sir?"

"Shawnee Mission High School, Kansas. Harvard College, sir. Magdalen College, Oxford, as a Rhodes Scholar. Harvard Law School."

"Academic Awards?"

"National Honor Society, Rhodes Scholar, Phi Beta Kappa, Distinguished Senior Fulbright Scholar."

"Languages?"

"Colloquial Arabic, reading knowledge in French and Latin."

"Family?"

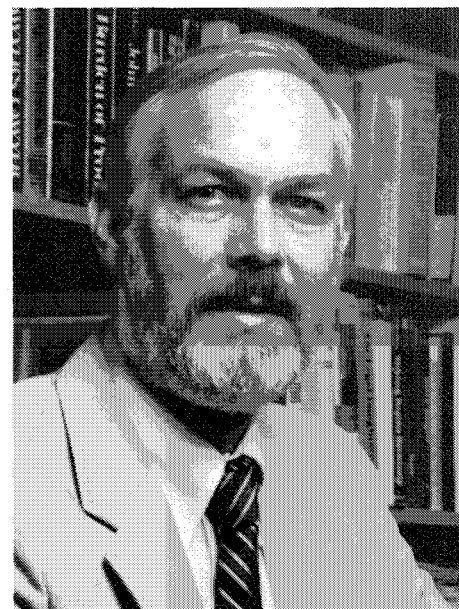
"Married since 1957, sir. Four children."

"Sports?"

"Tennis, All Ivy League Fencing, and Chess."

"International experience?"

"Ford Foundation Assistant Program Office in the Near East and Africa, Lecturer in Law in the Sudan, Director of the Sudan Law Project, Senior Lecturer in



Professor John Kidwell

Law and Co-Founder of the Faculty of Law, University of Zambia, Professor and Dean of Haille Sallassie University in Ethiopia; consultant to universities in Sudan, Kenya, Uganda, Tanzania and Zambia."

"Other jobs?"

"Professor of Law, Southern Methodist University, Dean and Professor of Law, University of Hawaii; Dean and Professor of Law, University of Idaho; Dean and Professor of Law, University of Wisconsin."

"Courses?"

"Property, Jurisprudence, Contracts, Negotiable Instruments, Legal Profession, Comparative Law, Law and Society."

"Numerous publications, I suppose?"

"Yes, sir."

Lord Portly paused a moment, looked at the Club Steward, and nodded, "Nine holes."

Well, Cliff, I've circulated a ballot to the faculty, and by majority vote we've concluded that we would have let you play all 18.

On Being a Corporate Lawyer

Introduction by Dean Daniel O. Bernstine

It is my pleasure to introduce our convocation speaker, Mr. Russell G. Cleary. Mr. Cleary was born in Chippewa Falls, Wisconsin, but moved to La Crosse at an early age and considers himself a native of La Crosse, Wisconsin. He attended the University of Wisconsin-La Crosse for three years and then transferred to the University of Wisconsin Law School, graduating from the Law School in 1957. He practiced law and managed La Crosse's largest real estate brokerage company from 1957 to 1960, and in 1960 he joined the Heileman Brewing Company as House Counsel and Assistant to the President. In 1971 he was elected President, Chairman of the Board and Chief Executive Officer of the Heileman Brewing Company and served in that capacity until 1989.

Mr. Cleary has a very long and distinguished list of service to various corporations as a member of the Board of Directors. In addition, he has been recognized both in La Crosse and around the country as a distinguished citizen and businessman. In 1979 he was named the Number One Citizen of La Crosse by the Mayor and the City Council. In 1980 he was named Executive of the Year by Corporate Report Magazine. In 1986 he was named Entrepreneur of the Year by Arthur Young. In 1987 he received the CEO of the Year-Beverage Industry bronze award from Financial World Magazine, and the list goes on. Mr. Cleary is one of our most distinguished graduates. It is truly a pleasure and an honor to have him speak to you this evening. Without further ado, I present to you our convocation speaker, Mr. Russell G. Cleary.

Russell G. Cleary ('57) On Being A Corporate Lawyer

It's a real pleasure for me to be a part of this convocation program this year. I understand that Tommy Thompson did the job last year, and he's a tough act to follow. Tommy is an excellent speaker, a great Governor, and a great credit to this Law School.

I noticed that the ceremonies today are a lot lighter than when I was in your seat 36 years ago. There was more terror in the message that was delivered then.

Frankly, I didn't think 36 years ago, when I was sitting where you're sitting, that I would be up here trying to give you the benefit of my experience as a corporate lawyer. I have lived in the corporate



Russell G. Cleary speaks to the Class of 1993 and Law School Faculty.

jungles and fought the corporate wars for the last 30-odd years and will try to give you a corporate eye view of how to apply your law training in your career. Frankly, over the course of my career, I never had to apologize for the fact that I was a graduate of the University of Wisconsin Law School, although some of my legal colleagues like to brag about their eastern school ties.

I am sure that many of you are asking yourselves the kind of questions that I was asking myself 36 years ago: "What am I doing here, and what's going to happen to me? Where is this all going to lead?" When I sat there, I had the same concerns and the same feelings.

Our orientation was, of course, in the old law building. It was like an old fortress, like a medieval castle. We sat in a round classroom with Gargoyles in the corners. Dean John Ritchie, the dean at that time, looked down upon us very sternly and asked us to stand up and shake hands with the person on the left and the person on the right. He asked us to remember all the names because two of the three of us weren't going to make it. That was very discouraging and did leave a little terror in our hearts and minds. He was about right. Out of a class of about 190, 80 of us graduated. I understand the current system of eliminating students is a bit more humane. They do

the job before you get here, saving some of the pain and anguish.

I believe the real benefit of a legal education in terms of the corporate world is, basically, you have almost limitless opportunities. In other words, a legal education is the kind of a background that opens doors for you that other educational backgrounds don't do.

From my perspective, the most important aspect of a legal education is that it does create an almost unlimited spectrum in terms of job possibilities beyond the corporate world. Practicing law may be one of your ultimate destinations, but not for the majority of lawyers today. In our complex world, our society and regulatory environment create job opportunities for those with broad legal training. I did not want to go to law school, because I had any predetermined idea of what I wanted to do in life. Rather I went with a strong belief that it was the best education that I could get for a wide variety of career choices. No one in my family had ever gone to law school, so, I didn't really know what to expect. But I had the strong support of my family and a belief that somehow this was the best education, one that would serve me well in terms of my career and throughout my life.

As Dean Bernstine indicated, I graduated in 1957. I practiced law for a brief

period of time and then managed a realty firm in La Crosse. In 1960, I accepted the opportunity to go with Heileman as House Counsel. Heileman, at the time, was a very small firm, about \$12 million in sales, a small but growing regional brewer. In the course of the next 11 years, I did just about everything in the company, from labor negotiations to acquisitions to keeping marketing people out of trouble—which was almost a full-time job. I really got a good post-graduate education. Moving from the legal bar to the beer bar was most interesting and challenging. In addition, I spent a lot of time in the sales and marketing area.

Contrary to appearances, my career path was not unique. At one time in the mid-70's, three of the top five CEOs in the United States in the brewing industry were lawyers—John Murphy of Miller; Frank DeGuire, who you probably know is the Dean of the Marquette Law School, at Pabst; and myself at Heileman. We found a bit of humor at brewer CEO meetings saying that we had double bar association meetings. Unfortunately, today there are no lawyers running the top five breweries. Sales are going flat to down. Maybe we lawyers are better at stimulating consumption. Maybe that says something about the industry.

I thoroughly enjoyed my years at Heileman, as I enjoyed my years in law school (I enjoyed them more after I got out as a matter of fact). Heileman grew very rapidly over the course of my years as CEO from 15th place to fourth place in the brewing industry, to fifth place in the baking industry, and we ultimately became the third largest publicly held industrial corporation in Wisconsin prior to the takeover that occurred in October of 1987.

