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Annual Report: Notre Dame Law School: Academic Year 1986–1987

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ANNUAL REPORT

Notre Dame Law School

ACADEMIC YEAR

1986-87

I. INTRODUCTION

The major focus of the Law School for Academic Year 1986–87 was the integration of five new faculty into the Law School academic endeavor and the relocation and adaptation into the new Research Wing as construction of the various components permitted occupancy and use. The year proved highly satisfactory in both of these regards. Each of the new faculty settled in well and contributed markedly to the year's success. By the end of the year, we were using almost all of the new Research Wing to good advantage. The sad note of the year was the protracted illness and difficult loss of Father McCafferty.

II. IMPORTANT DEVELOPMENTS

The most visible development this year was a move toward completion of the major addition to the Law School building. Expanded space for student activities, including Legal Aid offices, space for two law reviews, and the student locker and dressing rooms, were completed and ready at the start of the school year. Offices for the Institute for International Peace Studies and the White Center were ready in August. Movement into the new classrooms occurred at Fall semester break. The new faculty office wing was occupied at mid-year. The enlarged and remodeled library circulation area was ready when the school year opened and further expansion into the greatly increased library spaces occurred throughout the year. The National Institute for Trial Advocacy, which had been relocated outside the Law School building for two years of construction, occupied its new offices adjacent to the courtroom before the Christmas break. The last major portion to be completed was the courtroom and, while it was not ready for use during Academic Year 1986–87, it was completed during the Summer of 1987 and ready for the new Academic Year. In August of this year, personal computers were installed in the offices of each faculty member. The faculty, staff and students are unanimous in their praise of the new research wing and the simultaneous refurbishing which greatly improved many parts of the old building.

The new Journal of College and University Law successfully completed its first year of operation at Notre Dame Law School. Professor Fernand Dutile serves as faculty editor of this journal, which is sponsored by the National Association of College and University Attorneys.

Notre Dame Law School's first advanced law degree program was inaugurated at the London Law Centre. Nine students from the United States and foreign countries enrolled in the first class to pursue LL.M. degrees with a concentration in comparative and international law. The first LL.M. degrees ever awarded by the University of Notre Dame were presented to seven of the students enrolled in London in the Summer of 1987. Fifteen advanced degree candidates, including the two who did not complete their degrees last year, are expected to enroll for the 1987–88 Academic Year.

Two members of the regular teaching and research faculty, Carol Mooney and Patricia O'Hara, were promoted to tenure this year. This action tripled the number of tenured women members of the Law School faculty. Michael Slinger was promoted to Associate Librarian. Three new regular faculty members were added, Associate Professors Richard Boswell, Michael Durst and Walter Pratt. Two new visiting members of the faculty also were added, Associate Professor David Fried and the first professor to occupy the Short Chair, Sompong Sucharitkul from Thailand. All five new faculty members had had prior teaching experience and fitted readily into their academic roles in Notre Dame Law School. Matthews Professor Edward Murphy took a well-earned sabbatical during Spring semester of 1987. Professor Peter Thornton, who had directed the Notre Dame London Programme for the past two years, was promoted to emeritus status as of the close of the school year. Professor W. A. West of the London Programme retired in May. Associate Librarian Janis Johnston joined the Library faculty late in the year.

Two new full-time members were added to the London Law faculty for Academic Year 1987–88. Professor Aubrey Diamond, a former member of the faculty of law of the London School of Economics and the University of London at Queen Mary College, and Visiting Associate Professor Lawrence DiNardo, an American practicing attorney, will co-direct the Programme and teach in London. While no new teaching and research faculty members were added at the home campus for Academic Year 1987–88, we feel particularly fortunate that Reverend William Lewers, C.S.C., former teacher in the Law School, has accepted an offer to rejoin the Notre Dame Law School faculty beginning Fall semester 1988.

Professor Frank Booker withdrew as Assistant Dean during the year because of illness. Associate

Professor Carol Mooney has been named as a replacement beginning Fall semester 1987.

III. STRENGTHS

The major strength of Notre Dame Law School continues to be its people.

The faculty of the Law School is made up of a healthy blend of senior teachers, persons in the middle years of their professional careers, and a number of young people in their first years of teaching. The faculty has maintained a strong commitment to quality teaching while engaging in active scholarship and a variety of public service activities. While the faculty is made up of persons of diverse backgrounds, philosophies, and interests, it is a collegial group which is united in a commitment to strong teaching and quality scholarship, seeking to continue the traditions and values of Notre Dame: educating competent and compassionate members of the legal profession, with a passion for justice and a recognition of the importance of ethics for all lawyers.

