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Joseph O'Meara

Notre Dame Law School

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Report of the Dean

Print

University of Notre Dame. Law School. [Notre Dame, Ind.] : Notre Dame Law School,

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Details

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Report of the Dean
1966-1967
In the process of preparing a handbook for pre-law students and their advisors, the Association of American Law Schools requested each member "to submit its own description of itself"—subject to a "rigid 500-word limitation." The self-description we submitted follows:

The Notre Dame Law School is intentionally a small school, accepting no more than [approximately] 100 beginning students each year. Even so, our classes are sectioned. Every teacher, therefore, knows every student, and every student knows every teacher and every other student. Thus we are a community, come together to study law and committed to justice. We have a demanding program and examination system, and no one should come who is not prepared for hard, unrelenting mental labor.

Because we are small, our program is integrated, each course building on its predecessors. This results in a view of the law as a whole, rather than a piecemeal view.

Lecturing to students has been obsolete since the invention of the printing press. In the first year we make rigorous use of the case method. Thereafter the emphasis is on the problem method, the stress being on the solution of problem cases passed out in advance. In all years we rely heavily on discussion, and students are invited to question, and to challenge their teachers if they disagree.

Every first-year student is required to brief and argue a case on appeal. Our Annual Moot Court Competition begins in the second year and carries over into the third. Every third-year student must try a jury case from beginning to end. Thus heavy emphasis is placed on the art of advocacy.

Our student body is highly competitive, but, though they strive mightily, [they] eat and drink [and work] as friends. The Faculty-student ratio is high. We have a dedicated Faculty, whose members enjoy teaching and are productive scholars as well. They are always accessible to students; and one of the hallmarks of our School is the close liaison between them and students.

Members of all races and creeds are welcome and the differing religious beliefs of our students are scrupulously respected.

Student organizations include:

The Notre Dame Lawyer, regularly published, on schedule, five times a year, is entirely student-edited.

The Moot Court, like the Lawyer, is conducted by the students themselves.

The Student Legislative Bureau drafts bills at the request of legislators or others with substantial legislative programs.

Dean's Report 1966-67

For a long time—for as long as I have been Dean, in fact—I have been saying that the most important feature of any law school is not the dean of the Faculty or the curriculum, but the student body. As in earlier Reports, therefore, I begin with some observations about our students, past, present and prospective.

THE STUDENT BODY

ENROLLMENT

The class entering in August, 1966, numbered 104. This year (August, 1967) 120 beginning students registered—more than we consider suitable. Safeguards will be adopted, therefore, to limit the beginning class next year to not more than 110. This will be done in keeping with our long-time policy of limiting total enrollment to between 300 and 325. The reasons for this policy will be discussed in a later section of this Report.

The number of inquiries, i.e., letters from prospective students requesting information about the School has been rising sharply in the last 13 years, as the following table shows.

<table>
<thead>
<tr>
<th>Year</th>
<th>Inquiries</th>
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<tr>
<td>1955</td>
<td>262</td>
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<tr>
<td>1956</td>
<td>339</td>
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<td>1957</td>
<td>304</td>
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<td>1965</td>
<td>675</td>
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<td>1966</td>
<td>734</td>
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<tr>
<td>1967</td>
<td>900</td>
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This is an increase of 244%.

Applications for admission have likewise increased, from 126 in 1954 to 512 in 1967. This is an increase of 306%.

Every prospective student, who writes for information, receives a personal reply. With it he receives material which emphasizes the rigor of our program of instruction, the intensity of competition among our students and the necessity for sustained hard work. The stress on these features of legal education at Notre Dame, I think it likely, frightens off the halfhearted and the timid, and in this way serves as a useful preliminary screening. It serves another useful purpose as well: those who do apply, are accepted and enroll have been put on notice of what to expect at the Notre Dame Law School. If this is
not to their liking, I recall, as I did last year, the words of a former President: "If you can't stand the heat, get out of the kitchen."

For those not yet enrolled, who are considering the Notre Dame Law School, I quote the following excerpts from a letter written by a third-year student to a prospective applicant.

About Notre Dame—it is a most difficult law school. It is not for the lazy, the faint of heart, or the weak of character. Competition is keen for grades and for scholarships. Some students who come on scholarships lose them for failure to meet the exacting, yet rigidly fair, requirements. In a word, the law school here is hard. The Faculty is excellent and most demanding. . . . But the most outstanding part of the Notre Dame Law School is its student body. . . . The students work together, study together, play together. Their comradeship is impossible to understand unless you have been here. The interchange of ideas by student and Faculty in the classroom is truly the teaching method. The questioning and argument of the finest Faculty with the most talented student body is how we learn of the law.

Total enrollment for the fall semester of 1966-67 was 225, representing 78 colleges and universities, and 34 States. For the fall semester of 1967-68 total enrollment rose to 236, representing 86 colleges and universities, and 36 States.

The number of married students increased from 26.2% in August of 1966 to 29.1% in August of this year. Last year the students ranged in age from 21 to 43; this year the range is 20 to 44. A year ago 86.5% were between the ages of 21 and 24, inclusive; this year (August, 1967), 84.8% are in that age bracket. Last year the percentage of veterans was 6.2%; it is the same this year. They are a most welcome addition to our student body.

In 1953, my first full year at Notre Dame, only 18% of the students had done their undergraduate work at colleges and universities other than Notre Dame. This year (1967) 77.5% came from other campuses as against 22.5% from Notre Dame.

There has been a further welcome broadening of the student base. Colleges and universities not conducted under Catholic auspices, represented in our last four entering classes (1964, 1965, 1966 and 1967) include the following:

<table>
<thead>
<tr>
<th>University of Connecticut</th>
<th>University of North Dakota</th>
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<tr>
<td>Cornell University</td>
<td>Northeastern University</td>
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<tr>
<td>Elmhurst College</td>
<td>Northwestern University</td>
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<tr>
<td>University of Florida</td>
<td>Norwich University</td>
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<tr>
<td>Florida State University</td>
<td>Ohio State University</td>
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<tr>
<td>Geneva College</td>
<td>Ohio University</td>
</tr>
<tr>
<td>Goshen College</td>
<td>University of Oregon</td>
</tr>
<tr>
<td>Hampton Institute</td>
<td>Pennsylvania Military Academy</td>
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<tr>
<td>Harvard College</td>
<td>University of Pennsylvania</td>
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<td>Hillsdale College</td>
<td>University of Pittsburgh</td>
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<tr>
<td>Hunter College</td>
<td>Purdue University</td>
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<tr>
<td>University of Illinois</td>
<td>Rice University</td>
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<tr>
<td>Indiana University</td>
<td>Roanoke College</td>
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<tr>
<td>Johns Hopkins University</td>
<td>University of San Diego</td>
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<tr>
<td>Louisiana State University</td>
<td>Southern Illinois University</td>
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<td>University of Louisville</td>
<td>Stanford University</td>
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<td>University of Maine</td>
<td>Suffolk University</td>
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<td>Mankato State College</td>
<td>Talladega College</td>
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<td>University of Maryland</td>
<td>University of Tokyo</td>
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<td>Miami University</td>
<td>Tulane University</td>
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<td>Michigan State University</td>
<td>University of California (Los Angeles)</td>
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<td>University of Missouri</td>
<td>United States Military Academy</td>
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<td>University of Nevada</td>
<td>New Mexico Highlands University</td>
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<td>United States Air Force Academy</td>
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<td>State University of New York (Buffalo)</td>
<td>Upper Iowa University</td>
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<td>New York University</td>
<td>University of Virginia</td>
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<td>Western Michigan University</td>
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MORTALITY

The failure rate for 1966-67 was the lowest in my years at Notre Dame. For the last six years the failure rate has been as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>1st Year</th>
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<th>3rd Year</th>
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<tr>
<td>1961-62</td>
<td>14.1</td>
<td>7.3</td>
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<td>1962-63</td>
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<td>10.2</td>
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<td>1964-65</td>
<td>16.2</td>
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<td>1965-66</td>
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<td>1966-67</td>
<td>4.2</td>
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The decline in the failure rate (in the first year particularly) cannot be expected to continue. As I have said before, the higher the quality of the student body the higher must be the required standards.
of performance. "Much will be asked of the man to whom much has
been given; more will be expected of him, because he was entrusted
with more." Luke 12:48 (Knox). This is a fact of urgent im-
portance and must be thoroughly understood by alumni, students
and prospective students. We can succeed in our mission only if
our program is increasingly difficult and demanding.

Total first-year attrition (including voluntary as well as invol-
untary withdrawals) was 21%, the lowest, with one exception, since
I came to Notre Dame. In 1961-62 it was 20.3%. The high point
of total first-year attrition was reached in 1957-58, when it was 54%—
a sorry figure.

STANDARDS OF ADMISSION

Applicants for admission in 1968 will have to meet the highest
entrance requirements in the close-to-a-century history of the School.
Fixing these standards and applying them is a difficult and un-
rewarding task. As I said last year:

... No formula, applied mechanically, can serve the purpose.
Experienced human judgment must be and is the final arbiter. But
that judgment, unhappily, must take account of the only criteria
available and these are not by any means infallible. I am acutely
conscious, therefore, that some applicants are rejected who will
do well in law and life, and that some are accepted whose record
in law school and later will reflect the mediocrity which Admiral
Halsey is reputed to have called "the unforgivable sin." In this
situation all we can do is the best we can, taking some comfort
from the steady improvement in the capabilities of our student
body.

Some comments on the Law School Admission Test seem to me to be
in order at this point. In the first place the 1964 LSAT Handbook
itself specifies that the "Test should not be used as a tool for career
choice." P. 51. I emphasize this because of an apparently increasing
tendency on the part of prospective law students to interpret a lower-
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Some of the best students of exceptional intellectual capacity who, at the same
time, possess the other qualities I have indicated and thus appear most
likely to render the greatest service to their clients, to their profession
and to their Country.

