

Report of the Board of Visitors—April 25, 1997

The Board of Regents and the University Chancellor recently mandated that each School at the University engage in a strategic planning process designed to assure that the University's high standards of academic excellence continue into the new millennium. At the same time, the Law School is required to prepare a "self study" in connection with the ABA accreditation visit scheduled for the Spring of 1999. Preparation of the "self study" was expected to begin at a faculty retreat planned for next year. In the past, the faculty has had little material at their disposal to serve as a starting point for preparation of the "self study."

Both to meet the strategic planning requirements of the Chancellor and Board of Regents and to give the faculty a focal point for preparing their "self study" for the ABA, outgoing Dean Dan Bernstine directed the preparation of a Strategic Plan for the U.W. Law School, under the direction of Associate Dean Peter Carstensen. A draft of the Strategic Plan, vetted within the Law School, was available for review by the Visitors. The primary objective of the visit was to provide helpful comment and the Visitor's perspective on the strategic direction the Law School should be taking in the years ahead. Work on the Strategic Plan is expected to be a dynamic process with ongoing review and update of the plan over time.

Structure of the Draft Strategic Plan

The draft Strategic Plan is entitled "A vision for the Future: Challenges, Goals and Initiatives for the UW Law School." It begins with a vision statement, followed by benchmarks for measuring the success of the Law School, a set of goals to be achieved and an action plan for achieving those goals and fulfilling the stated vision. Six challenges to achieving the goals are then identified, addressing issues of curriculum, scholarship, faculty/staff, students, relationships with alumni and other external constituents of the Law School and internal administration of the Law School. Specific initiatives to address those challenges are identified, with responsibility for each initiative assigned and the current status of each initiative noted. It was obvious to the visitors that significant thought and effort have gone into the draft Strategic Plan.

Visitors Contribution to the Strategic Planning Process

A Strategic Plan should state a clear vision of what the University wants its Law School to be, clarify goals and objectives to accomplish that vision and then identify how to achieve those goals and objectives.

The Visitors believe that a short vision statement evidencing a passion to be the best is most appropriate. It was the overwhelming sentiment of the Visitors that the UW Law School should aspire to become *the* top public law school in the nation. Any "vision" less lofty, is unacceptable. Only by striving to be the best of the best can the Law School expect to

remain a nationally recognized pre-eminent public law school. This is particularly true in light of fiscal and other constraints that have and will continue to make challenging the achievement of excellence at Wisconsin.

It is unfortunate that the most widely recognized and cited indicator of national Law School prominence is the U.S. News & World Report ("USN&WP") annual ranking of law schools. The Wisconsin Law School has consistently ranked among the top seven public law schools in terms of reputation/prestige both among legal scholars and the bench and bar. It ranked 18th and 20th in those categories in 1997, among *all* law schools. Yet it ranked only 38th overall in 1997, due primarily to its low rankings in faculty resources, i.e., money (ranked 61st). While not believed to be the best indicators of law school excellence, the USN&WP rankings cannot be ignored. The Visitors are of the view that the "benchmark" section of the Strategic Plan should emphasize the positive aspects of the USN&WP rankings and establish strategies and initiatives designed to improve the Law School's ranking in those categories where it has lagged. Specifically, strategies to increase both State funding and private donations should be addressed, the latter in recognition of the fact that the Law School is no longer a State supported institution (only 25% of all funding comes directly from the State) but a State assisted school.

The Visitors agree that other measures of quality are better indicators of excellence than the USN&WP rankings. In particular, feedback from the principal constituencies served by

the Law School is extremely important. Surveys and personal interviews of students, the bench and bar, prospective employers of new graduates and alumni can provide the necessary feedback and should be among the initiatives proposed in the Strategic Plan. Periodic self assessment by the Faculty is also critical to the maintenance of a quality and progressive curriculum worthy of national recognition. Other periodic law school rankings should also play a role in evaluating the quality of the UW Law School education. For example, in 1995, the *National Jurist*, ranked Wisconsin as the 7th best option among all law schools—both public and private—for women law students.

The Visitors believe that among the goals of the Strategic Plan, should be a goal to better market the Law School to all of its constituencies. It is critical that the Law School continues to communicate effectively with its constituencies both as a check on the School's effectiveness and as a means of keeping each constituency knowledgeable concerning the achievements of the Law School and interested in continuing to support it. Thus, greater outreach efforts should be proposed with respect to current and recently graduated students, prospective employers of Wisconsin graduates and Alumni. Effective marketing of the Law School to prospective students and faculty is also critical to assure that (a) the most qualified students in Wisconsin and elsewhere choose to

attend Wisconsin and (b) a diverse and qualified faculty can be recruited and retained despite a level of "faculty resources" below what might be available at another school.

The Visitors applaud efforts to date to better integrate adjunct and clinical faculty into the Law School's activities and encourage the establishment of strategic goals to enhance such integration even further. One of the strengths of the Wisconsin curriculum that has set it apart from other law schools has been its clinical programs. The Law School should build upon that strength in the future.

Perhaps most important, the Law School's Strategic Plan must anticipate where the world and the law are going and develop goals and initiatives that will prepare its students to deal with that world and body of law. Are we really moving to a global economy and what effect will that have on the development of the law? To what extent will businesses in Wisconsin be players in the global economy? To what extent will changes in technology drive the practice of law in the future? What areas of the law will not be radically changed by changes in the world economy and technological advances? The Law School's International Law initiative and its longstanding criminal law programs seem designed to meet these challenges. Further analysis of these cutting edge issues and the development of goals and initiatives to deal with them must be part of the strategic planning process.

Conclusions

The draft Strategic Plan is a great start to the strategic planning process mandated by the Board of Regents and the University. The Visitors hope that our comments have been helpful to the process. We stand prepared to continue to assist in the process through our comments, review of drafts or otherwise. We hope that other constituencies of the Law School will do likewise as the development and maintenance of a world class law school at Madison will bring the State distinction and better prepare Wisconsin students to provide high quality legal service in a changing and ever more complex world.

This year, Wisconsin dedicated a wonderful new building that puts the Law School's physical facilities on at least a par with any law school in the nation. That new building is located in a City which provides unparalleled support to the University and offers a high quality of life to students and faculty. The Wisconsin Law School has a dedicated and nationally recognized faculty. This happy combination of circumstances should provide the Law School with additional impetus to develop a Strategic Plan that will propel Wisconsin Law School to the top.

James N. Roethe
1997 Chair
Board of Visitors