I can honestly say that I could not have functioned as effectively or achieved what I have achieved in my lifetime without having had the benefit of a legal education. In working in a world with 10,000 employees, 20,000 shareholders and 2,000 wholesalers, along with all of the other problems of state and federal regulations, there was no better education that I could have had to meet my responsibilities. I have met with, and I know personally, many, many other attorneys who were either in the CEO, COO or CFO role. I think the majority of them

would echo those comments. They could not function nearly as well had they not had the benefit of a broad based, solid legal education as a basis for their career moves.

Our society is getting increasingly more complex in terms of environmental problems, intergovernmental relations, conflicts of jurisdiction, and the internationalization of our corporate business communities. All of these complex transactions require well-balanced, disciplined legal input in order to find solutions to our problems and stay out of the mine fields. I think there isn't any better education an individual can have today for facing the future in an increasingly complex society.

Until 15 or 20 years ago, the corporation president or CEO was responsible primarily to the shareholders. That has all changed dramatically. Today there is a greater balance between the responsibility of a corporate leadership group, not only to the shareholders but also to employees (both union and non-union), consumers who are increasingly demanding accountability from corporations that do abuse them, and certainly suppliers and wholesalers. All of these are very basic relationships that have legal implications and require real talent to avoid problems that otherwise might have serious adverse consequences for the business. I came through the legal ranks. I was House Counsel, General Counsel, ultimately CEO, and I frankly feel that there was no better way to move up the corporate ladder. We used many specialist law firms to guide our way through the corporate battlefield. I found that the increasing role of attorneys was extremely important in becoming more aware of and more responsive to the ever changing constituencies of a corporation.

I know that lawyers and accountants are sometimes criticized as contributing to the complexity of our society. Maybe in some instances that's true. However, when you look at the truly destructive problems of our society today—the S & L scandal and junk bond disasters—you can view with some degree of pride what the bar associations and law schools have done to increase awareness of the ethical responsibility and accountability required of attorneys. The legal profession stands out as one of the best exam-

ples of a profession that has seriously tried to police itself. This certainly isn't true of the investment community, the junk bond industry or the regulators of our S & L industry, which has created a tremendous financial disaster of yet unknown proportions. There is, unfortunately, a certain element of our society that has a very negative attitude toward the legal profession. They believe that either lawyers aren't necessary, or we are some sort of parasitic life that should be eliminated. It reminds me of the famous Shakespearean quote, "First, let's kill all the lawyers." I have coffee cups, T-shirts and the statues business associates have given me featuring this quotation. If you read the whole play, you find that the real meaning is, if you want to destabilize society, you first kill all the lawyers. This is a classic example of how taking a quotation out of context makes it totally misleading.

The greatest challenge today in corporate America, as we wade through the S & L, junk bond and banking industry's problems, is the demand for greater accountability from people in responsible positions. Again, the legal profession is in the best position to provide leaders who understand what accountability means and the responsibility for negligence, dishonesty and incompetence to the various constituencies. That's going to be increasingly difficult. Media events over the years, like Watergate and other political scandals that have brought down so many of our top leaders (many of whom were lawyers), have created a higher standard of responsibility that society expects to achieve. No profession is better able to gain positions of responsibility in such a society than the legal profession. It's up to each of us to justify and earn the respect of a society that has placed us in positions of great responsibility.

I'd like to end by saying that I'm proud to be a graduate of the University of Wisconsin. I think it's been the greatest asset in my career in terms of what I have been able to achieve. After graduating, you're going to gain an endless series of career opportunities.

Best of luck in what I know will be a very challenging and interesting part of your life.

Badger Village, The Great Housing Experiment

Timothy R. Verhoff

Throughout World War II the Badger Ordnance Works, nestled between lush farmland and the striking beauty of the Baraboo Bluffs, would spew smoke into the sky as it churned out ammunition to be used in the war. However, at the end of the War the University was in a panic. There was a colossal shortage of housing. In a bold maneuver, the University constructed emergency housing throughout Madison. One community sprang up in the army barrack style dormitories which housed the factory workers. The community was dubbed Badger Village, and many of the Law School's finest students called it home.

In 1946 the war ended. Due to the G.I. Bill, which paid the veteran's books, tuition, and \$90 a month, many servicemen returned to college when they arrived back in the United States. Before the war, there were approximately 500 married male students at the University of Wisconsin. By 1948 that number had grown to 3,833, and in 1947, of the 23,000 students attending school, 11,000 of them were veterans.

In an attempt to accommodate more students, the University constructed housing facilities throughout the city. At Truax Field, 1,100 single vets and 96 couples moved into temporary housing. The University also created trailer parks and cabin camps to house students. At the University Avenue Cabin Camp, vets occupied 17 cabins, 24 trailers, and 4 makeshift houses. Another 100 veterans lived at Hill Farms Trailer Park. Even the playing fields at Camp Randall were commandeered, and 191 couples moved into trailer homes there. Despite this extra lodging, there was still a need for more housing. As a last resort, the University opened The Badger Village housing project about 35 miles from campus.

Judge John Reynolds ('48):

"I lived there for one year during my second year in law school. At the time, I thought that the conditions there were lovely; everything is relative. We didn't have any children so we had two rooms in the apartment. We had a kitchen, a kitchen table, and a stove. We had a living room where we would sleep.



Dormitory Building

I went to China in 1976, and the peasant's homes in China reminded me of the apartments in Badger Village. The apartments, however, were very pleasant. I did not feel deprived at all. They were decorated attractively. The students decorated the apartments as they wanted to, and some apartments were decorated very cleverly. In fact, they were pretty cheerful. After being in the army for four years, it was like living in the army barracks, except you had a wife.

The walls were very thin though. Even though I mentioned that we didn't have any children, we did have a neighbor who had a baby. We could hear it every time it cried.

We had communal showers; one was for boys and one was for girls. Then some clever students decided that it was unfriendly to have separate showers, and they took the signs off of the doors so that the girls and boys could shower together.

There was a strong sense of community at Badger Village. We were all students that were anxious to finish school. There were so many of us that if we all voted in the township elections, we could elect whomever we wanted.

The main inconvenience was riding the bus [to Madison]. It wasn't that bad; in fact, I always enjoyed the bus because it gave us time to read our cases before class. I had many companions on the bus like Lee Dreyfus, Nat Heffernan, and John Bossard. The best thing about Badger Village was the friendships that I made there. I maintained those friendships all my life."

The first veteran moved into the shacks known as Badger Village, on December 7, 1945. By 1947 there was a 150 family waiting list for housing. There were two clusters of one story houses which comprised Badger Village. The northern set of houses, known as North Badger, were apartments converted from the barracks-like dormitories, used by the factory workers. Each apartment was equipped with a sink, a stove, an ice box, and cupboards. Most of the apartments were partitioned into two rooms; however, the members of each wing of North Badger were forced to share a bathroom.

The other set of apartments, called South Badger, was a set of row-houses.

These apartments consisted of a living room, kitchenette, bedrooms, and a bathroom. Because the walls were thin and uninsulated, the happenings in a neighbor's apartment could be heard in both adjoining apartments. There were also a few cases of roofs being blown off the shoddy apartments in severe wind storms, as well as many broken pipes due to poor plumbing. It often became so cold in the apartments in the winter that parents had to bundle their children in snowsuits to protect them from the bitter cold and snow that sneaked in from the cracks in the windows.

Harry Franke ('49):

"I remember in our kitchen, we had an ice box not a refrigerator. If you left for a couple of days, you had to make arrangements for someone to get in there before the water overflowed. We thought the apartment was a good deal because the basic equipment was supplied too. There were a couple of army cots and a stove.

Everybody who lived at Badger Village was in the same boat. You had to be a veteran to get into the place, newly married, and some people had kids. In our own building, there were twenty units, we became close knit and got to know everybody. Because you are sharing the same bathroom facilities, you got to know your neighbors. We used to have parties in our barracks. I remember one party in particular. We got a couple of barrels of Fauerbach Beer. It was green, and people were in great distress throughout the rest of the night. From about two until six in the morning, the latrines were very busy. I don't think that the beer was quite ready to be imbibed, but we imbibed it anyway.

The only bad memory was the bitter cold as you walked out to the bus in the morning. They would drop us off at the foot of Bascom Hill and we would walk up to the Law School. The buses ran frequently: about every half hour in the morning. The last bus went back to the village at 9:00 at night.

