MEMO TO THE FACULTY

DATE: August 4, 1972

FROM: Tom Shaffer

RE: ADMINISTRATIVE ANNOUNCEMENTS

1. We will meet for an all-day planning meeting on Tuesday, August 22, in our temporary quarters in the Biology Building; I will make arrangements for lunch for that day. I will provide an agenda.

2. By the time this reaches you, we will have moved our offices and administrative facilities into our temporary building; allocation of offices there was made by the Building Committee. We expect to have plenty of room there for all of our activities except library research. We hope to keep the research library completely intact in the law building and to keep it open on weekday evenings and on the weekend schedule that has been observed in the past. We expect that the library facilities in the temporary building will be open until 10:00 p.m. on weekdays only; we will continue to maintain a basic reserve collection at the reserve desk of the Memorial Library.

3. As you know, 13 first year students were dismissed from the law school after the Spring examinations. I have received seven petitions for readmission from that group and have denied five of them. Two are still under consideration and there may be others. Because of compelling grounds of estoppel, I waived the rule on the London Program as to Messrs. Hermosillo and DeAgueuro; they both failed courses in the Spring semester, but their preparations to go to London had reached such a point that it was simply unfair to stop them at this late date. I obtained the cooperation and clearance of teachers in courses which these students failed in the Spring semester for this arrangement. My experience suggests to me that we should take a second look at our rules on London eligibility.

4. I have asked the Steering Committee of the Academic Council for a revision of the faculty manual which would permit our librarians to sit as voting members of the law faculty. It was my impression that this was the will of the faculty, but the time situation was such this summer that it was impossible to get a formal vote on the point. I would be interested in your comments on this proposition.

5. Some faculties in the University have been considering items of revision in the faculty manual, for proposal to the Steering Committee of the Academic Council. We had not taken up that subject; I feel that my membership and Frank Beytagh's on the Council, along with Peter Thornton's; past membership in the Senate, and Frank's future membership, provide us adequate opportunity to comment on and make proposals on revision of the manual. If any member of the faculty has specific suggestions on revision, I believe I could probably get them before the Steering Committee during the month of August.

6. After clearance from the psychological services center on campus, and discussions among Father Dunn, Les Foschio, and me, I have re-admitted Father Tobias Osunda to the Law School effective in the Fall semester. He will study second-year courses in the Fall and will resume the first-year curriculum in the Spring semester.
7. One of our earliest duties in the Fall will be an offer to a temporary professor in the Thomas J. White chair. I would like very much to prepare a list of interested candidates before we get together in the Fall. I have therefore mailed letters of inquiry to Professor Lon Fuller, Harvard; Dean John Ritchie, Northwestern; Professor Fleming James, Yale; Professor H.L.A. Hart, Oxford; Professor David Louisell, Berkeley; Professor Hodge O'Neil, Duke; Dean Eugene V. Rostow, Yale; Professor Harry Kalven, Chicago; and Professor Victor Rosenblum, Northwestern. I would appreciate—and I desperately need—your further suggestions.

8. Bob Rodes and I have been collaborating closely on the White Chair and on prospective additions to the regular faculty. I am now arranging visits this fall from a young naval officer who comes highly recommended to us, and from an impressive young black lawyer from New Haven.

9. Frank Booker will leave the U.S. on August 13 to begin setting up his family arrangements in England and arrangements for our 1972-73 London program; our associate director there, Leonard Leigh, is also working on those arrangements. The Centre has been tended this summer by our loyal, dependable administrative assistant, Mike McCafferty. Father Bill Lewers returned to the U.S. in June. The London faculty for 1972-73 will, as you know, be the same as it was this year with the exception of John Delafons, who has resigned because of the press of other duties. We now have 26 students signed up for the program.

10. Tom Ries, '70L, asked me to pass along to all of you the availability (for sale) of his house near Notre Dame. It is a five-bedroom house on one-third of an acre, about two blocks from campus. Tom is still living in the house.

