December 1, 1971

Dear Notre Dame Lawyer:

This is my second report to you for 1971. The Law School is a vibrant and, at times, turbulent place. Here is what it looks like:

We have 470 students in the old building, and, depending on how you count us, 20 teachers; there are another 26 students in England. Everyone is busy and, given our severe crowding, reasonably happy. The place often reminds me of a bluegrass band, with all the players moving in precision to keep the right man in front of the microphone at the right time.

The employment market for our June 1972 graduates is tight, which is ironic because it is probably one of the best classes in our history. Our placement efforts have doubled, but many promising young Notre Dame lawyers still are not employed.

We are keeping our options open on the building program. This is a crucial time for us, as you know. The Law Center Drive did quite well, all things considered. It is too bad we do not now have enough money to begin on a completely new building, but we can certainly count among our blessings the two endowed chairs (our first touch of that important progress), one new endowed scholarship program and hopes for several others, more than a million dollars of unrestricted funds, and about half a million dollars in building pledges. I wish we had the luxury of being able to hold our building plans until we have enough money for a new structure. No irrevocable decisions have been made about that, but some decisions will have to be made soon. Our library situation is so intolerable that we must act now, in order to have room for books within about eighteen months. I intend to postpone a final decision as long as I can; meanwhile Father Joyce, the architects, and I are preparing contingent drawings for using our building pledges and other unrestricted pledges, to build an addition to this building. Father Wilson is seeking a loan to finance construction; we will pay back the loan as pledges are paid.

We continue to have other financial needs, of course. You know about them:
(1) Scholarship funds are terribly short; we are $62,000 in the red on Fall 1971 scholarships alone. I hope for the day when we will have a three-million dollar scholarship endowment, so that a basic program of financial aid can go forward without moment-by-moment dependence on our friends.

(2) When we have enough space, our library must begin expanding at the rate of 10,000 volumes a year; we can then hope to have an adequate law library in ten years. Our current-fund acquisition budget will cover, at best, 3,000 volumes a year. We are going to need money for books; the ideal situation would be a million-dollar library endowment.

(3) Our loan program is what keeps most of our students in school, but the best we can do now is much too expensive for students (eight percent per year), and subject to terribly narrow pay-back provisions; a five-year pay-back for a loan of as much as $15,000 is a crushing burden for a new lawyer. We would like to be able to set up our own revolving loan fund, with no interest payments while the student is in school, low interest during pay-back, and repayment provisions keyed to the young lawyer's income. It would take a million dollars to get that started, but the benefits to our profession and to Notre Dame would be incalculable. These things are as important as physical plant is, although our library squeeze puts us in a peculiar time bind on physical plant.

The spring semester already promises peak experiences: Justice Stewart will preside over our Moot Court February 5; former Chief Justice Warren will deliver a series of civil rights lectures in April - in a new program established by the Faculty in tribute to Father Hesburgh.

Our scholarship drive has had a rocky revival this fall. We've raised $12,043 since I wrote in July, our income for the year stands at $58,044, as compared with $38,471 at this time last year. Our expenditures total $194,665 through September 30, 1971. I wish you could be with me to see the efforts young men and women here are making to remain in Law School.

You may find it possible, as year's end approaches, to help some of our students. I hope so. We couldn't survive without you.

Merry Christmas!

Sincerely,

Thomas L. Shaffer
Dean
Office of the Dean

December 13, 1971

A large oil portrait of the late Francis C. Walker, '09L, who was Postmaster General of the United States in the forties, now hangs in the faculty lounge in Room 100. General Walker was a prominent alumnus and friend of the University; he was the 1948 Laetare Medal laureate. Father Hope's history of the University refers to him as a "public servant and cabinet member of outstanding ability." The portrait is a gift from his daughter.

Professor David T. Link, '58L, '61L, has been appointed Associate Dean of the Law School, effective January 15, 1972. He will devote his administrative energies primarily to programs of financial support for students.

Latest figures from the American Bar Association indicate a total law school enrollment for this year of 93,500 students -- up from 82,041 in 1970-71. Total women students are 8,800, up from 4,550 last year. There are 37,400 students in first-year classes this year.

Latest bar examination reports: 100 per cent in Florida (3 applicants), and all reports so far from Michigan indicate passes.

Ed Sheridan, '72L, has been appointed law clerk for Judge Matthew J. Jasen of the New York Court of Appeals.

The Faculty and I were guests of the St. Joseph County Bar Association for a cocktail hour and dinner on November 29th.

Professor Osakwe gave a lecture entitled "Contemporary Soviet Theory and Practice of the Lawless Law of Nations," as a special guest lecturer at the University of Illinois Law School on November 20...Justice Walter V. Schaefer of our Law Advisory Council has been ailing this fall but reports indicate satisfactory recovery...Professor Broderick represented us at the annual football banquet on December 2nd.

Kind words from Judge Jerome Bronson of the Michigan Court of Appeals, who interviewed here for a law clerk: "We were most impressed with the quality of the senior law school students interviewed. Of the ten interviewed, five were at the very least very well qualified to outstanding, and the other five certainly very able...Our Court will hire at least one Notre Dame senior law student for our pre-hearing division...."

The fall term of our Practice Court decided 12 cases at the trial level, involving 48 students as trial lawyers and 36 as court personnel. The court used the services of 138 volunteer jurors, 103 witnesses (including eight physicians, three police officers and five expert members of the University faculty). Six of our panel of practice court judges heard the cases and gave extensive critiques to our student advocates. Results were, in civil cases, one mistrial, five for the plaintiff, and four for the defendant. Two criminal cases were heard; one went each way. The average deliberation time of our fall jurors was 1 1/2 hours, and all trials concluded well after the end of the football game.
Father Hesburgh appointed me to a search committee to find a new Vice President for Student Affairs. Father James McGrath is chairman.