It was an old yellow school bus, and the ride was pretty bumpy. It wasn't what you would normally think of as going to college. If I sound like I am complaining, I'm not. We felt that we were fortunate to have that opportunity. With the G.I. bill and these accommodations, it was possible for me to go to college."

The cost of an apartment was between \$17.50 and \$29.50. During the period of 1945-1952, 699 families were placed into 451 of the row-houses in South Badger. The remaining families were housed in the 248 apartments that were constructed by converting the ten barracks-style dormitories into apartments.

Because the University was about 35 miles away from Badger Village, students who lived there took buses to classes each day. The buses ran at several times and cost twenty-five cents.

Each day the men would get on the bus, often before daylight, and huddle together in order to battle the bone chilling winter air. When the weather was warm, the men would chat about school, sports, or memories from the war. Some men would catch up on their studies, others would play cards, and others would sleep. One could often tell when the buses were returning from campus because there was often a blackout in the village. Most of the students used hot plates to cook their meals. When the buses returned at night, each family turned on their hot plate for dinner and blew the fuses, often waiting up to an hour for the lights to return.

Paul Myerson ('48):

"I lived in the village from 1947-1948. We lived in an H type army barracks. I was president of the community for a while. As president, the council and I worked with the University to develop security for the area. We got the University to put in police protection. We had one police car out there. Not that we needed any protection, but it was in case of emergencies. We didn't have telephones in the apartments; there was a community telephone.

The property was built on probably the most fertile soil in the area. We had a community garden because the property had not been farmed or plowed. We got together and hired a farmer to plow the soil. Then we subdivided off, in some democratic process, the farm area. We all grew corn, tomatoes, cucumbers, beets, pickles and the usual things grown in gardens. We all had a great garden.

Everybody out there was a veteran trying to go to college. We were all glad that we had a chance to go to school while living at Badger Village. We used to joke around a lot; we didn't call it Badger Village, we called it Rabbit Village because the population grew so fast.

I still see some people that I knew in Badger Village. I get to see John Reynolds every once and a while. Generally though, I didn't keep any really close friendships. Like everything that happens, we grew apart as I went out of state, and we had less opportunity to stay in touch. But it was fun. There were days that we didn't think we would make it on those ten cent army buses that we took to school in the morning.

Of all the best and worst memories I have about Badger Village, I really remember the distance being a problem. When you wanted to stay at night and work at the Law



Harry Franke



Judge John Reynolds

School, you had to make sure you caught that last bus. Your life was controlled by the first bus in the morning and the last bus at night.

The best memory was living together with all those other kids. We were families, just starting out, who found a place to live which we could afford. Because we were all on a very low budget, we appreciated the opportunity we had from the University, offering us a place where we could afford to live as veterans. That was the key; that's why we were all there.

When they did close Badger Village for good, we were sorry that it closed. It just seemed a shame. It was the housing that made it possible for many of the married students to go to school. It was something that universities should do now: make housing affordable for married students."

Badger Village was more than temporary housing. It was a unique community comprised of families all of similar age with a military background, in pursuit of an education. Many aspects of Badger Village resemble those of a typical town. The village had a community center, post office, primary school, shopping center, barber shop, drug store, police force, a town council, and a branch of the student union. The community center consisted of a large auditorium, two lounges, a dining room, kitchen, and a bar. The bar room was filled with pool tables and card tables. It was decorated with Badgers and Pogo comic strip characters. Many activities went on at the community center. Each week a featured guest speaker would give a lecture, many dances were held there, concerts performed by the University Music School, and plays and variety shows were frequent occurrences at the community center. It was also used for elections for the township.

Although the police protection began when the Sauk County police would swing by Badger Village, the University soon employed a police officer named Paul Genna. In addition to Genna, whose major duties ended up as a chauffeur, taking expectant mothers to hospitals, the members of the village hired six residents to act as constables, including former governor Lee S. Dreyfus.

One of the most important organizations in Badger Village was the town council. The town council, comprised of 29 elected members, not only acted as the city's governing body by implementing a set of rules and regulations, but it also acted as a liaison between the village and the University. It also gave the residents an outlet for any grievances which they might have.

Chief Justice Nathan Heffernan ('48)

"I had one semester of Law School before the war. I started living there in June 1946 and stayed there until January 1948. We lived on the west side and had an absolutely beautiful view of the Baraboo Bluffs. It was probably the most beautiful spot that I have ever lived. We lived in the row-houses of South Badger. We had one room which was a living room, a dining room, and a kitchen. It was just an elongated room that was about sixteen or seventeen feet long and about eight feet wide. There was a separate bathroom which was very tiny, and there was a bedroom.

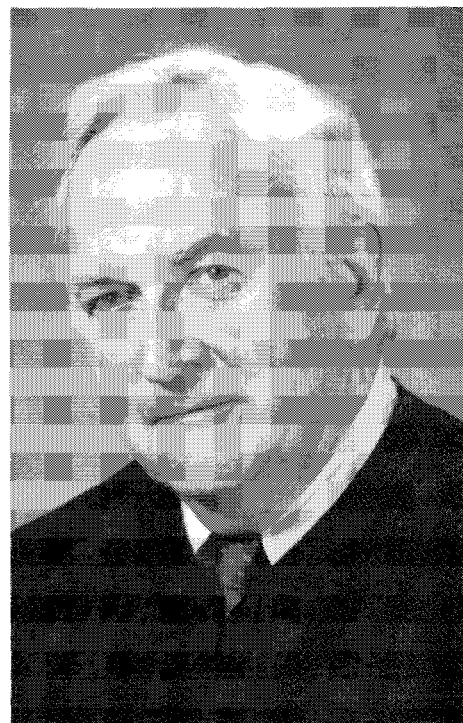
We had no hot water, and in order to get hot water, we would strap electric hot plates to a water tank. If you wanted hot water, you would turn on the hot plates so you could take a shower. The hot plates burned out transformers about once a week. Very often, there were no lights.

The only thing that was furnished for heat was a pot bellied stove. We stoked it with coal from the coal bin in back. It was surprising how well that worked. For cooking, we had a wood stove, which we did not use. We used hot plates for cooking. It was a very interesting and congenial time. Most of us had been in the service where we had tough living, so this didn't seem so bad. We had an ice box instead of a refrigerator. The ice man came with chunks of ice, and the melted ice just drained under the building. There was no basement on them. They were flimsily built; yet, they were far better living than the trailer parks at Camp Randall.

We had a branch of the student union there. They showed movies, and they tried to do the same things as the Memorial Union. We had a law library in which we had the Wisconsin Reports and a number of standard treatises. My wife was teaching school at the Badger School, and in her time off, she would go to the law library and brief cases for me. The student clinic also had a branch out there with a doctor and nurse who were permanently available.

I remember the buses that we took into Madison for class. I remember that they didn't start very well when the temperature was below zero. Sometimes, in order to get them going, they'd have them run all night long. It was at least a half hour trip in to Madison along Highway 12, but I remember those bus rides rather fondly because it gave us a chance to swap war stories, tell stories of our adventures in the preceding four years, and if you wanted to, you could study.

It was an interesting place; we were all veterans; we all had our education interrupted for four years. We had not had a lot of fun in a long time. However, we had a lot of fun and did a lot of hell-raising while we



Justice Nathan Heffernan



John Bosshard

lived there. We were all serious students too. I never really appreciated it until later, but the law school faculty worked very hard. The faculty taught five semesters of classes in eighteen months. As I recall we had a day off for Christmas; I'm not so sure we had a day off for New Year. The break between semesters was at most a week. They really crammed things in; I remember taking four final exams in two days. Everybody wanted to make up for lost time.

I have fond memories of Badger Village. I had just been married, and this was our honeymoon cottage. Because my wife was a school teacher at Badger Village, we were financially well off compared to most people. There was an incredible feeling of camaraderie. Hell, we were all optimistic. We were the guys who won the war. We felt there were other worlds to conquer. There was an air of hope. We had beaten Hirohito and Hitler. We felt we could beat anything. I have no horrible memories of Badger Village. It's all a good memory."