A number of distinguished judges have been most helpful in this
important work, especially, Honorable Charles S. Desmond, formerly
Chief Judge of the State of New York, Judges Roger J. Kiley, '23L,
and Luther M. Swygert, '27L, of the United States Court of Appeals
for the Seventh Circuit, and Justice William B. Lawless, '44L, of the
New York Supreme Court.
Special mention must be made, also, of the following alumni and friends of the School who were exceptionally helpful in giving the word about Notre Dame to prospective law students.

In Baltimore: Messrs. Thomas J. Kenney, Jr., '66L, and Paul V. Niemeyer, '66L.

In Boston: Mr. Charles J. O'Malley, '64L.

In Buffalo: Justice William B. Lawless, '44L, and Professor David J. Valik, '57.

In Champaign-Urbana: Mr. John C. Hirschfeld, '61L.


In Cleveland: Mr. Daniel W. Hammer, '59L.

In Columbus: Mr. Robert P. Mone, '59L.


In Fargo, North Dakota: Mr. H. Patrick Weir, '64L.

In Lansing: Professor Edward Bartoli, '58L.

In New York City: Mr. George W. Tompkins, '56L.

In Niagara Falls: Mr. Patrick J. Berrigan, '57L.

In Philadelphia: Mr. Eugene F. Waye, '58L.

In Pittsburgh: Mr. Paul H. Titus, '60L.

In St. Louis: Mr. Burton M. Greenberg, '58L.

In St. Paul-Minneapolis: Mr. Joseph P. Summers, '62L.


Of all who have recruited for us, the most effective have been graduates of the last ten years; and we intend to rely almost entirely on them in our recruiting for 1968-69.

Notwithstanding what I have just said, no one has been more consistently effective in recruiting able students than Justice William B. Lawless, '44L, of the Supreme Court of New York. I am warmly grateful to all I have named—and to any who may have been omitted inadvertently—who have borne the burden of our recruiting.

SIZE OF THE SCHOOL

I should like to say something, now, about the size of our School, a question to which I have given much thought for many years. My considered judgment is that the Notre Dame Law School should continue to be a small school. These are my reasons. In the first place, in a small school, more particularly, in our School, every teacher gets to know every student, and every student gets to know every teacher and every other student. Thus we are a community come together to study law and committed to justice. Erwin Griswold, Dean of Law at Harvard, once told me he thought it a good thing to have at least one large school of absolutely top quality. I submit it is an equally good thing to have at least one small school of absolutely top quality. Professor Shaffer of our Faculty has put it this way:

There is surely an important place in any sort of education for the school in which students all know one another, all work with one another, all work with each member of the Faculty.

I know that in today's world the assembly line must be heavily depended on. It does not follow that the assembly line must be depended on exclusively. I should hate to see craftsmanship disappear completely. Recently I noticed an advertisement for virgin wool. I should hate to see the disappearance of virgin wool; I should hate to see it entirely supplanted by synthetic materials. I don't want to see the time when every article one wears or uses is made on a machine and packaged or hung on a rack—a sort of fungible age. In short, I don't want to have to fit into a mold. Most of all, I don't want to live in a world from which personal education has been banished.

As regards this question of size, there are some facts which I think relevant. First of all, the birth rate is declining. Fewer babies were born in 1966 than in any year since 1950. Moreover, the downtrend, which began nearly a decade ago, appears to be continuing. The National Observer, May 8, 1967, p. 1. This phenomenon will have wide repercussions. Already it has resulted in a high vacancy rate in maternity wards. South Bend Tribune, July 23, 1967, p. 25.

It would be the worst sort of superficiality to point out that the world is experiencing a "population explosion" and to argue that the Notre Dame Law School must, therefore, be enlarged. Even the fact that the total population of our own Country is growing, alone and without more, is irrelevant: it is necessary to probe beneath the surface of this fact. Thus the proportion of our population between 15 and 35 is increasing. Statistical Abstract of the United States (1965) p. 29. By 1980 49.9% will be under 25 years old. Id. People in these age brackets need much less in the way of legal services than older people.
Continuing advances in electronic data retrieval are likewise relevant. It is nonsense, of course, to suppose that legal problems ever will be solved by a computer. The scientists and engineers who believe that the administration of justice can be computerized simply do not understand the approach, the technique, the methodology of our legal system. Electronic data retrieval, nonetheless, will become increasingly useful. Before long, I think it likely, procedures will be our legal system. Electronic data retrieval, nonetheless, will become relevant. It is nonsense, of course, to suppose that legal problems

Moreover, it is only an assumption that the number of college graduates going into law will remain at the present level. The curve was downward until something like three or four years ago. As a matter of fact, until recently the number of applicants admitted to the Bar had been declining for a quarter of a century. The figures are in my 1938-39 Report at page 5. The fact that, for a quarter of a century, the number of lawyers relative to the population had been diminishing was established by the Survey of the Legal Profession, presided over by the late Reginald Heber Smith, then a partner of Mr. Paul F. Heilmuth, '40, a member of the Law Advisory Council and Secretary of the University’s Board of Trustees. There are fashions in these things which I don’t pretend to understand or explain. Thirty or forty years ago, medical schools were no longer overwhelmed by applicants who want to be physicians. A few years ago the complaint was that too many students were seeking admission to medical schools. Now I read that the scientists and engineers are complaining that they are not getting enough, there has been a dropping off. Until recently high school graduates were flocking into colleges of business administration. Now these colleges are dying on the vine. The students are rushing into the liberal arts. I don’t understand or attempt to explain these phenomena. Obviously, however, they must be taken into account, for they tell us to be wary of assuming that the study of law will continue at its present high level of popularity. A study of our own experience over the last three years indicates we would have to have 1500 inquiries (letters written in by prospective law students who are seeking information about Notre Dame) or almost twice as many as we presently receive—we would have to have 1500 to produce twice as many entering students. Actually we would have to have more than that because our study covered a period when lower standards of admission were in effect. Since the standards are going higher each year, we can say, I believe, that we would have to have 2000 or more letters of inquiry to get up to 200 entering students. We are a long way from that. Hence it would be premature to attempt to decide now whether to expand. There’s an old saying about not crossing a bridge until you get there. I know from conversation with Justice Schaefer of the Illinois Supreme Court, a member of the Law Advisory Council, that he is concerned lest the number of lawyers should not be sufficient to carry out the mandate of the Supreme Court requiring that lawyers be provided for indigent criminal defendants. The way to meet that problem, if it turns out to be a problem, is twofold. (1) There are 40 accredited law schools in this Country with an enrollment of 300 or less. 1966 Review of Legal Education, Law Schools and Bar Admission Requirements in the United States, published by the Section of Legal Education and Admissions to the Bar of the American Bar Association. These schools could graduate a good many additional lawyers if they would use their facilities to better advantage, as we are doing. (2) Additional law schools could be opened and this is being done. The University of Maine reopened its law school a few years ago and Northeastern will do so shortly. The law school at the University of California at Davis is in its first year; its first year, too, is the law school at Florida State University; and schools will begin operation in a year or two at Arizona State University, Texas Technological University and Long Island University. In addition, consideration is being given to the opening of a law school at several other places, including the University of Massachusetts, Michigan State University, Hofstra University and Loma Linda University (California). In short, “not a month has gone by in the last year that has not heralded the announced opening or intention of opening a new law school.” Newsletter of the Association of American Law Schools, December, 1966, p. 8. One of our first-year students has written:

I have already been shown that The Law School is "unique," with a personality of its own. May I add that that personality sees the individual and seeks to help him.

As our Bulletin points out:

One of the hallmarks of the Notre Dame Law School is the close liaison between Faculty and students. Members of the Faculty are always accessible and devote to private conferences with students many more hours than they spend in the classroom.
In large part it is this practice of working with students individually that gives our School a character and personality unmatched elsewhere. This distinctive character and personality would go down the drain if our enrollment were enlarged to 600—twice as many as we expect to have in the next year or two. For the individual is submerged as numbers multiply. Some of the more candid of the big-school deans acknowledge this, conceding that only a favored few of their students—those on the law review and, perhaps, a few others—receive any individual attention except, perhaps, in some third-year seminars. The rest, the great majority, are lectured to in large classes, and that is that. The uniqueness which characterizes us now is a value far too precious to be sacrificed to numbers.

Notre Dame Law School

FINANCIAL AID

SCHOLARSHIPS

Why are scholarships so important? They might not be if our concern were to be a rich man's law school and if, that being our ambition, we were willing to turn away talented applicants eager to come to Notre Dame but lacking the necessary financial resources. But to turn away such applicants would be a denial of the American tradition of equal opportunity for all and, for us, suicidal as well. It would be suicidal because, if we accepted only applicants from well-to-do families, we could not survive for the simple reason that there are not enough such applicants.

In point of fact most law students come from families in the middle- and lower-income groups. In case after case, therefore, little if any help can be given by their families to those who are ambitious to go on for professional training. The net result is that many, perhaps most law students are on their own financially. This situation affects all of the leading law schools. It affects us more than most, however, because our students are more apt to come from large families.

There is another reason why ample scholarship funds are imperative. They are required by the realities of our competitive situation. Since the quality of a law school depends on the quality of its students more than on any other single factor, a really talented applicant can obtain a scholarship at any school he chooses to attend. Such students are needed urgently as pacemakers, to stimulate not only their fellow students but the Faculty as well. The effectiveness of the Faculty is by no means a constant; it rises and falls as the quality and diligence of the students improve or deteriorate.

I do not mean to suggest that it is enough to have a few outstanding students in each class. What is essential is to have talented students in depth. Indeed, as I remarked on page 5, a truly gifted student body is imperative. That means every student in the School must possess unusual talent.

Why? Why must every student in the School possess unusual talent? Because, as I have said again and again, excellence is our platform and we can be content with nothing less. Just as Notre Dame's athletic teams always play to win, so the Notre Dame Law School aims at being the best—not just good, not even very good, but the very best. To that end, it is just as necessary for us as it is for those responsible for the athletic programs to get the very best talent available. If you don't win the pennant, you're an also-ran.