One of the great strengths of Notre Dame Law School is the continuing quality and diversity of the student body. In an era characterized by declining national law school applications, the quality of the students enrolled at Notre Dame continues to improve. Our student body not only has outstanding objectively-measured qualities — high LSAT scores and gradepoint averages — but it also reflects diversity of geography, undergraduate schools attended, backgrounds and philosophies. Most importantly, these students as undergraduates have shown evidence that they espouse values which we seek to foster and strengthen. Our students also do extremely well after graduation from Notre Dame. Not only are a very high percentage of our graduates placed with employers, but they obtain excellent positions all over the country in a variety of placements. Among the measures of success are not only the high placement rate — approximately 90% of our students are placed within a few months of graduation — but also continuously high percentages — over 10% each year — of our graduates obtain prestigious clerkships with federal and state judges. Among the reasons for this success are the hard work and creativity of the personnel in our Placement Office; the painstaking care by faculty members and administrators to the entire admissions process; the emphasis given by Notre Dame to quality education of every member of the student body; and the loyalty of our alumni.

With the new construction now completed, the Law School's facilities are a unique strength. We have adequate classrooms for a realistic class schedule. There is sufficient office space for faculty, staff, and student activities. The new courtroom permits us to conduct practice court activities in a realistic environment, while using the latest in audio-visual teaching techniques. There is carrel or table space within the library for 100% of the student body. We are in position to proceed with the computer network which links the Law Library and the teaching and research faculty to both national and University law retrieval sources.

IV. NEEDS

We have three main areas of concern which we believe are the greatest impediments to achieving our goal of excellence. In order of importance, these are (1) serious deficiencies in student financial aid; (2) a library budget which is still inadequate for developing a genuine research library; and (3) the continuing need for increased faculty support, including increases in faculty size, faculty salaries, and research funding, at levels comparable to those of our peer institutions, and development of a systematic sabbatical program.

The most urgent need is an increase in scholarship funds for law students. The rapidly escalating costs of legal education (tuition has increased from $2,600 to $10,070 during my 13 years tenure as Dean of Notre Dame Law School), combined with increased competition among law schools for the greatly reduced number of law school applicants, makes it essential that we have a strong scholarship program. We use a significant portion of our scholarship and grant funds to maintain a good representation of race/ethnic minority students. We fall far short of the merit scholarship moneys needed to compete effectively for many of the academically strong applicants who apply to Notre Dame Law School, but who settle for another private institution which offers a better financial aid package or, even more often, a good state school where the tuition is only a fraction of that at Notre Dame Law School. Experience with the just-completed admission of the Class of 1990 indicates that we are losing students who already confirmed their intention to enroll at Notre Dame and at the last minute, elected to go elsewhere, apparently because of financial considerations.

We urgently need a markedly increased budget for the library. We now have a first-class facility and, with the personnel additions of the past two years, are now in a position to provide quality service for faculty and student research activities. However, the present book budget is far below that of peer institutions and is not adequate to close the gap created by past deficiencies in this regard. Further, the cost of on-going computerization of the library will be extensive.

It is necessary to again address the question of faculty salaries and other benefits. Although much progress has been made, unlike the rest of the faculty at Notre Dame, the Law faculty salaries are not in the top rank nationally. We will have difficulty retaining the high quality of our faculty if salaries, travel funds, and research assistants budgets are not brought to a competitive level. Faculty support is also essential to maintain or increase the quality and quantity of faculty scholarship.

V. CONCLUSION

Today, the feeling in Notre Dame Law School is that great progress toward being recognized as one of the leadership law schools in this country has already been made. Our potential to be one of the nation's leading law schools in both teaching and scholarship is closer to being realized. The quality of recent faculty and library personnel hirings along with trend-defying success in student recruiting and placement prove that our ambitions are realistic. In short, we are optimistic. We are in a beautiful and comfortable building; our faculty is strong, talented, and hard-working; our students remain top quality and their in-school performance and placement records are superior; and our library — in terms of material and human resources — is improving. We are part of an excellent private university, which is proud of its heritage and which is moving confidently into the Twenty-First Century.

We recognize that while excellence is within our grasp, it will take continued hard work and some further commitment of resources to achieve our goals. We are ready to accept these challenges.