The University ended its affiliation with Badger village on June 30, 1952 after the need for emergency housing had passed. When the Korean War began, the Badger Ordnance Works began belching smoke from its stacks again. The apartments and dormitories were again filled, but this time they were filled with factory workers. The Badger Village was alive again until the war ended. When the Korean War did end, there were many vacancies in the apartments at Badger Village. The children who remained often played in the empty apartments; some kids vandalized and destroyed these dwellings.

Badger Village was soon abandoned by everyone. Grass and weeds grew wildly over the forgotten streets, houses and lawns. Nothing remained in the shops except for a few boxes and papers that no one cared to move. This changed on March 10, 1960, when Badger Village was sold for \$52,500 dollars to local entrepreneurs who cleaned up the area. They planted trees, re-established electrical service, dug a new well, installed a lagoon to take care of sewage disposal, dismantled South Badger, renovated the units of North Badger, and changed the name to Bluffview Courts. The area is now used as a retirement village.

Professor Frank Remington ('49)

"I lived at Badger Village from August 1946 to January 1949. My wife and I had children at the time. It was a good place to raise a family; everybody was the same age. There were a lot of other kids, and there was plenty of things to do. From the family point of view, living at Badger Village was no problem at all.

We lived in the row-houses, and to say they were modest probably exaggerates their value. They had a pot bellied stove, and no hot water, unless you strapped hot plates to the water tank. I guess they would be described as primitive by most people. But having just come out of the service, we thought that they were nice.

Badger Village was populated entirely by returning veterans. We all received an income under the Veteran Educational Benefit Program. Costs and rent were very low, and the situation was such that you didn't do things like going out for dinner or going out to see a movie. There were a lot of recreational activities such as basketball, softball, and group parties of various kinds at Badger Village. Entertainment wasn't a problem, but everybody was going to school so the time for entertainment was limited. There were other things to do: study for example.

You got to know people fairly well. In those days we had class on Saturdays and went to school twelve months a year. I spent a lot of time with those people on the bus, especially the law students. The people who lived in Badger Village were very compatible. We were all the same age and going to school. Most of the people where I lived had children; so, we had the opportunity to become friends with a broad group of people. That was the high point of living in Badger Village. The worst part was riding the school buses in the dark, often without heat. It was primitive transportation especially in the winter time when the temperature on the bus often fell below freezing.

Also, meals were often interrupted by an outage of electricity. When this happened, you were unable to cook unless you cooked on a coal or wood stove.

Primitive would be the best word for the houses, but they were well kept and pleasing in appearance, in a very modest way. They were not well insulated, and you could often feel the wind blowing inside the house. But like I said, everything is relative, and after being in the army these houses, when compared with a tent, were a lot better."

Badger Village was one of the most unique housing projects in the history of the University of Wisconsin-Madison. Badger Village gave those who had been overseas fighting for America a sense of community when they returned. It was more than a housing project. It was a city with features that were found in any city: government, friendship, neighbors, children, police, an A & P food store, and even a bar. If Badger Village and the other housing projects like it did not exist, many of these men would have never been able to afford to raise a family while they went to school. Many of the thousands of veterans would not have been able to get an education.



Professor Frank Remington

Featured Alumni: Clark Byse ('38)

Timothy R. Verhoff

In *The High Citadel: The Influence of the Harvard Law School*, Joel Seligman begins his description of a Contracts class taught by Clark Byse, a 1938 graduate of the University of Wisconsin Law School, currently Byrne Professor of Administrative Law, Emeritus, at Harvard University, with the following paragraph:

Above the professor's Langdell Hall office desk is a gift from an earlier class, a papier-mache rabbit popping out of a papier-mache hat. The figure has a single-word caption: "Why, Miss _____?" Byse starts hundreds of questions during a school year. Sometimes the vehemence of Byse's "Why" causes him to rise up on his toes like a carnival-goer trying to gain leverage before slamming the weighted hammer down and ringing the far-off bell. "Why" is the concept that trails the students home after class; "Why" surfaces in their minds as they read cases alone; and as examinations approach, "Why" nags at their sleep. In Professor Byse's control, "Why" is the essence of legal reasoning, the force that pushes a class from comprehending law as particular rules applied to particular facts to a glimpse of an entire social order. "Why" is skepticism, "Why" is argument, "Why" is doubt, and ultimately, "Why" is the basis of courtroom logic: comparison and generalization.

Byse is one of the alleged models for the character of Professor Kingsfield in the novel *The Paper Chase*. Byse commented, "The movie was shown at Harvard Law School and afterwards a poll was conducted to determine whether Kingsfield was patterned after any present member of the faculty. I won hands down." One of the students was reported to have said, "It's Byse all right, but Byse isn't sadistic. Besides, Byse is a better actor!"

Byse also described an incident that occurred a few years ago. "I came out of class and there was a man sitting in the back row. He came up to me and introduced himself as a reporter for the *Boston Herald* who was doing a story on *The Paper Chase*. When he asked if he could interview me I replied, 'I'll not be interviewed about that book. It presents a completely false view of how I have

ordered my life. I resent the whole damned thing. In my courses I make demands and consider it no kindness not to do so. But I try to stimulate and encourage students which he doesn't do. He explains too much instead of requiring the students to develop their own thoughts. Worst of all, he does not appear to care about his students.' About a week later, the "Paper Chase" story was published in the *Boston Herald* with contrasting pictures of Kingsfield and Byse and in the accompanying text appeared my 'non-interview' statement."

"The trouble with Kingsfield," Byse continued, "is that he is sadistic. I resent anyone saying that he was patterned after me. I have a reputation, I do make demands, and often I have been critical of student comments. Osborn, who wrote the book, never had me for a professor. He had Lon Fuller for Contracts, and Lon was a very mild and gentle man. Some of the stories may be based upon the legendary 'Bull' Warren who, by all reports, was a terror. In my view, a teacher is much like a parent. You just can't give in to whatever 'demands' children or students advance."

In 1935 Clark Byse received a Bachelors of Education degree from The Wisconsin State Teachers College in Oshkosh, Wisconsin. Although he wanted to teach immediately following his graduation, the country was still in the throes of the depression, and he couldn't find work. "The head of the department of history at the Teachers College said that she thought I should go get an advanced degree. Of course, I needed some money, so I spoke to my father. His reaction was that he would be damned if he was going to spend money for a school teacher. However, he said, that if I wanted to be a lawyer, like the local district attorney, that would be a different thing. It really came down to going to work at whatever or going to law school. I chose the latter course, went to Madison, got a job for my board and room and enrolled in the Law School in the fall of 1935."

Byse recalls that when in law school, he was particularly impressed with the teaching style of Professor Herbie Page.



"Herbie Page certainly was someone who each member of our class would remember with more vividness than anyone else. He had an impact. I teach Contracts and so did he. Sometimes, I use some of his stories or stories about him to illustrate a point. I recall an early experience I had with Herbie. It was the second or third day of Contracts class. Herbie had been pressing students to answer the question 'What is a promise?' Since he called on students in alphabetical progression, I knew my turn was coming. When the fateful hour arrived, he said, 'What's a promise, Mr. Byse?', I replied by reading the definition of a promise that I had secured from *Black's Law Dictionary*. Clearly, Herbie was not ready for such a definitive reply at that stage of the discussion. 'Where did you get that definition?' said Page. 'From *Black's Law Dictionary*, sir,' I replied. 'Well, you should have gotten it from Bouvier!' and he immediately pounced on the next alphabetical victim, 'What is a promise, Mr. Carroll.' "

"In a different and much more meaningful way, the teacher who most impressed me was Dean Lloyd Garrison. Garrison believed that law should be used to do good, to help those people who were not as fortunate as those of us who were going to be lawyers. He showed us that we had a social responsibility. He fed into that idealism that I had when I first entered the teaching profession. He stirred the idealism that I had when I came to law school. He was a role model that I looked up to and whose friendship I very much treasured."

A very special person to Byse, Garrison helped Byse land a clerkship with a prominent Oshkosh firm. "I was going to do my summer law clerkship with a solo practitioner in Oshkosh. He immediately suggested that it might be better if I were exposed to a broader range of legal problems than likely would result from my association with a single individual. Then he got in touch with the two largest firms in Oshkosh and as a result, I served my clerkship with one of them. Also he approved of my desire to become a law teacher and urged me to 'go East, young man, and broaden your horizons' by doing graduate work at Harvard, Yale, or Columbia."