In answer to an unsigned and ill-informed letter which appeared in the campus newspaper: We have not knowingly awarded a scholarship to any student who did not need it, and we do not intend to do so in the future.

Book report: My new book, Planning and Drafting Wills and Trusts, will be published within the next two or three weeks by Foundation Press; I am responsible, along with other members of the faculty, for "Thirteen Rules for Academic Meetings," in the current Journal of Legal Education.

One report from London comes from a young wife and mother who accompanied one of our students there (Marie Cooley): "We are the only couple here with a child. Our son is over two. Please tell those who might be considering coming next year, and have children, that they adapt fantastically. The National Health Plan is great, with or without children."

London Report from John Olsen: The Community over there had a general Thanksgiving day dinner, consuming some sixty pounds of turkey which they carried home on the tube. The first round of Moot Court arguments on our London campus will be held after the Christmas vacation, the fourth year of that activity in London. And, finally: "Every member of Notre Dame Law School, London, wishes all of our brothers and sisters a very Merry Christmas and a Happy New Year. Pax vobiscum." Amen.

T.L.S.
Professor Thomas F. Broden, Jr., Director of the Urban Studies Institute, will be teaching The Law and Poverty course this spring. George N. Beamer, Jr., and Paul B. Kusbach, '65L, will be teaching—Mr. Beamer for the second year—as lecturers in law. Messrs. Beamer and Kusbach are South Bend lawyers. Mr. James F. Thornburg and several of his partners and associates will again offer the course in Tax Procedure and Planning.

On the London campus, Mr. Barton Haines has resigned in order to return to practice in the U.S. We are arranging to replace him with Mr. William T. Onorato of the legal department of Chrysler Corporation in London. Mr. Onorato was educated at Cornell and the University of Pennsylvania; he taught law at Cambridge and was formerly affiliated with the International Labor Organization in Geneva.

Fred Weber and Mark Dunn, both '72L, are working with Mr. Beamer and me on a federal habeas corpus suit to force the conscientious-objector discharge of a young airman at Bunker Hill A.F.B.

Assistant Dean Foschio is a member of the board of governors of the New Center for Judicial Education, a state-wide organization funded by the Indiana Criminal Justice Administration for the education of Indiana trial judges, particularly those who have criminal jurisdiction. The project involves all four Indiana law schools; Ms. Rosemary Huffman of Indianapolis is Executive Director. The Center will be administratively headquartered in Indianapolis and will conduct sessions throughout the state. Members of our faculty will be involved as teachers.

Professor Thornton participated in the annual meeting of the New York Pattern Jury Committee in New York City December 17th and 18th. He has been a reporter for that committee for the past nine years. The Committee met in conjunction with the meeting of the Association of New York Supreme Court Justices. Professor Thornton and former Dean Lawless are co-authors of the Committee's two-volume work on New York Pattern Jury Instructions.

Mr. Faccenda, General Counsel and Vice President of the University and a teacher this past semester in our school, has been elected Vice President of Finance of the South Bend-Mishawaka Area Chamber of Commerce. Mr. Klaus Schmiemann, a German lawyer, will be a scholar in residence at the University from April to December, 1972. He will be in this country to study legal aspects of the American electoral process.

Applications for the class entering in August, 1972: 607 (as compared to 428 at this time in 1970); inquiries stand at 5,026 (as compared with 2,807 at this time in 1970).

Get well wishes to Andy Nickle of the first-year class, and to Bob Lueck and Norma Fleming both of the third-year class.

Responses to the survey on interest in a summer school on campus in 1972 were rather skimpy (37 out of a student body of nearly 500), most
of the responses requesting late afternoon or evening classes. In these circumstances, I have decided not to proceed with plans for a summer school here in 1972. The Law School will offer its London Summer Program at low cost and with a superb offering, for the third year next summer. Professor Thornton is summer-program director.

Recent reports from the American Bar Association indicate that our law school's salary schedule ranks in the top fifth of American law schools.

Randy Stamper of the third-year class has been appointed law clerk for 1972-73 to Chief Justice McQuade of the Supreme Court of Idaho.

Professor Dutile, Bruce Callner, and Joseph Rath—Bruce and Joseph both members of the first-year class—have applied through the University Office of Research and Sponsored Programs, for a $38,000 research grant to study the validity of the polygraph lie detector.

Professor Sporleder's architecture class has taken as a class project the design of the student lounge in our remodeled building....Your administrators four spent a head-scratching day Dec. 21, with Mr. Meyerhoff from our architectural firm, on classroom size and design.

Travelogue: London program fall-term classes ended with liturgy and a party, after which participants dispersed, Fr. Lewers and Mr. McCafferty to spend the holidays praying in Spain....I will be on the Faculty of the annual Estate Planning Institute in Miami January 3-6.... Several of us will represent Hoyes at the annual meeting of the Association of American Law Schools in Chicago this week.

Two generations of law students have found the jungles of Real Property and Future Interests a bit more bearable because of the learned wit of Professor Barton Leach, who died last week at his home in Massachusetts. R.I.P.

Somewhere between contrite reflections on the slights and shortcomings of my first six months in the pepper grinder, and resolutions for 1972, comes tender thoughts of many, many kindnesses from the people who read this little report, and the gratitude I feel every Yuletide for being part of Notre Dame.

Happy New Year!

T.L.S.