But to lead the field presupposes the availability of adequate scholarship funds; for unless we are able to help the gifted but impecunious student who is desirous of studying law at Notre Dame,
he will go elsewhere, to a school eager and able to assist him—he will go reluctantly but he will go.

He will go because he has no alternative. There are some who are reluctant to accept this fact. They argue that a student should be able to put himself through law school. They may have done it themselves; many good lawyers have. But the world is not the same as in their day; it's an altogether different world, a changed and changing world, changing with ever-accelerating speed. For one thing, the law has grown and is growing to such an extent, both in magnitude and in complexity, that getting a legal education has become, perforce, a full-time occupation. We expect our students to devote to it not less than 60 hours a week. That doesn't leave much time for a job. The fact is, indeed, that a student can devote to a job no more than 10 or 12 hours a week at the most without damage to his legal education. This is a serious matter, because the best professional opportunities, almost without exception, are offered to the students with the best law-school performance records.

To be sure, a law student can earn some money in the summer-time. To the best of my knowledge, every one of our students has a summer job. With summer earnings, if he is lucky, a student can cover a substantial part of the cost of studying law at Notre Dame. Unhappily, he cannot earn enough to cover it all. There is a margin up to $2000 a year—sometimes more—over and above what a student can earn, which must be provided by somebody if he is to enjoy the advantages of studying law at Notre Dame.

Plainly, therefore, there is an obvious and urgent need for adequate scholarship funds. The fact is that we must have assurance of a rock-bottom minimum of at least $275,000 a year for scholarships. Yes, $275,000—and I mean exactly that. We won't need the full amount in 1967-68 but we will need it in 1968-69 and thereafter. Our scholarship bill for 1967-68 will be slightly more than $200,000. Next year, of course, it will be more because we will have more students.

**BASIS OF SCHOLARSHIP AWARDS**

When I came to Notre Dame in the fall of 1952, there was not a single cent of scholarship money available. Under the leadership of Mr. Clarence J. Donovan, '31L, when he was president in 1953-54, the Notre Dame Law Association undertook to correct that sorry situation. It inaugurated the Scholarship Fund, designed to give financial aid to talented students who want to come to the Notre Dame Law School but cannot afford to.

From the inception of the Scholarship Fund, therefore, need as well as talent has been a decisive factor. This is now spelled out in our Bulletin as follows:

Scholarships are awarded on a strictly competitive basis. The factors taken into account are college grades, scores on the Law School Admission Test, extracurricular activities and, of course, need. But need by itself is never sufficient. In other words, the needy student must equal or excel his competitors in academic excellence and leadership qualities. All other things being equal, however, the needy student is preferred.

With respect to need, the situation may change, after an award has been made, if circumstances change, as a result of lucrative summer employment, a wife's earnings, an inheritance or other fortunate circumstance. It is not considered feasible, however, to monitor sums received by a scholarship student in ways such as those just indicated. Nor is it necessary. Given the high caliber and sense of honor and responsibility of the student body, the School is confident that scholarship holders, on their own initiative, will call attention to any information which might have a bearing on their continuing need for financial assistance.

The situation is different in respect of funds, over and above his scholarship, which a scholarship holder receives from the University. Fairness requires that the School's resources should be so managed as to benefit the largest possible number of deserving students. The School's policy, therefore, is as follows. The total sum which a student receives from the University (by way of scholarship aid, compensation for services or in any other way) is limited to the amount of the top scholarship, namely, $2,800 annually, that is, tuition plus a cash grant of $1,400.

**SOURCE OF SCHOLARSHIPS**

Our endowment for scholarships is small, only $100,000. Necessarily, therefore, the money for scholarship awards comes from yearly giving by alumni and friends of the School. This yearly giving has been accelerated by The "500" Club of the Notre Dame Law School, established in 1960. It resulted from a suggestion—more exactly, from an inspiration—of Mr. Albert H. Monacelli, '34, then president of the Notre Dame Law Association. In 1960-61 its membership numbered 123; this year there are 251 names on the roster—a gain of 104%. Members agree to contribute not less than $100 annually to the Law Scholarship Fund. As the name suggests, the Club's goal is 500 members each pledged to contribute at least $100 annually. In the fiscal year ending June 30, 1967, the following either joined or renewed their membership in The "500" Club, many giving a great deal more than the required minimum of $100.
Mr. Morris B. Abram
Mr. Edward F. Aylward, '48
Hon. Thomas W. Barber, '24L
Prof. Edward F. Barrett
Mr. Norman J. Barry, '48L
Mr. Bruno P. Bernabei, '51L
Mr. John A. Berry, '35L
Mr. Robert L. Berry, '53L
Mr. Maynard R. Biasonnette, '35L
Mr. Nicholas B. Blase, '51L
Mr. John F. Bodle, '50L
Hon. Hugh C. Boyle, '24
Mr. John I. Bradshaw, Jr., '54L
Mr. Donley L. Brady, '49L
Mr. Francis E. Bright, '40L
Asst. Dean Thomas F. Broden,
'49L
Lt. Gov. Raymond J. Broderick,
'35
Mr. Bernard D. Broeker, '30
Mr. Clifford F. Brown, '38L
Hon. Philip A. Brown, '57L
Mr. William E. Brown, '28
Mr. Edmund J. Burke, '51L
Mr. John F. Burke, '30L
Mr. William A. Burke, '35L
Mr. Richard P. Byrne, '56
Mr. Frank J. Campbell
Mr. Thomas G. Carney, '25
Mr. Lawrence E. Carr, Jr., '49L
Mr. John E. Cassidy, Sr., '17L
Mr. Thomas H. Clifford, Jr., '49L
Mr. John J. Coffey, III, '61L
Prof. Henry D. Collins, '40
Mr. John T. Connolly, '51L
Hon. John R. Coryn, '33L
Mr. John P. Coyne, '55L
Mr. John M. Crimmings, '33L
Mr. William V. Cuddy, '52
Mr. Gerald A. Currier, '42
Mr. William J. Cusack, '44L
Mr. Charles B. Cusinva, Jr., '31
Mr. John A. Dailey, Jr., '27L
Mr. Benedict R. Danko, '51L
Mr. Louis L. DaPra, '40L
Mr. Robert W. David, '52L
Mr. Anthony J. DeDario, '29L
Mr. Joseph F. Deeb, '35L
Hon. John T. Dempsey, '21
Mr. Robert B. Devine, '36L
Mr. Dana C. Devoe, '59L
Mr. Joseph F. Dillon, '49L
Mr. Joseph J. Dockman, '33
Mr. Henry I. Dockweiler, '12
Mr. Clarence J. Donovan, '30L
Mr. William B. Dreux, '33
Mr. Thomas T. Dunn, '48L
Mr. Thomas B. Dunn, '27
Mr. James F. Dwyer, '29
Hon. Charles Fahy
Hon. Victor H. Fall, '27L
Mr. E. Milton Farley, III, '52L
Mr. F. Gerard Feeney, '27L
Mr. James L. Ferstel, '50L
Mr. William G. Finlen
Mr. James T. Finlen
Mr. Louis J. Finkel, '19L
Mr. John J. Fish, Jr., '55L
Mr. Patrick J. Fisher, '37L
Mr. Hugh F. FitzgeraLd, '34
Mr. James Fitzgerald, Jr., '59L
Hon. William T. Fitzgerald, '23
Mr. Simeon T. Flanagan, '14L
Mr. Joseph F. Flynn, '17
Mr. Robert J. Flynn, '50L
Mr. Thomas W. Flynn, '35
Mr. John C. Fontana, '28
Mr. Thomas P. Ford, '40
Mr. Harvey G. Foster, '29L
Mr. Edward M. Fox, '50L
Mr. Louis P. Flanagan
Mr. Joseph A. Marino, '42L
Mr. Frank J. Galvin, '23L
Mr. Timothy P. Galvin, '16
Mr. Lee J. Gary
Mr. J. Robert Geiman, '56L
Mr. Charles R. Gerardi, '41
Mr. John H. Gorman, '54L
Mr. Robert F. Graham, '28
Hon. Robert A. Grant, '30L
Mr. Camille F. Gravel, '35
Hon. Timothy M. Green, '47L
Mr. Burton M. Greenberg, '50L
Mr. Albinon M. Griffin, '29L
Mr. Thomas E. Griffin, '36L
Mr. John W. Gruning, '27
Mr. Victor J. Gulyassy, '48L
Mr. Thomas G. Gutting
Mr. Frank D. Hamilton, '30
Mr. George E. Harbert, '18L
Mr. Edward W. Hardig, '61L
Mr. John R. Harrington, '29L
Mr. Jane J. Harte, '59L
Mr. Edmund J. Haugh
Hon. Thad Havran, '30L
Mr. Paul F. Hellmuth, '40
Mr. James J. Herr, '54L
Mr. James C. Higgins, '55L
Mr. John T. Higgins, '22
Mr. Henry M. Hogan
Mr. Robert A. Holliencamp, '50L
Mr. Walter W. Houppert, '25L
Mr. Francis C. House
Mr. James D. Hurley, '24L
Mr. William A. Hurley, '28L
Mr. Robert Irniger, '27L
Mr. James T. Jennings, '35
Mr. H. Clay Johnson, '34L
Hon. William B. Jones, '51L
Mr. Joseph B. Joyce, '56L
Mr. Alfred A. Kaelin, '60L
Mr. John J. Kane, Jr., '25L
Mr. Lawrence A. Kane, Jr., '57L
Mr. Timothy E. Kelley, '48
Mr. Edward J. Kelly, '42L
Mr. Frank J. Galvin, '23L
Mr. Timothy P. Galvin, '16
Mr. Lee J. Gary
Mr. J. Robert Geiman, '56L
Mr. Charles R. Gerardi, '41
Mr. John H. Gorman, '54L
Mr. Robert F. Graham, '28
Hon. Robert A. Grant, '30L
Mr. Camille F. Gravel, '35
Hon. Timothy M. Green, '47L
Mr. Burton M. Greenberg, '50L
Mr. Albinon M. Griffin, '29L
Mr. Thomas E. Griffin, '36L
Mr. John W. Gruning, '27
Mr. Victor J. Gulyassy, '48L
Mr. Thomas G. Gutting
Mr. Frank D. Hamilton, '30
Mr. George E. Harbert, '18L
Mr. Edward W. Hardig, '61L
Mr. John R. Harrington, '29L
Mr. William J. Harte, '59L
Mr. Edmund J. Haugh
Hon. Thad Havran, '30L
Mr. Paul F. Hellmuth, '40
Mr. James J. Herr, '54L
Mr. James C. Higgins, '55L
Mr. John T. Higgins, '22
Mr. Henry M. Hogan
Mr. Robert A. Holliencamp, '50L
Mr. Walter W. Houppert, '25L
Mr. Francis C. House
Mr. James D. Hurley, '24L
Mr. William A. Hurley, '28L
Mr. Robert Irniger, '27L
Mr. James T. Jennings, '35
Mr. H. Clay Johnson, '34L
Hon. William B. Jones, '51L
Mr. Joseph B. Joyce, '56L
Mr. Alfred A. Kaelin, '60L
Mr. John J. Kane, Jr., '25L
Mr. Lawrence A. Kane, Jr., '57L
Mr. Timothy E. Kelley, '48
Mr. Edward J. Kelly, '42L
Hon. John F. Kilkenny, '25L
Mr. William T. Kirby, '34L
Mr. Joseph T. Kivlin, Jr., '48
Mr. Marshall F. Kitzer, '30L
Hon. Conrad S. Koninnarek, '49L
Mr. F. Richard Kramer, '51L
Mr. Paul A. Kraus, '37L
Mr. Robert J. Kuhn, '31L
Mr. Emmett G. Lenihan, '17L
Mr. Humphrey L. Leslie, '20L
Mr. Fiorenzo V. Lopardo, '41
Mr. Peter H. Lousberg, '56L
Mr. George P. McAndrews, '62L
Mr. David N. McBride, '55L
Mr. Harold T. McCabe, '27L
Mr. Thomas S. McCabe, '22L
Mr. Raymond L. McClory, '27L
Mr. Gerald J. McGlinley, '26L
Mr. Edward E. McGlynn, '51L
Mr. Robert E. McGowan, '46L
Mr. Hugh J. McGuire, '50L
Mr. William F. McInerney, '41L
Hon. J. S. McKieran, '34
Mr. Thomas O. McKinley, '38L
Mr. Edward J. McLachlin, '27L
Mr. Leo V. McCaughey, '39L
Mr. Joseph P. McNamara, '29L
Mr. Edward B. Madden, '31
Mr. Joseph E. Madden, '27
Mr. J. Michael Malloy, Jr., '44
Mr. John F. Marchal, '48L
Mr. Joseph A. Marino, '60L
Mr. William A. Marshall, '42
Mr. Frank A. Mastriana, '41L
Mr. Frank G. Matavosky, '35L
Mr. Eugene A. Mayl, '24L
Mr. Thomas P. Meaney, Jr., '44
Mr. J. Michael Malloy, Jr., '44
Mr. John F. Marchal, '48L
Mr. Joseph A. Marino, '60L
Mr. William A. Marshall, '42
Mr. Frank A. Mastriana, '41L
Mr. Frank G. Matavosky, '35L
Mr. Eugene A. Mayl, '24L
Mr. Thomas P. Menney, Jr., '33L
Mr. William Austin Meehan, '48L
Mr. George F. Meister, '57L
Mr. Joseph J. Miller, '42L
Mr. Edward V. Minczeski, '41L
Mr. Robert P. Mone, '59L
Mr. John R. Moran, Sr., '25L

