

DEAN BUNN REPORTS  
To The Annual Law School  
Alumni Luncheon

This is the first time that I have reported to the alumni. I would like to start where Dean Kimball left off in his report to you last year.

He described the three greatest difficulties which he thought faced the school: (1) the small size of the faculty for the large number of students, (2) the low level of faculty salaries as compared with those at competitive law schools, and (3) the inadequacy of the library budget.

I can report substantial improvement in only one of these areas: the library budget. While the library has been spending less per student on books, and has a smaller total number of books, than any other Big Ten law school library, its book budget was increased substantially last year and a request for another substantial increase is before the Legislature this year.

In the other two problem areas, there have been only minor improvements.

*First*, the small size of the faculty for the large numbers of students.

With the growing demand for legal education, the student body increased 60 percent in five years with no increase in the total number of faculty until last year. At that time, an accreditation inspection team, formed by the American Bar Association and the Association of American Law Schools, concluded that the School did not appear to be in compliance with

an accreditation standard calling for a faculty of suitable size for the number of students. The Law School's own Board of Visitors concluded last year that the "biggest need of the law school at this time is for additional funds to enable the law school to improve its student-faculty ratio." In the same year, Spencer Kimball resigned, and a number of prospects for the deanship visited the campus. Each of them protested that the faculty was too small for the number of students.

There were obviously two ways to solve this problem: one was to reduce the student body, and the other was to increase the faculty.

Reducing the student body substantially did not seem feasible in the face of the very high demand for admission into the Law School—unless another law school could accept at least the Wisconsin students we did not take. The faculty recommended creation of a second state-supported law school. But, as you know, that recommendation was turned down—at least for the time being—on the ground that it had not been shown that there were enough jobs for law graduates to justify another school.

Your school is now bursting at the seams. Last fall we had 950 students—in a building which was crowded at 750—and with a faculty which was insufficient for 600. Our classrooms are so crowded we have had to turn away students from some of our most important courses—Constitutional Law, Corporations, Evidence, Real Estate Transactions, and the General Practice Course. Our largest classes range from 150 to 190 students. We have so many students compared with the study space in the library that we do not even meet accreditation standards.

Next fall we aim to admit about 290 students, as we did this past fall. We hope to hit this target with the same accuracy as this past fall,

rather than missing as we did two years ago and three years ago, when we overshot the mark by 35-45 students. If our aim is good, the total enrollment should go down slightly to around 900 or a little above.

We have, of course, also been attempting to increase the number of faculty. But, we have been losing faculty members to other schools and to retirements almost as fast as we could hire new people.

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**THE GARGOYLE**

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## Dean, *Continued*

You may remember that the accreditation inspection team recommended last year that funds be found for 13 more new faculty positions. As the result of a budget increase and more leaves and resignations last year than usual, we were able to hire five new faculty members for next fall. But we also lost two faculty members last summer. And balanced against the net gain of three new positions for next year is the so-called "productivity improvement" cut imposed by the Executive Budget. This cut will take away about three positions. We will lose these positions through additional resignations and retirements in June. Unless the Legislature approves the pending Executive Budget request for additional faculty, we will end up with none of the 13 more faculty positions which the accreditation report advised us to secure. We will, of course, be able to pay the five new faculty. But their arrival will be balanced by a total of five resignations and retirements last year and this. If the Legislature does approve the budget request, the increase will just about make up the "productivity-improvement" cut. We will then have money to cover only about 3 of the 13 needed new positions.

The *second* major problem which Spence Kimball put before you was the inadequacy of faculty salaries to meet the competition from other schools to which we have been losing faculty. Our recent faculty losses to other schools include:

Dick Effland to Arizona State in 1967.

Lawrence Friedman to Stanford in 1968.

John Hetherington to Virginia in 1971.

Bill Klein to UCLA in 1971.

Bob Rabin to Stanford in 1971.

Gus Eckhardt to Arizona in 1972.

Spencer Kimball to Chicago and the American Bar Foundation in 1972.

Ed Kimball to Brigham Young University in 1973.

Bill Foster and Bob Seidman will remain on leave next year and may not return.