11. I am asked to pass along the following by the Assistant Provost, Bill Burke: "The formal opening of the academic year...will take place at 11 o'clock, in the Sacred Heart Church, on Sunday morning, September 10."

12. I am advised by Father Hesburgh that he has made two new appointments to our Advisory Council. They are Ken Montgomery, the well-known Chicago lawyer who endowed our Kiley Fellowship Program; and William R. Dillon, another distinguished Chicago lawyer and an alumnus of the University.

13. Our codification of rules of last summer overlooked an item on grade reporting which has come to have some importance. (Grade matters always come up out of time, weeks after examinations and months before.) This should be Sec. 6.77 of Hoynes Code; it was adopted by the Faculty on Aug. 18, 1970:

"All grades will be final when filed with the Law School Administrator and may not be changed thereafter except for clerical or administrative errors."

It seems to me implicit in this procedure that the anonymous grading system be preserved by the Faculty until after grades and numbers are matched up administratively. I think, therefore, that it is probably
improper for us to talk to students about exams until after grades and numbers are matched up and grades reported to the Administration. Les is going to suggest to us some new provisions to work out this implication administratively.
The Law School has moved into our home away from home for the 1972-73 academic year. All of our classes, administrative functions, and faculty offices are in temporary quarters in the Wenninger-Kirsch building on the north end of the campus; phone numbers and mailing addresses remain the same. The atmosphere is a little like a bivouac as we adjust and clean and settle in for our adventurous dislocation of the State of Hoynes. Our research library will remain in the law building and will be open on a regular basis for student and faculty use; books for class use will be kept in a satellite library in our temporary quarters, presided over by Mr. Cleveland; we will continue to maintain a small reserve law-book section at the reserve desk in Memorial Library. Our building remodellers expect to see us moving into a refurbished, enlarged, and altogether renewed law building next summer. The move and arrangements with our contractors have been planned by our Building Committee (Mrs. Farmann, Professors Moo and McIntire, Deans Foschio and Link), and tirelessly executed by Associate Dean Link.

The Indiana Court of Appeals will conduct oral arguments on campus (in the Center for Continuing Education) on October 6; Assistant Dean Foschio and Judge George B. Hoffman are responsible for this first...The second number of Volume 2 of "New Dimensions in Legislation" was published this summer, with articles on newsman's privilege, security and discipline in colleges, national emergencies under the Taft-Hartley Act, and the codification of village ordinances...Jack Rammel, '64L, Chicago, kindly donated a copy of his master's (in law) thesis to our law library...Kevin Faley, '72L, has been appointed law clerk to Justice Roger DeBruler of the Supreme Court of Indiana. Assistant Dean Foschio represented us in St. Louis in June, at the Fordyce Conference on Crime; Associate Dean Link will represent us at the Annual meeting of the American Bar Association next week in San Francisco.

Bon voyage and many thanks to Dennis and Cheryl Bannon, who have, one or the other or both, worked in our law library for the past three years; they are returning to home territory in Pennsylvania...Congratulations and best wishes to Bob ('73L) and Marcia ('72L) Burgdorf...to Brendan, son of Chris and Linda Roach, '73L...to Brian, son of Bob and Maryan McDonnell, '70L, now in Charlotte, North Carolina...to Joe and Barbara Greco, '73L, who became the parents of twins in July...to Wendy Lynn, daughter of Rick and Dee Miller, '73L...and to Jim Webster, '71L, who was appointed assistant staff judge advocate at the Naval War College in Newport.

Prof. Rodes will deliver the commencement address at the University's summer commencement this month...Jack Fitzmaurice, Clark Arrington, Cliff Fleming, all '74L, and a group of their classmates, have proposed to Father Hesburgh, the University's Development Office, and me the establishment of
a new lecture series in the law school, to be called "the State of Amer
We are seeking funding now and hope to begin the series this fall...Jes
Pendarvis, '72L, was the subject of a picture story in "The Land of Cot-
a quarterly publication of the City of St. Jude in Alabama...Assistant
Foschio addressed the South Bend Rotary Club in July, on "Delay in Crim-
Cases" and provoked an unusual amount of television and newspaper inter-
Our deepest sympathy to Ho Il Yoon, '73L, whose father died in Korea in

All reports are that our relatively informal summer law school on-
us was a resounding success. Prof. Murdock and Father Bob Austgen, C.S
planned the venture. Professors Broderick and Campfield offered courses-
Property Settlement, Labor Law, and Evidence...I will address the Ameri-
Health Congress in Chicago this week, on civil rights of the mentally ill.