Special thanks are due, also, to the following benefactors other than “500” Club members.

Bernell Foundation, Inc.
Norman H. Birnkrant, Trustee of the Estate of Jerry Gertrude Walker

J. Frederick Brown Foundation
Honorable Lief Erickson, Trustee of the Estate of Ia B. Dousman
Farmers Insurance Group
Five Twenty-Five Foundation
Dr. Nicholas Mauriello, in honor of Lieutenant Governor Raymond J. Broderick of Pennsylvania

W. Gerald Moore Educational Foundation
Notre Dame Club of Philadelphia
E. E. D. Shaffer Foundation
South Bend Tribune

1967 Notre Dame Law School Graduating Class

Graduates who, in their student days, received financial assistance, are grateful and demonstrate their appreciation by generous contributions to the Scholarship Fund. The following excerpts are from typical letters.

From a 1962 graduate:
I am now entering my fourth year of private practice, prospects for the future are very bright and I trust this will permit me to increase my annual contribution, for nothing that I do gives me greater pleasure.

From a 1966 graduate:
As an expression of my gratitude, I am sending along a check for the Scholarship Fund. This small gift is my way of starting to repay The Law School for the scholarship aid which I received during my three years at the Notre Dame Law School.

From a 1967 graduate:
I am truly looking forward to the day when I can begin doing my part to make certain that there is always a sufficient amount in the Scholarship Fund so that no deserving student will be left wanting.

Indeed, as I have pointed out in earlier reports, our graduates of the last ten years or so are among our most generous alumni; and this is true whether or not they themselves benefited from the Scholarship Fund.
OTHER FINANCIAL AID

Since I feel so strongly about it, I repeat here what I said in each of my last two Reports.

Student loan programs are proliferating. Many of these programs make use of bank loans guaranteed by a sum deposited in the lending bank by a State bar association or other interested group. This is the format of our own pioneering loan program, inaugurated early in 1959 with the cooperation of the Continental Illinois National Bank and Trust Company of Chicago. It has functioned effectively. At the end of the academic year 1966-67 there were 68 loans outstanding for a total of $52,434.44. No loan was in default.

We have been allocated a substantial amount of the total to be loaned under the auspices of the American Bar Foundation.

A student while in law school is acquiring a capital asset and should be willing to borrow a reasonable amount to enable him to do so. Too many, it seems to me, are willing to borrow too much. Then, when the time comes to set up housekeeping, as the saying used to be, there are all sorts of things a young couple must have which were unheard of only a generation or two ago. A refrigerator, a washer, a dryer—all these things and many more must be purchased in addition to the furniture and other household articles their parents and grandparents had to buy. And, of course, everybody has to have a car these days; and everybody wants a home. Everything, it goes without saying, will have to be bought on credit—so much down and so much a week or a month, including interest and other charges. If the burden of all this debt is superimposed upon a large indebtedness created to complete one's education, will not these young lawyers, in all likelihood, spend the rest of their lives in hock? Pressure to meet the payments necessarily will curtail freedom to satisfy normal desires of wife and children. Will this have no effect on domestic peace and tranquility?

All this underlines and re-emphasizes the essentiality of adequate scholarship funds.

STUDENT ACTIVITIES

NOTRE DAME LAWYER

Volume 42 consisted of six issues, nearly 1,000 pages in all, including articles by leading members of the Bench and Bar and law teaching profession, as well as student work of the highest quality.

Recognizing that the raison d'être of any publication is to be read, the Lawyer endeavored to enlarge the reading audience for its contribution to legal scholarship by continuing to increase its promotional activities. The result was a substantial growth both in subscriptions and in single-copy sales. Taking advantage of the promotional benefits that can be derived from republication, the Lawyer also gave permissions to various legal journals to reprint over thirty articles that had appeared in recent issues. This number of permissions to republish was almost double the number given in the previous year.

Aware of the limited perspective from which law students necessarily approach the management of a law review, the Editorial Board for Volume 42 conscientiously sought to ascertain the views of the Lawyer's readers. To that end, detailed questionnaires were sent to all subscribers. The collated results were both enlightening and encouraging.

The third annual Lawyer Alumni Meeting, held last fall, also engendered numerous suggestions for solving a wide range of specific problems. In addition, the meeting proved to be a pleasant social event for both past and present members of the Lawyer.

The Editorial Board for Volume 42 was composed of:

Editor-in-Chief, Mr. Paul J. Meyer of Illinois
Executive Editor, Mr. Joseph P. Martori, Jr. of New York
Articles Editor, Mr. Harold J. Bliss, Jr. of Arizona
Case Editor, Mr. Stephen R. Lamantia of New York
Development Editor, Mr. John W. Nelson of Indiana
Managing Editor, Mr. Lawrence J. Fleming of Missouri
Note Editor, Mr. Clifford A. Roe, Jr. of Ohio
Survey & Book Review Editor, Mr. Michael K. Cook of Michigan

MOOT COURT

Mr. Justice Abe Fortas presided over the court hearing the final argument in our Annual Moot Court Competition on November 19, 1966. He was the tenth Justice of the Supreme Court of the United States to serve in that capacity in the 12-year period beginning in October of 1955.
Sitting with Mr. Justice Fortas were:

Honorable J. Spencer Bell of the United States Court of Appeals for the Fourth Circuit
Honorable John W. Reynolds of the United States District Court for the Eastern District of Wisconsin

The students who participated in the argument before these distinguished judges were:

Mr. Christopher C. Foley of Los Angeles, a graduate of The University of Notre Dame
Mr. Frank G. Verterano of Hillville, Pennsylvania, a graduate of The Youngstown University
Mr. Michael J. Fogerty of Elwood, Indiana, a graduate of The University of Notre Dame
Mr. John P. Kirby, Jr. of Brooklyn, a graduate of the United States Military Academy

Mr. Fogerty won the first prize of $150; the second-place award went to Mr. Kirby. These prizes were provided, in accordance with his practice, by Mr. A. Harold Weber, '22, a member of the Law Advisory Council. Messrs. Fogerty and Kirby received, in addition, the Dean's Award, established by former Dean Clarence E. Manion.