I cannot, of course, say that higher salaries elsewhere were the cause for all these departures. The crowding of the School, about which I have already spoken, contributed in some cases. Moreover, one result of the high enrollment is increased faculty teaching loads both in numbers of students and in hours. Teaching loads have increased by 40 percent or more over the last 5 years. Faculty members now spend 40 or more hours per week in preparation for teaching, in teaching, and in grading student exams. Yet we expect them to spend at least 10-20 hours per week in addition on research, public service, and the administrative problems of running an overcrowded law school.

There were, of course, other reasons for some of the departures. And I am happy to report that four of our faculty who were visiting at other schools will be returning next year: Larry Church, Stewart Macaulay, Joe Thome, and Bill Whitford.

Faculty salaries do, however, make a substantial difference. The accreditation report stated:

"The salaries at Wisconsin are dangerously uncompetitive when consideration is given to the law schools with which Wisconsin must compete for faculty. Its salaries are \$3,000 to \$6,000 too low to be competitive."

The average salary increase which was authorized last summer for this year was about \$2,000.

But other schools also got raises last summer. Based on the ABA compilation of law school salaries for this year, Wisconsin remained from \$2,000 to \$7,000 behind the neighboring states of Illinois, Michigan, and Minnesota in both its average and its median law teacher salaries.

The Wisconsin salary increases proposed for next year are much less than those granted last summer. And competitive schools will also be granting salary increases. The result is that we will not be much better off in the salary competition than we were when the accreditation report was written a year ago.

I do not mean to suggest that the Law School has come off worse in the budget cuts than the rest of the Madison Campus. We have not. In a time of taxpayer revolt and fund slashes for the entire University, I really doubt that we can comply with the accreditation report anytime soon. But we will keep trying.

I apologize for troubling you with the Law School's problems. But I thought I should report what progress had been made on the three key issues which Spencer Kimball put before you last year.

Next fall we expect an entering class much like this year's. There seems to be little slackening in the demand for legal education. If there are fewer jobs for graduates, that fact has not deterred those seeking admission—or they have failed to read the cautionary note in the pre-law admission handbook.

We suspect that prospective applicants for admission do read this handbook. It contains a profile on each law school and its academic requirements for admission. What seems to be happening this year is

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## Dean, *Continued*

that those thinking about Wisconsin are reading our profile and, at least in the case of out-of-state students, simply not applying here if their law school admission test scores and college grade averages are not within shooting distance of the medians for students regularly admitted to Wisconsin. Those medians last fall were a 650 test score (upper 10%) and a 3.5 college grade point average (out of 4.0).

Anyway, we are getting fewer applications which are not in this ball park—particularly from out-of-state students. We have 1,750 applications for 290 seats rather than the 2,300 applications of last fall. But the high standards will probably not be reduced because those applying seem to have, on the average, better credentials. We will probably still turn away over 350 Wisconsin residents who are qualified to go to law school—who would have been admitted five years ago. This despite a cut-back in the number of out-of-state students to less than 60 in the entering class.

We will give many Wisconsin residents who are close to the mark but don't quite make it a chance to show what they can do by taking two law courses during the summer. This does what the admission test cannot do—it tests motivation—willingness to work hard—as well as giving us a look at actual performance in law courses.

The growth in the number of women seeking legal education is continuing. Last year the entering class contained 22 percent women.

For several years the women have been winning scholastic prizes out of all proportion to their numbers. And their numbers have been rapidly increasing. Based on applications reviewed so far, that will continue.

We also hope to admit at least 20 minority students in our Legal Education Opportunities (LEO) Program next fall—mostly, as last year, from Wisconsin. Last year we admitted 17. The first American Indian graduate from Wisconsin in anyone's memory completes school this year. So will four black students. One of our recent LEO graduates is now deputy director of Freedom Through Equality, a Milwaukee based legal services center for the poor. He is also a member of the School's Board of Visitors. Another is working on housing problems for Wisconsin's Housing Authority in the Department of Local Affairs and Government. He has served this year as his class representative on the Board of Directors of the Wisconsin Law Alumni Association. Another LEO grad is in the Civil Rights Division of the U.S. Department of Justice in Washington, and another, in the U.S. Labor Department in Chicago.

