

Dean's Report to the Alumni

Last year when I reported to you at this time, I noted with some amusement, although not surprise, that a fairly constant theme of Dean's reports over the years has been problems with the adequacy of funding of legal education. This year, I resolved to talk about something else, although it is probably inherent in the job that a dean must spend a good deal of time worrying about funding.

Turning to other matters, however, let me mention briefly just a few noteworthy special occurrences during the past year. In chronological order, they are as follows: (a) Last August, one of our professors, Shirley Abrahamson, was appointed to the Wisconsin Supreme Court; (b) Then, in September, we were honored by a visit from Justice William Rehnquist who spoke to an audience of students and faculty which packed both of our two largest classrooms. (c) On March 24-27, a major annual event of the law school world, the Eighth National Conference on Women and the Law, was held at the Law School. It is the purpose of these conferences to explore and seek solutions to legal problems of particular interest to women. The Conference brought over 2,000 participants from throughout the country to Madison. (d) On April 20, we were honored by the presence of a distinguished visitor from Ger-

many, Dr. Ernst Benda, who attended the University for a year back in 1949-50, and who is now President of the Federal Constitutional Court of the Federal Republic of Germany, the equivalent of our Supreme Court. (e) Finally, we understand that one of our professors, Frank Tuerkheimer, is about to be appointed U.S. Attorney for the Western District of Wisconsin.

Again, as last year, I can report to you that admissions pressures are continuing at about the same level as in the last few years. We have close to 2,000 applicants, almost all of whom seem to be qualified and most of them very well qualified indeed. And again, the job prospects for our graduates seem to be quite good—if anything, somewhat better than two or three years ago.

We have added six new faculty members in the last two years. Last year we hired Martha Fine-man, who currently is teaching civil procedure courses; Walter Dickey, who teaches criminal law and participates in the teaching of our largest clinical instruction program—the Legal Assistance to Inmates Program; and Gary Milhollin, who is a specialist in conflict of law and also teaches contracts and real estate transactions. This year we have hired Marc Galanter, who teaches contracts, legal process and some other subjects and who has an out-

standing record as scholar in the law and society tradition; Robert Gordon, who teaches evidence and contracts, as well as some other subjects; and Thomas Mittelsteadt, who teaches commercial law, creditors and debtors rights, and accounting and law. Tom is a 1966 graduate of the University of Wisconsin Law School and is also a CPA.

Unfortunately, we also have lost some faculty members during this same two-year period: Abner Brodie and Robert Skilton to retirement (although both will be teaching next year at McGeorge School of Law in Sacramento); Donald Large to Lewis and Clark Law School in Portland; Richard Kabaker to private practice; and, at least temporarily, Shirley Abrahamson to the State Supreme Court and Frank Tuerkheimer to the U.S. Attorney's Office in the Western District of Wisconsin. Other faculty members will be on leave for shorter periods of time. We also will have some visiting faculty members from other law schools here next year, and, as usual, we will be relying on a number of practicing attorneys to teach on a part-time basis.

For the remainder of this report, I want to say a few words about the nature of our educational program, particularly as it affects relationships with the practicing bar. It has been said that tension inevitably will exist between the law schools and the practicing bar and that it has existed ever since legal education moved out of lawyers' offices and into the classroom. I believe, however, that the tensions tend to

be compounded in the larger law schools connected with major universities because of the multiple nature of the goals which those schools tend to pursue. Professor Charles Kelso, in a major study of part-time legal education a few years ago, noted that law schools tend to pursue one or more of the following goals (each succeeding level encompassing all the preceding less complex levels):

1. Teach legal fundamentals;
2. Train practitioners;
3. Develop lawyer-leaders;
4. Prepare students for all roles where lawyering is relevant, including teaching;
5. Participate in or lay the foundation for improvement of law and its administration, as well as advance knowledge of law and its relation to society.

It is safe to assume that the University of Wisconsin Law School pursues all of these goals, although we seldom articulate them this precisely. Clearly, our first obligation is to train professionals for the practicing bar, but our obligations extend well beyond that. I believe I can illustrate the multiple nature of our goals by reference to a few program developments during the past year.

On the one hand, we have strengthened our continuing education or outreach capabilities by developing closer ties with Law Extension. Arnon Allen has been appointed an Associate Dean in the Law School; he will continue also to serve as Chairman of the Extension Law Department. A sum of at least \$20,000 will be made available each year for law faculty members to do research, writing and lecturing for extension programs, and a number of

faculty members are going to be taking advantage of this opportunity, starting this summer. I assume we can generally classify this change in our program as bar-related or practice-oriented, although we also believe we have an obligation to serve the larger community through this work.

Secondly, we have adopted new guidelines designed to improve the quality of our clinical instruction, and I assume this can be considered to be a practice-oriented change. See my comments in the preceding issue of the *Gargoyle*.

On the other hand, we also have taken some preliminary steps to improve our research capabilities. The committee dealing with this subject probably will not report to the faculty until next fall, but we hope to make some administrative changes which may promote the flow of research funds to the Law School.

Finally, I should mention briefly a project which Professor John Conway has been working on this past semester and which now has been approved by our faculty. This is a proposal for a joint program in law and public administration which would permit a student who enrolls in both programs to obtain both an M.A. in Public Administration and a J.D. in seven semesters plus a summer session. It is designed particularly to benefit the fairly large proportion of our students who are interested in government careers.