STUDENT BAR ASSOCIATION

This is the student body's governing organ. Among its most important responsibilities are administration of (1) the School's Honor Code (covering, primarily, our system of unproctored examinations) and (2) our student loan program. At the suggestion of the Association's Executive Board, a Student-Faculty Co-ordinating Committee was created by vote of the Faculty on December 12, 1966. The Committee consists of three Faculty members, appointed by the Dean, and three students, selected by the Association's Executive Board. Its purpose, as stated in the Executive Board's proposal follows:

The rationale of the Student-Faculty Co-ordinating Committee is that the students and the Faculty have common concerns, and that these concerns can best be pursued together rather than separately. The function and purpose of the committee is to consider any problem or any issue that pertains to The Law School, and to formulate policies which will enable the School to maintain and improve its academic standing.

Notre Dame Law School

Although I was not fully persuaded that the creation of a committee of students and Faculty members was the best way to accomplish the end in view, the experience to date indicates that the proposal for, and establishment of the Committee will turn out to have been a major contribution.

The officers for 1966-67 were:

President, Mr. Kenneth A. Lazarus of New Jersey
Executive Vice-President, Mr. Dennis G. Collins of New York
Treasurer, Mr. Thomas J. Sullivan of Michigan
Secretary, Mr. Thomas R. Curtin of New Jersey
Third-Year Class President, Mr. James C. Heimbold of New York
Second-Year Class President, Mr. Steve J. Madonna of New Jersey
First-Year Class President, Mr. Patrick R. Berg of Oregon

GRAY'S INN

Named for one of the four major Inns of Court, this student organization invites qualified speakers to discuss current social, economic and cultural topics which have a bearing on law, as well as strictly legal subjects. The speakers are then expected to answer questions which, at times, are extremely searching. The high points of the year's program were the meetings addressed by the following: Mr. Edward W. Merkel, Secretary of The Procter & Gamble Company; Professor Richard J. Medalie, Deputy Director, Institute of Criminal Law and Procedure of Georgetown University Law Center; and Mr. Frank Sheed of Sheed and Ward, well-known Catholic theologian.

The officers for 1966-67 were:

Treasurer, Mr. Jerry L. Berthold of West Virginia
Vice-Treasurer, Mr. J. Sean Keenan of Ohio
Master of Revels, Mr. William R. Tepe, Jr. of Ohio
Keeper of the Black Book, Mr. Owen W. Moon of Michigan

LEGAL AID AND DEFENDER ASSOCIATION

This organization goes back to the academic year 1960-61. At that time a modest program was begun on the initiative of a group of second-year students, who worked closely with the two South Bend Public Defenders. They had our support and encouragement, since we strive always to develop in our students a sense of public responsibility and a readiness to engage in public-service activities.

The program was organized formally in the academic year 1964-65 as a result of what I have called "a fierce partisanship for justice." The following year it rose from the launching pad due to the
dedication and industry of Mr. John C. Fine, '67L, of Scarsdale, New York, and of its Faculty Advisor, Professor Thomas L. Shaffer.

This organization reflects our commitment to justice, and I am delighted to report that it continued to prosper in 1966-67 under the leadership of Mr. Thomas G. Farrell, '67L, of Cambria Heights, New York, and with the continuing support and encouragement of Professor Shaffer.

It applied for and received a small grant from the Council on Education for Professional Responsibility, an agency of the Association of American Law Schools in cooperation with the National Legal Aid and Defender Association and the American Bar Association. In the letter with which I forwarded the application for the grant, I emphasized a very significant fact:

...[T]he application was prepared by students, members of our Legal Aid and Defender Association. I can tell you, in addition, that they originated the project. I hope you will agree with me that this is a strong point of the application. As I see it, the program presented to you has merit in itself. It is even more meritorious because it was developed by the students on their own initiative.

Last year I was able to call attention to the public recognition of two of our graduates, Mr. Joseph J. Straub, '55L, of Algona, Iowa, and Mr. Lawrence J. Dolan, '56L, of Chardon, Ohio, for the skill and diligence with which they discharged their professional obligation as court-appointed counsel for indigent prisoners. Again this year, and with the same pride, I can refer to two similar demonstrations of professional responsibility. This time the principals were Mr. James L. Lekin, '63L, of Buffalo, and Captain James P. Mercurio, '64L, of University City, Missouri. The United States Court of Appeals for the Second Circuit reversed a decision against Mr. Lekin's impoverished client and, in its opinion, expressed its appreciation to "asigned counsel, Mr. James L. Lekin of Buffalo, for the time and skill which he devoted to this appeal." Buffalo Evening News, July 18, 1967.

As regards Captain Mercurio:

A U. S. Army court martial acquitted 1st Lt. John L. Patrick Jr. Saturday of premeditated murder in the slaying of a South Vietnamese held by his platoon as a suspected Viet Cong guerrilla.

A seven-officer Army general court martial board spent only 10 minutes deliberating before they acquitted Patrick at the end of a day and a half long trial at the 1st Air Cavalry Division base camp.

LEGISLATIVE BUREAU

The purpose of the Student Legislative Bureau is to draft legislation requested by legislators or others with substantial legislative programs. In 1966-67 it prepared draft bills for the Indiana General Assembly providing for non-partisan selection of judges. A similar bill was prepared for the Michigan Legislature. In addition a bill was drafted for the Indiana General Assembly providing for preservation of historical monuments. The actual drafting, of course, is preceded by exhaustive research into existing law and legislation. Any second- or third-year student may participate. Mr. Murray C. Campbell of Michigan was Director of the Legislative Bureau and Professor Robert E. Rodes, Jr., is Faculty Advisor.

PRIZE WINNERS

Mr. Joseph P. Martori, Jr., of Brooklyn, number one man in the class, was the recipient of the Haynes Award of $100. He was Executive Editor of our law review, the Notre Dame Lawyer, and was employed early in the year by the Wall Street law firm of Sullivan & Cromwell.

The Lawyers Title Award of $100, generously provided by the Lawyers Title Insurance Corporation of Richmond for excellence in the law of real property, went to Mr. Theodore A. Sinars of Chicago. The Farabaugh Prize of $25, given in memory of the late Gallitzin A. Farabaugh of South Bend, was won by Mr. Paul J. Meyer of Chicago, number two man in his class and Editor-in-Chief of the Notre Dame Lawyer. Early in the year Mr. Meyer was appointed law clerk for Justice Walter V. Scafeer of the Supreme Court of Illinois.

Mr. Richard A. Muench of Wilmette, Illinois, was the winner of the Law Week Award, a year's subscription to the United States Law Week, given by the Bureau of National Affairs. This prize goes to the student whose work shows the greatest improvement in his senior year.

The A. Harold Weber Awards for the best senior research papers
Mr. Lawrence J. Fleming of Missouri has been assigned to the Civil Rights Division of the Department of Justice under the Attorney General's Recruitment Program for Honor Law Graduates. This marked the third consecutive year in which one of our graduates was chosen for the Civil Rights Division under the Recruitment Program for Honor Law Graduates.

BAR EXAMINATION RESULTS

Eighty-three and seven tenths per cent of the members of the Class of 1966 passed the bar examination on the first try in the State of intended practice—a disgraceful showing. A little sunshine filters through, however, when the results are examined by state. One hundred per cent passed on the first try in California, Connecticut, Indiana, Iowa, the District of Columbia, Maryland, Massachusetts, Michigan, Missouri, Oregon, Nebraska and Ohio. The failures, seven in number, occurred in Illinois, New Jersey and New York.

There is bound to be an occasional failure, induced by illness or some other untoward circumstance. Otherwise, I say again, as I have said so often in the past, our graduates should all pass on the first try. It was heartening, therefore, to receive a letter from one of them, reporting his success, in which he said:

There was simply no question I was unprepared for. While passing a Bar is a meagre criterion for gauging the quality of an education, I can say at the least that not one of the 800 candidates was better prepared.

PLACEMENT

First-rate young lawyers are in demand. To the best of my knowledge all members of the Class of 1967 who were available for employment, that is, not already committed to a tour of duty in the Armed Forces, have accepted satisfactory professional opportunities, either with private law firms or with some agency of Federal or State Government. Eight of them were appointed to judicial clerkships. Mr. Robert Edward Barkley, Jr. of Louisiana will clerk for United States District Judge Frederick J. R. Hebe in New Orleans; Mr. James T. Harrington of Illinois for United States District Judge George N. Beamer in Hammond, Indiana; Mr. John W. Nelson of Indiana for United States District Judge James A. Walsh in Tucson; Mr. James J. Olson of Iowa for United States District Judge Robert A. Grant in South Bend; Mr. Michael P. Seng of Iowa for United States District Judge John J. Kilkenney of Portland, Oregon; Mr. Arthur C. Switz of Michigan for United States District Judge Stephen J. Roth in Flint; and Mr. J. Gregory Walta of South Dakota for United States District Judge William E. Doyle in Denver. As already mentioned Mr. Paul J. Meyer of Illinois will clerk for Justice Walter V. Schafer of the Supreme Court of Illinois.

One of the Judges mentioned above has written me as follows:

[F]rom my own experience, I know that your law school produces superior law clerks for the U. S. Judges. I am frankly amazed at these young men who are so eminently prepared to tackle the most complicated legal problems fresh out of law school. They have imagination, intelligence, boundless energy and a deep dedication for the "law" that permeates all their work.

In addition one of our 1966 graduates is now serving as one of Mr. Justice Brennan's law clerks in the Supreme Court of the United States. Mr. Justice Brennan has written me saying about him that "You've certainly made a ten-strike. He's a wonderful boy."
A limited number of apartments are available for married students in University Village on the campus. For the rest, law students live off campus with the exception of a few who serve as prefects in undergraduate residence halls. They live off campus because there are no on-campus accommodations for them and have not been since the academic year 1965-66.