Prof. Thornton, director of our London Summer Program, reports our-
fourth annual dramatic success in that venture; 108 students were in the-
program, from 60 law schools; 17 of the students were women. He and Pro-
Beytagh and Prof. Warren Schwartz (U. of Virginia) are our American facu-
in the program; Prof. George W. Keeton and Dr. E. D. Brown are our Engli-
teachers. The program presented this year three series of extra-curricu-
activities, one a lecture series on English legal history (by Prof. Keeto-
a program on British trial practice, led by two London barristers; and a-
series of three illustrated lectures by Mr. John Delafons, of the English-
Department of Environment and our 1971-72 London faculty. Other extra-
curricular activities concerned pubs and things like that...Prof. Schwartz
recently published a supplement to his and Prof. Fulda's "Cases and Mate-
on International Trade and Investment."

Prof. McIntire will supervise a new program to train lawyers in leg-
and technical problems of pollution, supported by a $26,000 grant from th-
Environmental Protection Agency. Dr. Don A. Linger and Dr. Andrew McFari-
of the College of Engineering will be administrator and technical direct-
of the project. The program will offer law, engineering and economics co-
to our students and to graduate engineering students.

Two distinguished Chicago lawyers, Kenneth F. Montgomery and Willia-
Dillon, '40, have been appointed by Father Hesburgh to our Law Advisory-
the Council will meet on campus October 13. Our annual Law Advisory Coun-
lecture will be given October 12 by Louis Bridenstine, Associate General-
Counsel of General Motors Corporation; the panel discussion following-
Mr. Bridenstine's talk, which will be on automobiles and air pollution, w-
be chaired by Prof. McIntire...Paul K. Rooney, '62L, was a member of a se-
committee of the Association of the Bar of the City of New York who prepa-
a critical study of the nation's criminal law process; it was published in
July.

Prof. Booker will leave Palm Beach for England on August 13, to pre-
the London Centre for our fifth year-around program abroad. Twenty-seven-
students plan to study in the program this year. Our faculty will inclu-
six members who are returning, along with Prof. Booker. Mr. John Delafon-
has resigned from our faculty because of the press of his duties in the-
Department of Environment...Again this year we will host coffee-and-donut-
sessions before home football games, for alumni and guests. The site, of
would be a resounding success.
Admissions: We have 125 confirmed admittees for the class entering later this month. Seventeen of these are women; 15 are members of minority groups...The Educational Testing Service reports that LSAT test takers increased by 61 per cent in October of last year, 20 per cent in December...A letter to all of our students, from Associate Dean Link, advised that our tuition for next year will increase from $2,045 to $2,230...Charlie Sullivan, '73L, sent along a copy of a warm letter from Olga Villa, Coordinator of the Mid-West Council of La Raza, thanking our Legal Aid and Defender Association for its service to Mexican-Americans in this area...

The Law School is assisting in the supervision of three Prosecution Internship Programs. In St. Joseph County, Mike Pohlmeyer and Mike Barnes, '73L, and Jack Krisor, '72L are working in the Prosecutor's office for the summer. In LaPorte County under Prosecutor John Daley, Judy Snyder, '73L, Dick Mahalowski, '73L, and Tom McKenna, '74L, are handling a variety of matters between the two offices located in the cities of LaPorte and Michigan City. In Starke County (Knox, Indiana) under Prosecutor David Wallsmith, Pat Malloy, '73L and Jim Sullivan, '72L, are carrying over for the summer under a program initiated in March. It is expected that the St. Joseph County and Starke County Programs will be renewed for another year beginning September 1. Assistant Dean Foschino is Faculty Advisor to the programs. In his Criminal Practice course for the fall Dean Foschino expects to field approximately 25 seniors in local prosecuting offices and with defense lawyers to participate in criminal litigation.