Adhering to Garrison's suggestions, Byse entered Columbia University where he received his LL.M. in 1939 and an S.J.D. in 1952. The first job Byse accepted after graduation was as an Instructor at the University of Iowa College of Law.

He took a leave of absence two years later in 1941 because, "I was teaching Administrative Law, and I felt that I needed some hands-on participation in the field of government—having had no such experience because I had gone directly from Columbia to teaching at Iowa." From 1941–1943 and from 1945–1946 Byse served as an attorney for the Securities and Exchange Commission, the Board of Economic Warfare, and the Department of Commerce. He also served from 1943–1945 as a Lieutenant in the United States Navy.

After working for the government, Byse joined the faculty of the Pennsylvania Law School in 1946. He taught there until 1958 when he was invited by Harvard Law School to become part of its faculty. In 1970 Byse was named Bussey Professor of Law and eventually designated Byrne Professor of Administrative Law. Byse often has been a Visiting Professor throughout his career, instructing at Stanford, Texas, Wisconsin, Minnesota, and Puget Sound. He has also been a member of the Boston University School of Law since 1983.

Due to his considerable experience with several schools, Byse has been able to evaluate the quality of the education at competing institutions. "The difference in the quality of schools is steadily diminishing. Any student can get a first-rate legal education at a large number of law schools. In terms of the objective indices, such as the LSAT or grade point average, the upstream schools do have a higher quality student body. But the very top students at a large number of schools are fungible. The difference is that the upstream schools have more top students. I can say that I do not teach any differently when I teach at different schools."

Byse has also seen several changes in legal education over the past half century. "The education that today's law student is getting is different than the educational experience of the past. In 1935 teaching materials were almost exclusively appellate opinions. Today, course books typically contain other materials: textual notes, hypotheticals, questions, problems, excerpts from law review articles, treatises, statutes, legislative committee hearings, and reports. Secondly, there is less Socratic demand than fifty years ago. Teaching styles in the thirties emphasized the interrogative-logical method, that is, the instructor asked questions and emphasized the methodology of a major premise, minor premise, conclusion.

Today that method is used much less."

"A third feature of my first year experience is that all of my classes were large—approximately 130 students—while currently students take courses in classes of far fewer students. Also, throughout American legal education, second and third year students now may write and edit articles to be published in the plethora of newly established student run legal periodicals, or they may write papers under the supervision of faculty members. It is apparent that the opportunities for more personal, individualized instruction are vastly greater now than fifty years ago. A fourth difference is that today's law schools are much more open and student oriented. In my day the faculty was the faculty, students were students and except in the classroom, rarely did the twain meet. Today, incoming students are greeted with orientation programs, the faculty proclaims an 'open door' policy, and students regularly evaluate their teachers and otherwise communicate their views with considerable vigor."

During his lifetime, Byse was very active in the fields of civil rights and academic freedom. He was president of the Philadelphia ACLU and a member of the Massachusetts Advisory Commission to the U.S. Commission for Civil Rights. He has also been General Counsel and President of the American Association of University Professors. He also penned a book and several articles on tenure, academic freedom and civil rights.

Byse is co-editor of a widely used Administrative law casebook, now in its eighth edition, has served as consultant to several public policy organizations and has been active in promoting legislative and administrative reform of the administrative process.

Asked what he was most proud of in his lifetime, he replied, "The answer is, my children. I am immensely lucky to have two such caring supportive and able children. They are clearly what is most important to me. I also feel good that on occasion I've touched some student or helped troubled people who have come to me for aid. I'm pleased that I had something to do with making our legal system a little bit better. I feel good about my law reform activities. When you get to be two years short of fourscore, you are fortunate to be able to get up and go to work in the morning. I enjoy teaching and I plan to continue as a visiting professor as long as Boston University School of Law will have me."

Featured Alumni: Judith Lichtman ('65)

Timothy R. Verhoff

What do the names Elizabeth Dole, Sarah Brady, Sandra Day O'Connor, and Judith Lichtman have in common? Each one of these women was selected by the *Washingtonian* magazine as one of the 100 most powerful women. Lichtman, who is currently the president of the Women's Legal Defense Fund, was a 1962 graduate of the University of Wisconsin-Madison, and she received her LLB from the University of Wisconsin Law School in 1965.

Based on her work with the WLDF, a lobbying group in Washington, D.C., which focuses on women's issues such as family and medical leave, wage discrimination, and sexual harassment, Lichtman was also chosen by the Sarah Lee Corporation as one of four women to receive the 1989 Frontrunners Award. This award honors those women who display outstanding achievements in the fields of government, business, the arts and the humanities.

It was her interest in Civil Rights that inspired Lichtman to enter law school, along with some persuasion by Professor Shirley Abrahamson. "She single-handedly talked me into considering law as a career. She said law would provide me with more realistic tools (than academia). She had to talk long and hard, however. There were not many women in law school then." Lichtman maintains that, "I never wanted to be a corporate lawyer. For me being a lawyer meant having a license to be an activist."

Lichtman pursued her desire to become a political activist following her graduation from law school. She began work with the U.S. Department of Health, Education, and Welfare and journeyed to Mississippi to investigate the enforcement of the 1964 Civil Rights Act. In 1968, Lichtman began teaching classes at Jackson State College, an all-black college in Mississippi. "It was not that difficult. I had many wonderful colleagues, and although I was one of the few whites, we all shared a feeling of camaraderie."

In 1969, Lichtman and her husband, a practicing attorney, returned to Washington, where she worked with the U.S. Commission on Civil Rights. Then, in 1973, she became a legal advisor to

Puerto Rico. Lichtman, who had a two year old daughter by this time, decided to take the summer off because her work included, "a lot of traveling back and forth between the U.S. and Puerto Rico. It was very stressful as a career and as a mom." During that summer, Lichtman was approached with the idea of working for the Women's Legal Defense Fund.

The organization acts as both a national lobbying association and an organization to help local women with legal problems. The WLDF, along with other civil rights groups such as the Alliance and the Leadership Conference on Civil Rights, was instrumental in the campaign to lobby against the Supreme Court nomination of Robert Bork.

The Women's Legal Defense Fund's lobbying also led to the adoption of the Civil Rights Restoration Act, overturning the 1984 Supreme Court's *Grove City College vs. Bell* decision, which narrowed the reach of laws that provide antidiscrimination protection for women, minorities, elderly, and handicapped.

While the WLDF has made great strides in its attempts to bring legal equality between men and women, Lichtman feels that there is still a lot of progress that must be made. "Social change is incremental. We have come a long way from the 1960's and the birth of the National Organization of Women. In those days the laws treated men and women differently. Although I can cite many victories that we have had, we have very far to go. It is an ongoing process which must be attended to. Even issues that have been hard fought and won must be re-fought to keep secure."

Since taking the helm at the Women's Legal Defense Fund, Lichtman has helped transform it from a volunteer organization with an annual budget of \$30,000 to a national association that employs 20 staff members and has a budget of over \$1.17 million dollars.

Lichtman has not only received national recognition as one of the most powerful women in the United States, but she has many other accomplishments as well. For example, Lichtman is a member of the D.C. Judicial Nominating Commission, a member of the ACLU Women's



en's Rights Project Advisory Committee, a member of the selection committee of the German Marshall Fund of the U.S., a member of the Bar in Wisconsin, New York, and D.C., the winner of the American Bar Association's Silver Gavel Award for 1985, and the list goes on. Lichtman bestows most of the recognition that she receives on her staff at WLDF.

"We are lucky that we have been recognized. The accolades I received belong to the staff. All these people are the soul. I've been blessed to work on issues which I care about that affect people's lives. Many of the original founders are still here today and give generously. We are blessed with dedicated people."

Lichtman is especially grateful to her family, she and her husband have two daughters ages 13 and 17, for their support and understanding in her busy career. "I think it is difficult to be both a responsible family member and worker. I've been lucky that my family is understanding. They are like partners in my career."