This unhappy situation imposes an obligation on us to do everything within our power to assist our students—in particular the new students, who are unfamiliar with Notre Dame and its environs—to find suitable living quarters. In the summer of 1966 and again last summer we were able to provide useful information and other help, with the result that all members of the incoming class, I believe, are satisfactorily housed.

Credit for this fortunate outcome is due solely to the selfless devotion and seven-day-a-week labors—from early in the morning until late at night—of my Administrative Assistant, Mrs. Cordia Bender. She has earned the gratitude of the student body and of the University Administration as well. For myself, I deeply appreciate her magnificent contribution to the Notre Dame Law School and salute a wonderful woman.

PROGRAM OF INSTRUCTION

EXAMINATION SYSTEM

I described last year a change in the comprehensive examinations. A year’s experience led to further changes (improvements, we believe) which can be summarized as follows:

Hereafter comprehensive examinations

a) will cover all material which the student can reasonably be expected to know at the stage of the student’s legal education at which they are given;

b) will be given at the same time and in the same manner as current-course examinations and will constitute the last examination in the series.

In addition, in computing his semester average a student’s grade on the comprehensive will count for one-quarter (\( \frac{1}{4} \)) as heretofore; in other words, the weight assigned to the comprehensive grade will be reduced to one-quarter (\( \frac{1}{4} \)).

These improvements will make the comprehensives (1) more truly comprehensive, and (2) more difficult and more competitive, as well.

As he has done so many times, Jim Ryan won a mile race in June. He won easily, coasting to the finish line with a 15-yard lead—but in less than record time. The South Bend Tribune, June 11, 1967, p. 47. Why did he fall short of equaling or exceeding his own record? The answer is obvious—there was no need to extend himself; he so far outclassed his rivals that the race was a breeze. Why did he not break his own record for the mile? Just as the answer is obvious, the moral is obvious, too. Everyone does his best work under the spur of competition. This imposes an obligation on the Faculty which we cannot shirk without defaulting in our duty as legal educators. In short, as Alfred North Whitehead has pointed out, we must “keep [the student’s] powers at full stretch” and hold before him always “the habitual vision of greatness.” The Aims of Education, pp. 46 and 77 (Mentor)

There was another improvement in the comprehensives last year—a real breakthrough: one of the questions was based on the record in an actual case. The record was duplicated and passed out on the morning of the examination, together with the question, pertaining to the record, which a team of Faculty members had agreed upon.

These innovations, as a member of the Class of 1967 has pointed out, necessarily will require continuous review, both extensive and intensive, as a prerequisite to accurate legal analysis of the comprehensive questions.
It is not our purpose to make things easy. Some students grumble about our demands, our increasing demands. That is, they grumble while they are in School. After they have been graduated, however, they are enthusiastic.

SENIOR SEMINARS

Family Law has been restored to the curriculum. It will be taught in the second semester of the third year. A student wishing to do so, however, may elect to transfer from Family Law into a seminar offered by a member of the Faculty on his own initiative or at the request of a group of interested students.

SUMMER LAW FELLOWSHIP PROGRAM

This program was designed to bring our classroom instruction closer to the law-in-action, so that our students might become more aware, through personal experience, of the strengths and weaknesses of our legal system. The summer program involved directly only 19 students, but we hope to be able to pass on, through them, to the other students the implications of this work, so that all may participate, at least vicariously, in the experiences of the nineteen.

The 19 students directly involved did legal work full time under staff attorneys in positions of professional responsibility. Sixteen worked in South Bend, three in Mississippi for the Lawyers' Committee for Civil Rights under Law. In South Bend six were assigned to the two Public Defenders, four to the County Prosecutor's office, four worked among migrants and two were assigned to the local Human Relations Commission. These 16 also participated in weekly discussion meetings led by informed visitors. In addition, they met periodically with Faculty members to discuss the professional responsibilities of their work.

Work in the Prosecutor's office and for the Public Defenders consisted mainly in assisting the Defenders or Deputy Prosecutors, to whom they were assigned, in the preparation of specific cases. This involved investigation, legal research, and the preparation of memoranda on the facts and law of the cases assigned to them. There were, occasionally, other duties as well, such as work at the Prosecutor's Complaint Desk.

The three men assigned to civil-rights work in Mississippi were given specific geographical areas of the State for which they were responsible. Within his zone, each served as a jack-of-all-trades to identify situations in which law might contribute to equality of opportunity. They assisted at proceedings before Justices of the Peace, interviewed prisoners in custody looking toward habeas corpus petitions, interviewed parties to actions being brought by the Lawyers' Committee for Civil Rights under Law and did other investigatory and legal-research work. Mr. Denison Ray, Chief Counsel of the Jackson, Mississippi, office of the Committee, supervised their work.

The students assigned to the migrants worked for the local Migrant Center, financed by the Office of Economic Opportunity. They prepared a short lecture course on "Your Legal Rights" for migrant workers taking instruction at the Center and processed grievances of migrant workers. This latter task took them into many aspects of law, that of landlord and tenant, domestic relations, consumer problems, personal injuries and so on. Within a short time they were giving considerable legal support to efforts to upgrade the living conditions of migrants. This brought them into contact with the larger producers and growers who operate migrant labor camps in the County, with the State and local health authorities, and with the Midwestern Representative of the United States Commission on Civil Rights, Mr. John McKnight. Mr. McKnight arranged a hearing in South Bend on migrant-camp conditions, which caused H. J. Heinz and Co. to announce their abandonment of the large migrant camps it ran, resulted in stiffer supervision of the camps by the State Board of Health, and, generally, effectively focused the attention of local citizens on the migrant problem. The students made a survey for the United States Civil Rights Commission of migrant-camp conditions, and worked with the State Board of Health to improve living conditions in the camps.

The two students assigned to the South Bend Human Relations and Fair Employment Practices Commission worked under the immediate supervision of the Executive Director of the Commission and under the somewhat less direct supervision of Assistant Dean Broden, a member of the Commission. The students carried on daily liaison work with the Police Department with particular attention to racial incidents. Such incidents were plotted on a city map to probe their geographical significance. They assisted in the creation and administration of Rumor Control and Tension Control programs, surveyed the allocation of municipal services to the various neighborhoods of the community, assisted in the development of a summer program for disadvantaged youth and surveyed public-accommodations problems in the community.

All of the students were expected to put in at least a 40-hour week, according to schedules arranged by their supervisors.

As previously mentioned, there were weekly meetings of the 16 students in South Bend, led by informed persons from South Bend and other cities. The attendance at and participation in these meetings were excellent. The first six meetings were planned in the spring by a Faculty committee. The remainder of the meetings was planned...
I: The degree of Faculty supervision varied greatly. Since Dean Broden was a member of the Human Relations Commission he had many opportunities to meet with the students assigned to the Commission. This permitted fruitful discussion and analysis of experiences. Dean Broden also met at least once a week with some, if not all, of the men working among the migrants. At first this was largely on his initiative. Later it was largely on their initiative. These meetings lasted anywhere from 15 minutes to over an hour.

The program aroused great interest, even enthusiasm, in the student participants. To a man they zealously performed their assignments. The same enthusiasm permeated the weekly meetings of the group. As a result of the program the students have a deeper understanding of the importance of, as well as the difficulties involved in making equal justice under law a reality for all. The Summer Law Fellowship Program was financed by a grant of $20,680 from the Council on Education in Professional Responsibility, referred to on page 22 of this Report in my discussion of the Legal Aid and Defender Association.

It is my fervent hope that the Fellowship Program can be repeated next year.

The Faculty

A distinguished legal scholar, in his Presidential address to the Association of American Law Schools, is reputed to have said:

"... I have heard it said, in jest of course, and in the lounge under circumstances of relaxation, that ... the teaching of law would be the ideal vocation if it were not for the damn students. ..."  
Association of American Law Schools, 1959 Proceedings, p. 51

As I emphasized earlier in this Report, and have said on many other occasions, our Faculty, as a whole, like to teach and are productive scholars as well. Indeed, the close liaison between Faculty and students is one of the hallmarks of our School. This, too, I noted earlier in my Report, as well as the time-consuming practice of working with students individually. As I reflect on their accomplishments, both as teachers and as scholars, I repeat and emphasize what I said in my 1964-65 Report (p. 17): "No law school has a better faculty."

In the fall semester of 1966 Professor Edward F. Barrett gave three lectures to interns at Memorial Hospital on the role of the physician in personal injury cases. (These interns later served as witnesses in our Practice Court.) He was appointed by United States District Judge William B. Jones to the Sub-Committee on Advocacy of the Section of Judicial Administration of the American Bar Association.

Professor G. Robert Blakey continued his activities as a Special Consultant on organized crime to the President's Commission on Crime and the Administration of Justice, traveling to Washington both in November and December to be present during the final deliberations of the Commission. Following the completion of his work, James Vorenberg, the Executive Director of the Commission, now professor of law at Harvard, wrote that it "obviously would be an understatement to say that [Professor Blakey's] work had a distinct impact on the work of the Commission." Professor Blakey also prepared an amicus brief for the Attorneys General of Massachusetts and Oregon and the National District Attorneys' Association in the Supreme Court of the United States in Berger v. New York, 87 S. Ct. 1873 (1967), decided June 12, 1967. The case involved the constitutionality of New York's permissive electronic surveillance statute. While the statute was struck down, Professor Blakey's basic contention was upheld, namely, that electronic surveillance is not necessarily unconstitutional.

In October and May, he participated in the Fourth and Fifth Conferences on Organized Crime, held in Oyster Bay, New York, and sponsored by the School of Criminal Justice of the State University of New York.

...
New York and the New York City Police Department. In March, Professor Blakey participated in the First National Symposium on Law Enforcement, Science, and Technology held in Chicago. This was jointly sponsored by the United States Department of Justice and the Illinois Institute of Technology. In June, he participated in a Symposium by the Bar Association of the Seventh Circuit on electronic surveillance. In April and in July, he appeared before the Celler Committee in the House of Representatives and the Long and McClellan Committees in the Senate, and testified on the subject of organized crime and pending legislation dealing with electronic surveillance.