The multi-faceted nature of our function is evident again in the research and public service activities of our faculty. In preparation for this report, I asked faculty members to summarize for me their research and public service activities during the past year. I then tried to classify these activities according to whether they were "bar-related" or "society-related," for want of better terms. It proved to be a very interesting exercise, although, as you might imagine, I encountered some difficult classification problems at times.

The research activities of our faculty are so extensive that I can only touch upon a very few of them in this report. Let me illustrate the diversity in research activities simply by reference to the books published by our faculty during the past year or shortly to be published. In so doing, I recognize the possibility that I am omitting reference to other faculty members whose research activities may have been as extensive as those whose product took the form of published books.

On the one hand we have Stuart Gullickson's book on "Structuring a General Practice Course." If we continue with our bar-related, society-related classification, we would have to classify this one as bar-related, for it is designed to show step-by-step how to set up a General Practice Course which in turn is intended to help bridge the gap between legal education and law practice. Incidentally, the ABA is about to undertake a project to promote the adoption of this course or some version of it in law schools throughout the country. So far, it has been uniquely a Wisconsin offering.

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On the other hand, we have Herman Goldstein's book on "Policing a Free Society," which has received high praise for its exploration of major problems in the policing field. We would probably classify this one as society-oriented, even though lawyers as a group are very much concerned with the police function as an aspect of the administration of justice. We would probably have to put Stewart Macaulay's book on "Law and the Behavioral Sciences" (co-authored by Professor Lawrence Friedman of Stanford) into the same category. A new edition of this book will be published this year.

Somewhat harder to classify is Ted Finman's and Ted Schneyer's book on "The Lawyer in Modern Society" (a professional responsibilities coursebook also co-authored by Professor Vern Countryman of Harvard), Joel Handler's and Neil Komesar's forthcoming book on Public Interest Law (also co-authored by Professor Burton Weisbrod of the UW-Madison Economics Depart-

ment), and George Bunn's coursebook on "Legislative and Administrative Process" (co-authored by Professor Hans Linde of Oregon).

When we turn to the public service activities of our faculty (which are very extensive), we find a similarly wide range of activities. Some of these have been reported briefly in past issues of the *Gargoyle*, but many have not. However, I will not take the time or space to do so now.

Moreover, I have not said anything about our most important function — teaching. But it is fair to assume that the same tensions and dichotomies exist there as in the research and public service areas. I will simply report that our board of visitors last fall found classroom teaching at our law school to be very good.

In summary, our educational program is a multi-faceted one. I believe we are doing all right in our efforts to maintain a proper balance between our goals of training for the law profession

and our goals of promoting learning about law and its functioning in society, but it is a matter which bears constant attention. Some who have recently written on the subject of legal education have reached back to Greek mythology and have made references to the need to steer a path between the Scylla of practical experience and the Charybdis of systematic academic preparation. Having grown up on a farm in western Wisconsin, I feel more at ease with former Dean George Young's characterization: We need several kinds of horses to properly plow the legal education field. We need teaching horses, research horses and public service horses. They do not all need to be equally good at each job, but they must be able to work together to get the total job done. That is the challenge we face.

Orrin L. Helstad
Dean

General Practice Course

Winds Up Another Year

The week of May 2-6 brought to an end another year of the General Practice Course. Under co-directors Richard Long and Warren Stolper, the course has continued to win applause from the students enrolled.

The faculty for the second semester this year included:

Angela B. Bartell, Madison
Thomas J. Basting, Janesville
Gerald T. Berres, Beloit
Berwyn B. Braden, Lake Geneva
Leonard V. Brady, Milwaukee
William E. Chritton, Stoughton
Alan M. Clack, Racine
David Y. Collins, Beloit

Deane C. D'Aoust, Jefferson
Peter R. Dohr, Madison
Larry J. Eggers, Beloit
Franklyn M. Gimbel, Milwaukee
Robert P. Goodman, Racine
Leo H. Hanson, Beloit
Theodore V. Hertel, Jr., Milwaukee
Harry V. Hill, Madison
LeRoy Jones, Milwaukee
Percy L. Julian, Jr., Madison
Patrick J. Juneau, Marshfield
George J. Laird, Fond du Lac
Robert J. Lerner, Milwaukee
Theodore J. Long, Madison
Robert C. Lovejoy, Janesville
James E. Low, Wausau
Robert D. Martin, Madison
Jerry E. McAow, Madison

Sheila M. McEntee, Milwaukee
John B. Menn, Appleton
Julie Mitby, Madison
William Mundt, Madison
Joseph E. O'Neill, Milwaukee
Conrad J. Shearer, Kenosha
Robert M. Sigman, Appleton
William B. Smith, Madison
Sidney Sodos, Milwaukee
Virginia Sperry, Jefferson
James F. Spohn, Madison
John H. Stauber, Marshfield
Richard P. Tinkham, Wausau
Jack W. VanMetre, Madison
Anne Taylor Wadsack, Madison
Harvey L. Wendel, Madison
S. Michael Wilk, Kenosha
Paul L. Witkin, Superior