Above all, Lichtman maintains that, "I am both a feminist and an advocate of human rights and proud of it. I care that gender bias is eradicated so people will be judged on their abilities and not their gender both in public and private fulfillment. I try to live it out."

Featured Alumni: Arnold Weiss ('52)

Timothy R. Verhoff

In 1938, Arnold Weiss left his home in Nuremberg, Germany in an effort to escape the threat of Hitler and his Nazi forces; Weiss was a fourteen year old boy at the time. "My father was a newspaper writer, and he was in a concentration camp. I was in a Jewish orphanage. I came over alone in a children's transport." He came to Janesville, where he was taken in by the Wexler family. Later, he and his foster brother, the late Jay Wexler, were classmates at the Law School. Weiss managed to bring his younger sister to Milwaukee in 1941 through the underground. His mother and oldest sister escaped to England during the war and came to Wisconsin at a later time.

After joining the United States Army in 1942, Weiss, who received a BA from the University of Wisconsin in 1951 and a JD from the University of Wisconsin Law School in 1952, was shipped to Europe. "I started out as a gunner on a B-17, but was transferred to the Office of Strategic Services. I finally ended up with the Counter Intelligence Corps when the war ended." With his loyalty devoted to his adopted country, Weiss was pleased to fight against his native country, Germany, in the war. "In fact," said Weiss, "I was with the division that took my home town. I really didn't give a damn at that junction anymore; I just wanted to stay alive."

Weiss was decorated with a Bronze Star after he captured an important Nazi figure. "I captured an SS brigadier general named Zander. His claim to fame was that he was in the bunker when Hitler killed himself; he carried Hitler's last will and testament out of the bunker . . ."

Recently, the topic of German reunification grabs the headlines in many papers. Weiss is not against German reunification. Instead, he fears it's economic aspects. "I have some worries about it. I think that anybody who lived throughout that era, as I did, has the right to worry. I'm more worried about the economic, social and democratic institutions that will be created in Germany. I wonder if they will be able to survive an economic downturn."

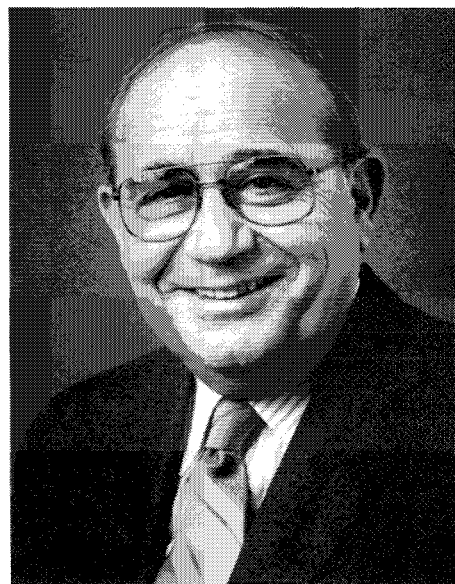
Following his tour with the U.S. Army,

Weiss returned to Janesville, Wisconsin, and, after a year, decided to pursue his undergraduate and law degrees. However, he remained active in the Army, serving in the U.S. Army Reserves as part of the Intelligence Corps. Weiss stayed in the Reserves, retiring from the Judge Advocate General Corps in 1962 as a lieutenant colonel. He decided to enter law school after his experience overseas.

"One of the things I was doing in Germany after the war was over, was investigating and tracing enemy assets on behalf of the U.S. Treasury Department. I ran one of the major investigations of the German insurance industry. That convinced me that it was a good way to make a living. The Treasury had said that if I was ever looking for a position, I should come and see them, and the day I graduated from Law School, I came out to Washington and started working for the Treasury as a lawyer in international finance. It was the same group of people that I had worked for during the war."

In addition to financial matters, Weiss served as the Congressional liaison for the Department, from 1954-1960. While working with the Treasury, Weiss did a lot of work with Mexico. Through his dealings with Mexico, he was chosen to participate in the United States delegation which drafted the charter for the Inter-American Development Bank, which functions to promote economic and social development of developing Latin American member countries. "When it was created, I became its first employee," Weiss noted.

"I had been Deputy General Counsel and then General Counsel at the Inter-American Development Bank for seventeen years. When my oldest son started college, I decided that I better go into private practice so that I could send him to the colleges that he wanted to go to." Therefore, in 1977, Weiss left the Inter-American Development Bank to work with Arent, Fox, Kintner, Plotkin, and Kahn, one of the larger firms in Washington, D.C. "It's a 250 lawyer firm which does a general commercial practice. It has a very sizable international department, about forty lawyers, and I'm one of the senior partners in that group. I handle mainly the public international



organizations, but much of my work is with Mexico."

For Weiss, working in a large firm has differed from working with the Treasury Department or the Inter-American Development Bank. He also feels that the atmosphere within a large firm, such as his, greatly varies from that in a smaller one. "It's less collegial than a smaller firm. It's more structured; it has more of a bureaucracy to it. On the other hand, you can turn matters over to your colleagues, or work with them, which reduces the pressure. When you are a solo practitioner, or in a small firm, you have to be a jack-of-all-trades. Here you can follow your specialization."

Weiss' main interest lies in the economic development of the lesser developed world. "I am counsel to the African Development Bank. I know it sounds naive, but my interest began after the war. I really felt that I wanted to do something creative rather than destructive. It became clear to me that unless we can make the world more interdependent, we would be forced to make wars forever."

At age 66, Weiss plans to remain at Arent, Fox, Kintner, Plotkin and Kahn. "I plan to stay where I am. I enjoy it here, and my work is very satisfying so there is no reason to change."

Alumni Notes

Melvin Wiviott ('53), a professor at the Air Force Institute of Technology, is co-chairman of the Legal Colloquium held at that university. Attendees represented private practice, corporations and government agencies.

Warren A. Sturm ('54) has opened an intellectual property practice in Minneapolis, Sturm & Associates.

Peter N. Davis ('63) of the University of Missouri-Columbia Law School recently traveled to China giving a series of lectures on American environmental law. Lectures were given in Wuhan and Xi'an to students and government officers.

James Huber ('63), a partner in the Milwaukee office of Foley & Lardner, has been named to the Board of Directors of the Wisconsin Alumni Association.

Richard Baumann ('64), a partner in the Los Angeles firm of Sulmeyer, Kupetz, Baumann & Rothman, was elected president of the 6,000 member Commercial Law League of America. League members are experts in the field of credit and finance.

San W. Orr, Jr. ('66), Wausau, Wisconsin, has been named to the Executive Committee of the Wisconsin Alumni Association and will serve as its Assistant Secretary. Mr. Orr practices law and serves on a number of corporate boards.

Thomas H. Tongue ('68), managing partner of the Portland, Oregon firm of Dunn, Carney, Allen, Higgins & Tongue, has received the Multnomah Bar Association Professionalism Award. The Award recognizes "highest ethical standards" and "exemplary conduct in the practice of law."

Ellen M. Kozak ('69), Milwaukee, Wisconsin, has published another book. Author of two novels and over 250 published articles, Kozak's latest work is "From Pen to Print: The Secrets of Getting Published Successfully."

John C. Stiska ('70) has been elected president of Triton Group Ltd. and Intermark, Inc., both located in La Jolla, California. Mr. Stiska had been a partner in the San Francisco law firm of Brobeck, Phleger & Harrison.

Paul H. Dawes ('70) has joined the San Francisco office of Latham & Watkins. Mr. Dawes specializes in complex business litigation.

Claude R. Moulton ('71) has joined the Tampa, Florida, office of Holland & Knight and will practice financial institution law and administrative law. Moulton

had been in banking in Florida and Wisconsin.

John J. DiMotto ('74) has been elected Circuit Court Judge in Milwaukee, Wisconsin. He previously served as Senior Assistant District Attorney and Director of the Sensitive Crimes Unit.

James Alexander ('74) has been named Executive Director of the Wisconsin Judicial Commission. The Commission investigates possible misconduct and disability of state judges. He previously worked as a trial lawyer in the Madison area.