Recently Professor Blakey was made the Reporter on electronic surveillance for the American Bar Association's Project on Minimum Standards in the Administration of Justice. In addition, he was invited by Harper and Row to prepare a text on organized crime to be used in sociology courses.

Professor William M. Lewers, C.S.C., was given leave of absence and reassigned to non-teaching duties. Mr. John A. Buczkowski rejoined our Faculty to teach Torts, the subject taught last year by Professor Lewers. Mr. Buczkowski taught this subject for three years before Professor Lewers was assigned to our Faculty and is thoroughly familiar with it.

Professor Edward J. Murphy has served as a member of the National Committee for Amish Religious Freedom, which is supporting an appeal to the United States Supreme Court of a Kansas Supreme Court decision, Kansa v. Garber. Professor Murphy has also been active as a member of the Board of Directors of the Indiana Federation of Citizens for Educational Freedom. In the latter capacity he has made numerous appearances throughout the State before private groups and legislative bodies. He continued the past year as one of the moderators of "The Professors," a local television program which features members of the Notre Dame Faculty.

Professor John T. Noonan, Jr. was given leave of absence to teach at the University of California at Berkeley. He edited the Natural Law Forum, however, and will continue to do so.

Professor Roger Paul Peters, upon special invitation, attended a ceremony at the White House in February at which the President celebrated the adoption of the Twenty-Fifth Amendment to the Constitution. Professor Peters participated in a television program ("The Professors") conducted by Professor Murphy on the subject of State and Federal Income Taxes.

Professor Robert E. Rodes completed a final revision of the first volume of his legal history of the English church establishment, and started on the second. This summer he was elected chairman of the Faculty Committee to assist the President in choosing my successor. He also assisted Professor Piero L. Frattin of the Theology Department in preparing a Summer Institute of Matrimonial Canon Law, under the joint sponsorship of the Law School and the Theology Department.

Professor Thomas L. Shaffer prepared analyses of two cases, pending in the Supreme Court of the United States, for the Committee on Supreme Court Decisions of the Association of the public schools. He is a member of the South Bend Coordinating Council for Human Relations, and is a member of the Executive Committee of the Board of Directors of the Greater South Bend Housing Corporation, a non-profit corporation organized to provide housing for low-income persons. He served on the American Bar Association Committee on Recent Literature Concerning Real Property.

Professor Shaffer prepared analyses of two cases, pending in the Supreme Court of the United States, for the Committee on Supreme Court Decisions of the Association of
American Law Schools. He continued to serve as an officer of the Indiana Civil Liberties Union; the Notre Dame Chapter of the American Association of University Professors; and the Notre Dame Credit Union. He is a member of the Pre-Law Education Committee of the Indiana State Bar Association. Professor Shaffer spoke on civil liberties and estate planning to groups on and off the campus, on radio and on television. Finally, he served as court-appointed counsel for an indigent petitioner for habeas corpus in the United States District Court, the Court of Appeals in Chicago and in the Supreme Court of the United States.

Professor Bernard J. Ward concluded his duties as Reporter for the Advisory Committee on Appellate Procedure. The rules he drafted have been approved by the Judicial Conference of the United States and sent to the Supreme Court for adoption. He accepted a position as Consultant to the Commission to Revise the Civil Practice Code and Rules of Court of the State of Indiana.

All members of the Faculty joined me in urging higher pay for South Bend policemen.

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SPECIAL EVENTS

SYMPOSIUM

One of the means by which we have sought to dramatize public-law problems and responsibilities has been a series of symposia, each dealing with a highly controversial problem of urgent national concern. The following have been considered in this way:

- Legislative Investigations
- The Role of the Supreme Court in the American Constitutional System
- Problems and Responsibilities of School Desegregation
- Labor Union Power and the Public Interest
- Next Steps to Extend the Rule of Law
- Interstate Organized Crime
- The Constitutional Amendments Proposed by the Council of State Governments
- Violence in the Streets
- Poverty and Justice

In keeping with the tradition thus established a symposium on Fair Trial vs. Free Press was held on February 18, 1967. Various aspects of this hotly debated subject were presented by the following:

- Mr. Grant B. Cooper, Member of the American Bar Association Advisory Committee on Fair Trial and Free Press and Past President of the American College of Trial Lawyers
- Professor Thomas L. Shaffer of our Faculty
- Mr. John deJ. Pemberton, Executive Director of the American Civil Liberties Union
- Mr. Sam Ragan, Executive Editor of the News and Observer, Raleigh, North Carolina, and Past President of the Associated Press Managing Editors Association
- Mr. William Smith, Chief of Police of Syracuse, New York
- Mr. Frank G. Raichle, Member of the Advisory Committee on Federal Rules of Evidence of the Judicial Conference of the United States and Former President of the American College of Trial Lawyers

The Symposium was the responsibility of Assistant Dean Broden, and all arrangements were made by him. The papers presented at the Symposium were published in a special issue of the Notre Dame Lawyer last June.

LAW HONORS BANQUET

The President of the American Bar Association, Mr. Orison S. Marden of New York, was the featured speaker at the Law Honors Banquet.
Banquet on May 1, 1967. This annual affair affords an opportunity to salute the members of the student body who have distinguished themselves in one way or another. In addition, as in each of the last several years, it was the occasion for a joint observance of Law Day U.S.A. by the Notre Dame Law School and the St. Joseph County Bar Association. Mr. Marden's predecessor as President of the American Bar Association, Mr. Edward W. Kuhn of Memphis, addressed last year's Law Honors Banquet; and his successor, Mr. Earl F. Morris of Columbus, Ohio, will speak in 1968. Mr. Morris' visit will mark the eleventh consecutive year in which the Law Honors Banquet has been addressed by the President of the American Bar Association. Mr. William T. Gossett of Detroit, who will succeed Mr. Morris as President, has already agreed to address the Banquet in 1969. His appearance will mark the twelfth consecutive year in which our School has been thus honored. I should not have referred to Mr. Gossett's appearance but rather to his reappearance, since he presided over our first symposium in 1954.

Mr. Marden's address included the following trenchant observations:

Law Day U.S.A. was conceived by a lawyer and former president of the American Bar Association, Charles S. Rhyne, of Washington, D.C., who envisaged the occasion as a "dramatic opportunity for the American people to reaffirm their faith in law and justice as the only foundation for peace in the world."

The date—May 1—was chosen to direct attention to the sharp contrast between freedom under law in the United States and governmental tyranny under communism. The objectives of Law Day U.S.A. are three-fold: (1) To foster a greater respect for law and the courts which safeguard the rights of all citizens, (2) To encourage responsible citizenship by demonstrating that individual rights and freedoms involve individual obligations, and (3) To emphasize the basic values of our legal system as contrasted with the rule of force under communism.

In a society such as ours the effectiveness of law enforcement and the stability of the administration of justice depend upon respect for law and upon the willingness of citizens to actively support law enforcement. Chief Justice Charles Evans Hughes fully grasped this when he said:

"We have in this country but one security. You may think that the Constitution is your security—it is nothing but a piece of paper. You may think that the statutes are your security—they are nothing but words in a book. You may think that the elaborate mechanism of government is your security—it is nothing at all, unless you have sound and uncorrupted public opinion to give life to your Constitution, to give vitality to your statutes, to make efficient your government machinery."

This is one of the truths that Law Day seeks to inculcate in the minds of Americans of all ages, and especially young people. It seeks to acquaint them not only with the mechanics of our legal system, but with its philosophy, and the role of our independent courts. We want young people particularly to understand and appreciate what living under the rule of law means to them now and in the years ahead—to comprehend that all of the freedoms, privileges and opportunities of American citizenship are dependent upon voluntary compliance with law and upon the effective functioning of our legal processes.

Let me urge upon you lawyers-to-be, at the earliest opportunity, to undertake the defense of an unpopular cause. You will find that it brings to you professional satisfactions derived in no other way. I have found that to be so as have some of my friends. Like the white-coated doctor who removes the appendix of the convicted murderer, the lawyer who stands by the side of the unpopular defendant rises to the highest traditions of his profession. He is defending and preserving the system which makes us great, and justice as the only foundation for peace in the world.' Let us prove by act and deed the truth of those great phrases.

My own remarks on that occasion have been expanded into an article entitled "Law Day 1967, Vietnam and the Draft," which will be published shortly in the American Bar Association Journal.

SUMMER PROGRAM—MARRIAGE CANON LAW

Like Professor Noonan, Professor Robert E. Rodes, Jr., of our Faculty has a good grasp of the canon law. Professor Rodes assisted Professor Piero L. Frattin, J.C.D., of the Theology Department, an advocate of the Roman Rota, in establishing a program in matrimonial canon law that was offered by the University of Notre Dame this summer—the first such program offered by any university in the United States. The orientation of this particular program was entirely practical; the purpose was to teach people to handle the cases that make up the great bulk of those now clogging these tribunals—cases in which no subtle legal problem is involved but in which the services of a competent person are required to elicit the relevant facts and present them in an orderly way.
The program or seminar was offered over a span of four weeks and resulted in the awarding of a certificate. Clerical graduates of the program no doubt will work as judges or advocates in their diocesan tribunals, many of which, especially in the smaller dioceses, appear to be extremely hard up for trained personnel. "Seminars of this type," writes a prominent Eastern Monsignor, "are of great assistance to men working on matrimonial cases. They can, and I hope will, encourage the participation of laymen in the processing of marriage cases."

In view of the success of the undertaking this summer, it will be repeated every summer and, we believe, will grow steadily in size and influence.

During the past year, because of an increase in the Library budget by way of a supplemental appropriation, we were able to add 836 new titles to the collection, as well as 1481 continuation volumes.

In addition, a major reorganization of the materials in the Library was accomplished by our Law Librarians, Mr. and Mrs. Farmann, which greatly facilitates the use of these materials. This reorganization, however, underscores the space problem that is taxing the Library’s resources to the outermost limits.