Registration for fall classes will be in the temporary quarters on Friday, August 25. Orientation for incoming students will begin at 9 a.m. that same day and continue through Sunday afternoon, August 27. Assistant Dean Foschino and Mike O'Connell are planning the orientation program. First classes for all students will be at 8 a.m., Monday, August 28. The Faculty will meet for a day-long planning session on Tuesday, August 22, at 9:30 a.m. in our temporary quarters.

This copy of the"Dean's Desk" is being sent to all of our students' summer addresses with this personal note: I am anxious to have back with us. All of us who teach here value the sense of purpose and collaboration that you bring. We are anxious to begin studying law with you.

T.L.S.
Dear Notre Dame Lawyer:

The news I have to give you about our school in the summer of '72 is good news. Work on the modernization and expansion of our law building, buoyed by $750,000 in new construction money, has already begun; the law scholarship fund has taken on new life; the faculty is larger and stronger than it has ever been; and we have never had such superb students. Your Notre Dame Law Association has begun this summer to plan a more dynamic role in the life of the school and in the destinies of Notre Dame lawyers.

I want you to know, first, how much your generosity and support in the Law Center Program mean to Notre Dame and to those of us who are here full time. That campaign brought vigor to our faculty-recruitment and student-aid programs. We expect, for example, to fill soon two endowed professorships which resulted from the program; we expect, as pledges are paid, to establish new endowment funds for scholarships and for the expansion of our law library. Finally, more than half a million dollars of the funds you provided will go into the construction of our remodelled building. The promise of pledged building funds, and the assured loyalty of our alumni, made it possible to go forward this year toward the improvement of our physical plant and a revived, broadened student-aid program.

In late July we moved most of the law school from the Law Building to its temporary home in the Wenninger-Kirsch Hall (the old biology building). Our classes and administrative functions, all of our student activities, and many of our library functions will be housed here until next summer. You are invited to join us here on football Saturday mornings for coffee and donuts and good talk.

Our contractors began remodelling the Law Building literally before we had moved out. When the builders are finished—in May or June, 1973—we will have a virtually new facility with expanded modern classroom, office, and organizational space and with space to double our law-library collection. And we will have all of this within a building which has so much nostalgic dignity and charm for us law alumni and for all Notre Dame lawyers who associate something special with this corner of the campus.
The building effort received an enormous boost in May when we were awarded a $750,000 construction grant by the Kresge Foundation; this new money, taken with Law Center Program building pledges and a $210,000 federal grant, means that our building renewal can take place without creating a dent in funds needed for expansion of our library collection and for student aid.

Your generous response to the revival of the Law Scholarship Program resulted in more than a one hundred per cent increase in scholarship funds available this year. We are still in a deficit posture on the scholarship program, though. Our commitments exceed our resources by about $50,000 for the coming year. This occurs, as you know from my letter last summer, because scholarship commitments went up in the period 1968-71, and scholarship resources went down. That is a troublesome problem, but I am convinced that it is temporary. The scholarship fund approached $150,000 a year under Dean O'Meara's leadership; our Association grows by more than 200 members a year. We need $100,000 in annual gifts to the scholarship fund to put our program on a sound fiscal basis, and I am confident that we can attain that goal. I fully expect the deficit to disappear within the next year.

Many of you have written me in the last year to suggest that our student-aid programs should begin to look beyond the annual scholarship program. I could not agree more. One answer is expanded endowment for scholarships, so that a basic minimum in tuition assistance is assured to our students before annual-giving campaigns even begin. Our endowment for student aid is now approaching $1 million; it has grown by about $200,000 in the last several months, most notably as the result of a single, anonymous capital scholarship gift of $150,000.