Our LEO Program has just received boosts from several sources. A court attack on a similar program at the University of Washington Law School was recently rejected by the State of Washington's Supreme Court. A substantial gift for our LEO scholarship program came from Evan Helfaer, an outstanding Milwaukee philanthropist. Another substantial gift has come from an existing University fund endowed by Kemper A. Knapp. The Student Bar Association has just decided to double its already generous support for the program.

Now let me describe some of the personnel changes which are about to occur. On the debit side, Nate Feinsinger and Eleanore Roe are leaving teaching to spend full time at the Center for Disputes Settlement. As you may have noted recently, they are credited with a substantial assist in settling a recent strike here in Madison.

What has impressed me most about Nate in getting to know him again after many years away from Wisconsin is his indomitable spirit. Despite the physical handicaps which have stood in his way in recent years, he has kept driving ahead, giving of himself—to mediate labor conflicts and to help his students and his colleagues. I have never once seen him lose that wonderful sense of humor—that ability to laugh at himself. I have never once heard him complain. There is a sort of an unconquerable spirit of nobility about Nate.

Another of our very distinguished staff is retiring: Nellie Davidson. She has served the School for 32 years during the tenure of six deans (three of whom are here today)—Garrison, Rundell, Ritchie, Young, Kimball, and myself. What is true today was probably true when you were in school: whether you are a student, a faculty member or a dean, if you want help in solving a Law School problem, you ask Mrs. D. Two or three years ago, the students made a movie portraying Mrs. Davidson as the true dean of the school. That has been so in my tenure, and I wager Spencer Kimball and George Young will say it was so in theirs. Indeed there was a Davidson for Dean campaign with strong student support after Spencer Kimball resigned.

I want to say a word about the many practitioners who have helped us teach this year. We had the money from those vacant positions I talked about during this academic year, although, because the academic hiring season had finished, we couldn't fill them with regular teachers until next fall. We used the money to compensate, in a small way, many of the practicing lawyers who helped carry the heavy teaching load this year. I

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counted over 160 members of the bar who were participating in teaching this year: 30 as lecturers, 44 working in the General Practice Course, 45 helping out in Trial Advocacy, 32 in the Clinical Program, and 7 in the two new law office training courses—advanced legal drafting and the client counselling competition. Most of these attorneys were teaching practice skills—giving students the benefit of their experience at the bar—providing a kind of training which practicing lawyers can do far better than most regular faculty.

It looks as if we will have about one tenth the money next year which we had this year for such purposes unless the Legislature increases the budget substantially. So our practice skills training courses will have to be curtailed. But I wanted you to know how much assistance we had received from the bar this year, and especially to say thank you to those in the audience who have helped out.

Finally, you will be interested to know that we have five splendid young faculty members joining us in the fall. They come from a variety of backgrounds—teaching, practice, clerkships. It is reassuring to know that we continue to attract young teachers of distinction in Wisconsin.

George Bunn, Dean

## THE GARGOYLE CORRECTS ITS MISTAKES

### JUDGES

In one way, it is discouraging to be caught in error, particularly when great efforts have been made to avoid it. In another, it is encouraging to the *Gargoyle* to discover how many of its readers are careful and discerning.

Anyway, we are pleased to make additions to the lists of alumni judges and alumni professors published in our last issue (Volume 4, No. 3).

For instance:

1928—Circuit Judge  
W. M. Jackman,  
Madison.

1948—County Judge  
William G. Callow,  
Waukesha.

1950—Circuit Judge  
William L. Walker,  
St. Petersburg, Florida.

Also, Judge Howard H. Schmidt, Los Angeles (Class of 1939), was listed as a California Supreme Court Justice, when he is in fact a Superior Court Judge, Los Angeles County.

### PROFESSORS

1957—Arnon Allen, Extension Law Department, University of Wisconsin—Madison.

1967—Richard von Briesen, Queens University, Kingston, Ontario.

1969—Myron Erickson, University of Missouri—Columbia, School of Business.

1971—Volker Knoppke-Wetzel, Extension Law Department, University of Wisconsin—Madison.

### WHAT DO YOU THINK OF THE GARGOYLE?

- STINKS
- MARVELOUS, GREAT
- HO HUM
- OTHER

COMMENTS: \_\_\_\_\_

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NAME (OPTIONAL)