Randolph N. Stone ('75), Cook County Public Defender in Chicago, has been appointed a Lecturer in Law at the University of Chicago Law School. Mr. Stone was a Clinical Fellow at the School from 1977-80.

Roy L. Prange, Jr. ('75) has joined the Madison office of Quarles & Brady. He will specialize in bankruptcy, creditors rights and commercial litigation.

Judge Charles B. Schudson ('75) of the Milwaukee Circuit Court, is the co-author of "On Trial: America's Courts and Their Treatment of Sexually Abused Children." The book, in its third hard-cover printing, is now scheduled for a second paperback printing next spring.

James L. Possin ('76) has become a partner of Grant Thornton in its Madison, Wisconsin, office. Grant Thornton is an international accounting and management consulting firm.

Barbara Arnold ('76) has joined the in-house staff of Toyota Motor Sales, USA, in Torrance, California, as Senior Counsel. She will be responsible for warranty, "lemon law," consumer protection and antitrust matters.

Elena A. Cappella ('79), former Executive Director of the Wisconsin Judicial Commission, has become the Deputy to the Executive Vice President of the American Law Institute in Philadelphia.

Randall N. Arnold ('80) has become a partner of the Milwaukee office of Kluwin, Dunphy, Hinshaw, Culbertson. Arnold practices in the areas of medical malpractice, pharmaceutical product liability and legal malpractice.

Terry W. Frazier ('81) has joined the faculty of the Mississippi College School of Law in Jackson, Mississippi. He will teach property, worker's compensation and real estate finance law. Frazier previously practiced with Quarles & Brady in Milwaukee, Wisconsin.

David W. Wood ('81) has become General Counsel of Safelite Glas Corp., in Columbus, Ohio. Safelite is the nation's largest retailer of replacement auto glass.

Deborah Strigenz Figge ('81) has been named Assistant Dean-Director of Career Services at Creighton University in Omaha, Nebraska. Figge had served in similar positions at Southwestern University School of Law, the University of Washington School of Law and Drake University School of Law.

Laurie J. Levin ('81) has been appointed Chair-elect of the ABA's Medicine and Law Committee for the Tort and Insurance Practice Section. She is Assistant General Counsel for the Harvard Community Health Plan in Boston, Massachusetts.

Jonathan H. Stein ('82), formerly with Chapman and Cutler in Chicago, has joined the Chicago Regional Office of the Securities and Exchange Commission in the Bureau of Enforcement.

Marlene J. McGregor ('82) has become a shareholder of Johnson & Gibbs, a national firm based in Dallas, Texas. McGregor is a member of the Financial Services Department in the Dallas office.

Mark Cammack ('83) has joined the faculty of Southwestern University College of Law. He will teach comparative law, criminal law and procedure and evidence. Cammack clerked for Justice Day of the Wisconsin Supreme Court, was an assistant district attorney in New York County, and a Fulbright Scholar in Indonesia in 1984-5. He is currently an S.J.D. candidate at Columbia Law School.

Debra Winiarski ('85) has associated with the Chicago office of Sedgwick, Detert, Moran & Arnold. Winiarski concentrates in the defense of professional malpractice and commercial litigation.

Helen Marks Dicks ('85) has been honored by the State Bar of Wisconsin with its 1990 Pro Bono Award. Dicks is an attorney with the Center for Public Representation in Madison and supervises law students in the Unemployment Compensation Appeals Clinic.

M. Patricia Field ('87), prisoner press judicial clerk for the Dane County Circuit Court, has been chosen as the 1990 recipient of the Outstanding Young Alumna Award by Saint Mary's College, Notre Dame, Indiana, where she graduated in 1980.

Faculty Notes

Professor **Shirley Abrahamson** recently was presented the Torch of Learning Award by the Law Associates of the Wisconsin Chapter of American Friends of the Hebrew University.

In early June Professor **Gordon Baldwin** attended a week-long National Security Seminar at the Army War College, Carlisle, PA. Gordon reports that he was impressed with the intellectual climate, and by the quality of the officers, many of whom hold graduate degrees. One of the colonels holds a Ph.D. in American History from Wisconsin. Professor Baldwin completed his assignment for the Constitutional Convention of the Republic of the Marshall Islands. Several amendments now before the voters of the Island were the product of his recommendations in Majuro. His role was to recommend changes in their "bill of rights," which originally included detailed rules of criminal procedure. Among the Marshall Islands' lawyers is Scott Stege, class of 1970. He is general counsel for the Kwajalein Development Authority. His wife, Biram, was among the two dozen delegates to the Constitutional Convention. Proceedings of the Convention were broadcast throughout the islands.

Professor **R. Alta Charo**, with Raymond Kessel of the Genetics Department, offered a 40 hour intensive course in "Genetics, Ethics and Public Policy" to 25 high school biology teachers. The course was sponsored by the National Science Foundation and the Department of Education. Professor **Carin Clauss** was one of the featured guest lecturers, talking on workplace teratogens and fetal protection policy. The course also covered topics in eugenics, mass genetic screening, new reproductive technologies and biotechnology. In June, Alta Charo presented a paper, "The Phantom Fetus," at the Annual Meeting of Health Law Professors in Cleveland. She also participated in the Second Annual Bioethics Retreat in Lutsen, Minnesota.

Professor **William Clune** became the co-Director of the new Wisconsin Center for Educational Policy (WICEP), a research center funded by the La Follette Institute of Public Affairs, where Clune serves as a faculty member and member of the Executive Committee. WICEP is designed to bridge the gap between academic research and educational policy in Wisconsin. Clune also gave a seminar at Stanford University to education special-

ists of the World Bank from all over the world on the strengths and weaknesses of various approaches to educational policy and governance.

Professor **Ken Davis** was a speaker at the 1990 State Bar of Wisconsin Annual Convention in Oshkosh. He addressed the Business Section on the Revised Wisconsin Business Corporation Law. Professor Davis and Associate Dean Gerald Thain were reappointed to their positions as co-editors of the Business Law Section Newsletter of the State Bar. This newsletter has been cited by the State Bar as an outstanding work of its kind. Through arrangements of Professors Davis and Thain, the Business Law Section officers also heard a presentation by officers of UW Law School's recently formed Business and Tax Law student association, on their activities and plans.

Professor **Walter Dickey** announces the following additions to the Clinical Supervisor staff at LAIP: **Ken Streit**, a graduate of Northwestern Law School, comes to LAIP from the Department of Health and Social Services where he was a policy analyst in the area of delinquency; **Kate Kruse Livermore**, 1989 Wisconsin grad and former clerk for Judge Barbara Crabb; **Clarence Belue**, SJD candidate, and law school lecturer (American Indian Law) for fall, 1990, also has 20 years of law practice in Montana; and **Meredith Ross**, Law School Class of '90, former Executive Director of the District Attorney's Association of Dane County. Professor Walter Dickey presented a paper at a jointly sponsored conference of the University of California-Berkeley and the California Department of Justice in June. The conference reviewed prison problems in California. Walter's contribution was a paper on community based alternatives to prison. The Legal Assistance to Institutionalized Persons Program reports that over 50 full-time students are enrolled in LAIP this summer. Students work with inmates of the state prisons, the federal prison at Oxford, and the state mental health institutions, under the direction of Walter Dickey, Frank Remington, Dave Schultz and several supervising attorneys. Ben Kempinen is supervising the Prosecutors Program, which has fifteen student internships in prosecutor's offices around the state. These students enrolled in a preparatory seminar last spring, and will be part of a seminar in the fall, both relating to the prosecution of criminal

cases. Kempinen was invited to be a member of the faculty of the Rocky Mountain Regional of the National Institute of Trial Advocacy. He chaired the trial ethics program and also instructed a trial advocacy section at the NITA program in Denver, Colorado.

The Feminism and Legal Theory Conference was held at the Memorial Union on June 18-22. This is the fifth year Professor **Martha Fineman** has directed this conference. Thirty participants met for five days in which they explored the topic of motherhood as it is socially and legally constructed in society today. Abortion regulation, surrogacy, child abuse, and infanticide were a few of the issues discussed during the week of presentations and roundtable discussions. Professor Fineman has two new books published this Spring. *At the Boundaries of Law: Feminism and Legal Theory* is an edited edition of papers that have been presented at previous Feminism and Legal Theory Conferences at UW-Madison. *The Illusion of Equality: Rhetoric and Reality in Divorce Reform* exemplifies Professor Fineman's work in the area of family law and divorce discourse.