Another suggestion is that we begin our own revolving loan fund. Law student loans here now total about $2 million; many of our students have individual indebtedness approaching $20,000. Much of this borrowed money is repayable on conventional, commercial terms--8 per cent per year, even while in school, fully repayable in five years. For the school, these loans are not an attractive alternative to tuition grants; for the student, they are often disastrous. What we need, in the best of all possible worlds, is about $5 million of our own capital funds from which we would build the sort of loan programs recently introduced at the Yale and Duke law schools. Students do not pay interest on these loans while they are in school; after they graduate, they repay according to their income in the profession. This sort of loan program allows a student's school to invest in his future, rather than inhibit it.
Associate Dean Dave Link and I started this year an extensive drive to create law student sponsorship which would reduce individual demands on scholarship and loan resources. We now have half a dozen research and training grants which employ about 25 students. We have three such programs in environmental law, all under the direction of Professor Mike McIntire; one in legal advocacy for the disabled; a successful program, under Assistant Dean Les Foschio, for prosecution internships in criminal law; and a research program in legal education which employs three students. The campaign for sponsored study is, so far, modelled on devices used to support graduate students in other disciplines; we hope to see it expanded to include sponsorship by lawyers, work-study programs in the profession, and scholarships individually underwritten by firms of lawyers who are interested in our graduates.

Law School crowding is commonplace in the country today. We are able to accept one student for every 20 who apply to us; our graduates of last year have had uncommonly good luck in obtaining employment, but the market is tight and we are already asking for your advice, and advocacy, and interest, in placing the 200 men and women who will become Notre Dame lawyers next June. Professor Frank Beytagh heads a new, expanded student-faculty committee on placement; Miss Monica Jeffers, our able NDLA executive secretary, is administrator for that committee as well as placement director.

Our placement situation could be desperate. We can avoid it if our alumni and friends do four specific things to help our students find jobs: (1) advise us of opportunities in their communities; we now have students who are interested in every corner of the world. (2) Encourage their firms and firms they can influence to come here and meet our students. (3) For those who cannot come here, encourage contact with us to obtain expressions of interest from our students. (4) Offer to join our Placement Task Force, which means a willingness to counsel potential Notre Dame lawyers on a one-on-one basis.

The officers and directors of the Notre Dame Law Association met here in May and decided to revive the geographical scholarship-fund campaign. We will distribute shortly, to each director, a list of alumni in his region; we hope to learn that Notre Dame lawyers in every community of the country are talking to one another about the law school and the needs of her students. If the revival of the geographical system simply identifies the concern that each of you has for his professional descendants here, finances are not likely to be a problem.
Parallel to this Association effort, leaders in several recent law classes have established class scholarships and, in a couple of cases, have put together geographically local campaigns on behalf of our students. All of this effort may result in some of you being approached from more than one direction on behalf of the Law School. If so, I know that you will realize that the duplication is the product of zeal and will forgive us for bothering you even more often than we had in mind.

(A word of recognition and thanks to the men in the University's Development Office who have worked tirelessly for our law-school fund-raising efforts -- especially Brian Regan and John Macheca. We couldn't get along without them.)

The Association's officers and directors plan a fall meeting, on Saturday and Sunday, October 7 and 8, 1972, here on campus. Your president, Martin Torborg, '34L, has appointed a committee to plan an agenda for that meeting and to raise some questions about the Association and the school for discussion by your officers and directors. Tom Conneely, '64L, is chairman, along with your past president, George B. Morris, Jr., '40L; Dave Thornton, '53L; Burt Apker, '48L; John Boyce, '59; Ed Gray, '58L; and Marcia Pearce Burgdorf, '72L. Marty also appointed a student advisory group made up of our S.B.A. president, Tony Palumbo, three other students, and Steve Boone, '71L, who was S.B.A. president in 1970-71.

You will, I hope, be happy to learn that we are at work on a new edition of our NDLA Directory. We hope to have that in your hands by the end of this academic year.

Each of you will have, before the year is out, a copy of my detailed 1971-72 report on our Law School. Until then, and maybe by way of preview, I want you to know that the school and all of us who care about her are healthy and optimistic and eager to make law at Notre Dame even better.

Sincerely,

THOMAS L. SHAFFER
Dean