Professor **Dirk Hartog** has been on extended research leave, funded by the American Council of Learned Societies, the Smongeski Fund of the Law School and the Guggenheim Foundation, to begin research for a book on the legal history of marriage. In January he wrote a short piece for an ABA humanities newsletter on "Partial Readings," and attended an ALI session on Family law. In February, he chaired a panel on constitutionalism and the French Revolution at an annual meeting of the American Society for Legal History, and in April gave a Mellon Lecture at Amherst College, entitled "Abigail Bailey's Coverture; Law in a Married Woman's Consciousness," as part of a continuing symposium on law in everyday life. Professor Patricia Williams was also a contributor to the symposium. At the Law and Society meetings in May, Dirk organized a panel on "marriage and power," and chaired a session on imperialism and legal identity. At the Berkshire Women's History Meetings in June, Dirk gave a comment on women's citizenship in nineteenth century America.

In June, Professor **Charles Irish** delivered a series of lectures on international taxation and the role of tax treaties

in the development process to representatives of thirteen governments and several international organizations in Bridgetown, Barbados.

Professor **Len Kaplan** serves as Secretary-General of the International Academy of Law and Mental Health that sponsored the recent XVI International Congress on Law and Mental Health in Toronto. Professors **Bernstine, Carstensen, Lehman** and **Melli**, Clinical Director **Krista Ralston**, Attorney **CARL RASMUSSEN**, and **ANDREW SIEGEL**, also participated at the conference. **Michele Lavigne**, Supervisor at LAIP, presented a paper at the Congress, "The Hidden Inmate: Legal Services for the Mentally Impaired Prisoner" which was based on her work at LAIP.

Professor **Blair Kauffman**, Law Library Director, taught a three credit "Law Library Administration" course in the summer intersession for the UW School of Library and Information Studies. He also co-directed a one day workshop on "Managing In-house Databases" and moderated a program on "Microcomputer Networks" as a part of the American Association of Libraries annual meeting, in Minneapolis, in June. He has completed a short article on "Networking CD-ROMs," which will be published in *Law Library Trends and Technology*, and in July he will complete another article on "The History of Law Libraries" for the *Encyclopedia of Library History*. Prof. Kauffman was appointed to the Editorial Advisory Board of Oceana Publications, an international legal publisher. The Board is made up of 12 leading directors of law libraries. Blair is the youngest appointee of this prestigious Board. The Board provides guidance in product development and new technology and assists in formulating editorial and marketing policy. Kauffman was recently appointed to Mead Data Corporation's newly formed Academic Advisory Committee.

Professor **John Kidwell** recently attended a three-day workshop in Chicago sponsored by the National Conference of Bar Examiners. In August he attended a session, also sponsored by NCBE in Chicago, devoted to the Multistate Essay Examination. Kidwell represented the UW Law School at a meeting of the Law School Admissions Conference in Naples, Florida, June 6-9.

Mary Ann Polewski and **Mary Barnard Ray** made presentations at the four-day July conference of the national Legal Writing Institute. Mary Ann Polewski spoke about the effective training of teaching assistants. Mary Barnard Ray spoke about designing and imple-

menting advanced legal writing courses and chaired the panel on that topic. In addition, they both attended a wide variety of sessions concerning current research in the field, information from related disciplines, and legal writing program administration. Mary Ray was a member of the program committee for the conference and prepared the conference schedule.

Professor **Frank Remington** was a panel member at the Future and the Courts Conference in San Antonio, May 18-22. The Conference was sponsored by the American Judicature Society and the State Justice Institute.

Associate Dean **Gerald Thain** spoke on "The Role of the Section Newsletter" at the State Bar of Wisconsin Section Leadership Conference at Pewaukee, Wisconsin on July 26. Professor Thain was also named to the American Law Institute Members Consultation Group on Review of Article 9 (Secured Transactions) of the Uniform Commercial Code. Thain reviewed recommendations of the State Bar Committee on Professionalism pertaining to legal education and noted the response of the Law School to this, in a presentation to the State Bar Legal Education and Bar Admission Committee at the 1990 Annual Meeting of the State Bar in Oshkosh. Thain was also reappointed

to a position on the State Bar Communication Committee. Among other tasks, this committee serves as the editorial board for *The Wisconsin Lawyer*.

Professor **Joe Thome** was in Equatorial Guinea, Africa, working as a consultant for the World Bank on a land tenure study from August 11-23. From July 14-22, Professor Thome was in Recife, Brazil, participating in a workshop on "Legal Services Activities for the Rural Poor in Latin America," sponsored by the U.S. Interamerican Legal Services Association.

Citing Professor **David Trubek's** "successful record as the administrator of a broad-based research program in the Law School," and his many other accomplishments, Vice-Chancellor David Ward announced that Trubek will be the University's new Dean of International Studies and Programs. David assumed his new position in July. Professor Mark Galanter will be the new Director of the Institute for Legal Research. Cathy Meschivitz has been appointed Assistant Dean in the International Studies Department.

Professor **Bill Whitford** addressed the National Association of Chapter 13 Trustees at their annual meeting in Baltimore on August 8. His speech was based on his recent article, "Has the Time Come to Repeal Chapter 13?"



WLAA President Jeffrey Bartell wishes outgoing Dean Thompson farewell during Annual Spring Program.

Editor's Note

Another school year has begun, the first under new Dean Dan Bernstine. As we have begun an ambitious schedule of trips around the state and around the country, the excitement within the School has begun to spread. From the base prepared by Deans Thompson and Helstad, our alumni are being encouraged to remember their School as the great institution it was, is and will continue to be.

While the plans for the major addition and remodeling project are slowly progressing through the system, a few smaller projects have jumped ahead. As you approach the main entrance to the Law Library, on the 5th floor, you are now greeted by an all-new look. Gone are the scarred wooden doors with the tiny glass "portholes." In their place is a set of new glass doors that not only dress-up the entryway but also invite you into the new reading room area. Security changes will come next summer to make use of the library collection more efficient while, at the same time, making sure that needed books remain accounted for.

Two other projects will soon affect the Library. The microcomputer lab, presently crammed into a small room in the bottom corner of the building, will be relocated into more spacious and functional quarters behind the circulation desk. Computer use in the Law School, for research as well as for writing, has boomed. Purchased and donated computer equipment is extremely useful but also requires space, wiring and air conditioning. The new lab will have all these amenities.

Along the same lines, 40 "hot" carrels have been funded for addition to the Library. Each carrel will be wired into a local area network allowing access to Westlaw, Lexis, the computerized card catalog and other computer-based services. These carrels will also supplement existing carrels that are assigned to grad-



Mystery Picture

uate students, faculty research assistants and other students with the need for secure personal study locations. We have another request in for an additional 20 "hot" carrels which would fill currently available space.

In the last *Gargoyle*, this column included a picture of National Guard troops in the Law School in 1969. Donald D. Miller ('53) wrote to say, "It's about time [we give] credit to the fellows in the National Guard who in their civilian life live paycheck to paycheck and then get called away . . . during that crucial time of their lives." Mr. Miller wrote this in July, just a week before the recent problems began in the Middle East, problems which have once again disrupted the lives of National Guard troops across the

country, troops that certainly include graduates of this Law School.

The last mystery picture showed an attentive audience at a Board of Visitors program. Alumni who volunteered information included: John Sobotik ('85), Bob Voss ('48), Paul Tilleman ('78) and Bob Curry ('53). They identified the correct year (1977) and the persons pictured: Arnon Allen, Dick Trembath, Mac McKichan, Stu Gullickson, Bob Voss, George Bunn, Lea VanderVelde, Paul Tilleman, Robert B.L. Murphy and Ron Tikalsky.

This issue's mystery picture may be more challenging. From the clothes, I would put it in the late 1960's or early 1970's. Yes, the person in the middle is Brownie the Gargoyle, but who are the two students flanking Brownie?