This is a problem I have pointed out again and again. It demands solution. To be specific, as I have said repeatedly in earlier Reports, there is need for additional room in the stacks and for offices. The Building has two wings, both on the east side, one at the north and the other at the south end. According to the University’s architect, the simplest and most economical way to obtain the necessary additional space is to extend the Building by running a wall south from the eastern tip of the northern wing, and then west to the southwest corner of the Building. This would convert the present L-shaped structure into a rectangle. The space thus gained would provide shelf room for almost twice the number of volumes we now have, as well as student carrels and urgently needed Faculty and staff offices.

The estimated cost of the addition is $664,446. We have obtained a grant of one-third of this amount, or $214,815, from the United States Office of Education. The balance, or $449,631, is microscopic in comparison with the millions of dollars being poured into the erection of new structures and the remodeling of old ones for almost every purpose except education in law. Does not this overlook "the fundamental fact that law directs the ongoing of society? It is rooted in the past, determines the present, and protects the future." James A. Michener, Hawaii, p. 530 (Random House, Bantam).

I began talking about the inadequacies of our physical plant thirteen years ago, and have continued to talk about it ever since. It’s time to move.

The University of Notre Dame is in the midst of an explosion of building, and I can perceive no reason why this modest enlargement of our physical plant should not be given a very high priority—and I have every reason to believe that it will.
NATURAL LAW INSTITUTE

The eleventh annual meeting of the Editorial Board of the Natural Law Forum was held September 30 and October 1. It was addressed by Professor Charles Fried of the Harvard Law School, speaking on "Reason in Action.

Contributors to the eleventh issue of the Forum represented six nations and ten universities in this Country and abroad.

The Editorial Board suffered the loss of one of its founder members, Professor Heinrich Rommen of Georgetown University, who died in May, 1966.

In addition to the Editor-in-Chief, Professor John T. Noonan, of our Faculty, the following are members of the Editorial Board:

Professor Vernon J. Bourke, St. Louis University
Mr. George W. Constable, Baltimore
Professor David Daube, Oxford University
Professor A. P. d'Entreves, Turin University
Professor Carl J. Friedrich, Harvard University
Professor Lon L. Fuller, Law School of Harvard University
Rev. Bernard Haring, C.Ss.R., Pontifical University in Rome
Professor E. Adamson Hoebel, University of Minnesota
Professor Iredell Jenkins, University of Alabama
Professor Harry W. Jones, Columbia University School of Law
President Edward H. Levi, University of Chicago
Professor Antonio de Luna, University of Madrid
Professor Myres S. McDougal, Yale University Law School
Professor F. S. C. Northrop, Yale University Law School
Professor Adolf Portmann, University of Basel

Notre Dame Law Association

Without the Notre Dame Law Association our School would go down the drain. This is true because the Association raises the money so desperately needed to provide scholarships to talented students who, otherwise, could not afford to study law at Notre Dame. Under the leadership of its President, Mr. Philip J. Faccenda, '51, the amount raised last year for the Law Scholarship Fund was $99,959.55.

Mr. Joseph A. Tracy, '42, of New York City was elected President at the annual meeting, and I have every reason to believe that he will exceed the accomplishment of his predecessor. Mr. Faccenda, by the way, has withdrawn from his law practice in Chicago to become Special Assistant to the President, Father Hesburgh.

As a matter of fact, Mr. Tracy will have to exceed the accomplishment of his predecessor, for the simple reason that dues have been abolished. That means, of course, that all expenses must come out of the Law Scholarship Fund. Obviously, this will have an adverse effect unless we can markedly increase contributions to the Fund—and that increase will be forthcoming.

Other officers elected at the annual meeting are:

President-elect, Mr. George B. Morris, Jr., '40L, Detroit
Regional Director—Region No. 1, Mr. Hugh F. Fitzgerald, '34, New York City
Regional Director—Region No. 2, Mr. Alphonse A. Sommer, Jr., '50, Cleveland
Regional Director—Region No. 3, Mr. George W. Vander Vennet, '32L, Davenport
Regional Director—Region No. 4, Honorable Victor H. Fall, '27L, Helena

Before proceeding to list the Directors of the Association, I have a question. What makes the Association tick? The answer is easy and recognized by all—Mrs. Jeannette Allsop, its Executive Secretary. She is dedicated, energetic and efficient. In short, she has done a magnificent job.

Directors of the Association, including the officers, follow:

Term expiring in fall of 1968:
Mr. William E. Brown, '28, Milwaukee
Mr. Philip J. Faccenda, '51, Notre Dame
Honorable Victor H. Fall, '27L, Helena
Mr. E. Milton Farley III, '52L, Richmond
Mr. James C. Higgins, '55L, Beckley, West Virginia
Mr. Gerald J. McGinley, '26L, Ogallala, Nebraska
Mr. William P. Mahoney, Jr., '40L, Phoenix
Mr. George E. Fletcher, '51L, Houston
Mr. William H. Schroder, '35, Atlanta
Mr. David M. Thornton, '53L, Tulsa
Mr. George W. Vander Vennet, '32L, Davenport
Mr. Lawrence Weigand, '26, Wichita
Mr. James W. Wrape, '25L, Memphis

Term expiring in fall of 1969:
Mr. John I. Bradshaw, '54L, Indianapolis
Honorable John Coryn, '53L, Rock Island, Illinois
Mr. William B. Dreux, '33, New Orleans
Mr. James Feratel, '50L, Chicago
Mr. Hugh F. Fitzgerald, '34, New York
Mr. Edward J. Gray, '58L, South Bend
Mr. Lawrence A. Kane, Jr., '57L, Cincinnati
Mr. Graham McGowan, '46L, Washington, D. C.
Mr. Hugh J. McGuire, '60L, Detroit
Mr. Ronald P. Mealey, '36L, Wayne, New Jersey
Mr. George F. Meister, '56L, Miami
Mr. Paul J. Meyer, '67L, Chicago
Mr. Alphonse A. Sommer, Jr., '50, Cleveland
Mr. Joseph C. Spalding, '52L, Denver
Mr. Joseph A. Tracy, '42, New York City

Term expiring in fall of 1970:
Mr. Richard P. Byrne, Los Angeles
Mr. John M. Crimmins, '33L, Pittsburgh
Mr. Dana C. Devos, '39L, Bangor, Maine
Mr. Louis J. Hollenbach III, '62, Louisville
Mr. F. James Kane, Jr., '60L, Buffalo
Honorable John F. Kilkenny, '25L, Portland, Oregon
Mr. Frank M. Manzo, '52, Santa Ana, California
Mr. George B. Morris, Jr., '40L, Detroit
Honorable Gilbert Prendergast, '30, Baltimore
Mr. Daniel J. Sullivan, '40, St. Louis
Mr. Joseph P. Summers, '63L, St. Paul
Mr. Martin Torborg, '34L, Fort Wayne
Mr. William A. Whiteside, Jr., '51, Philadelphia

For a number of years the Notre Dame Law Association has been gathering momentum. That it will continue to do so I have no doubt whatever—I am equally certain that its effectiveness and value to our School will continue to increase.

Notre Dame Law School

LAW ADVISORY COUNCIL

The Council was reorganized under a plan evolved by the University administration. In consequence, members are divided into senior and active members. The following elected to become senior members:

Mr. Oscar John Dorwin, '17, New York
Honorable Charles Faby, Washington, D. C.
Mr. James T. Finlen, Fort Lauderdale

Active members follow:

Mr. Norman J. Barry, '48L, Chicago
Honorable Hugh C. Boyle, '24, Pittsburgh
Mr. John E. Cassidy, '17L, Peoria
Mr. Patrick F. Crowley, '33, Chicago
Honorable Charles S. Desmond, Buffalo
Mr. John W. Dorgan, '29, Chicago
Mr. Louis J. Finske, '19L, Jacksonville
Mr. Thomas P. Ford, '40, New York
Mr. George H. Gore, '48L, Fort Lauderdale
Mr. Paul F. Heillnuth, '40, Boston
Mr. John T. Higgins, '22, Detroit
Mr. Henry M. Hogan, Birmingham, Michigan
Mr. H. Clay Johnson, '34L, New York
Honorable Roger J. Kiley, '23L, Chicago
Honorable William B. Lawless, '44L, Buffalo
Mr. J. W. Mullin, Jr., Los Angeles
Honorable Walter V. Schafer, Chicago
Mr. Edmund A. Stephen, '33, Chicago
Mr. James F. Thornburg, South Bend
Mr. Bernard J. Voll, '17, South Bend
Mr. A. Harold Weber, '22, South Bend

The resignations of Mr. Morris B. Abram of New York, Senator Robert F. Kennedy of New York and Mr. Ross D. Siragusa of Chicago were accepted with regret.

Honorable Charles S. Desmond, retired Chief Judge of the State of New York, was awarded an honorary degree at commencement exercises in June. The citation accompanying the degree read as follows:

For a number of years the Notre Dame Law Association has been gathering momentum. That it will continue to do so I have no doubt whatever—I am equally certain that its effectiveness and value to our School will continue to increase.
On a truly distinguished American Jurist and a great servant of his state and of the nation. More than a quarter of a century ago this man ascended the bench of the high court of the State of New York. It was then a bench long hallowed by the mighty names which had preceded him there. In length of service he has eclipsed them all; in the quality of his work he has achieved an enduring place in the front of their ranks. Of Chancellor Kent, perhaps the most illustrious of his predecessors, it is written: "He gave to the common law in its new home fresh vitality and power." Of this man it may be as truly written: "He received the common law from the masters of its tradition, informed it with his progressive spirit, his deep humanity, and his passion for justice, and passed on a richer heritage than he had received." But, in truth, it is too early to know the full measure of his already monumental contribution. His retirement from the New York Court of Appeals last year he has regarded only as a release for labors elsewhere. He now leads his state into a Constitutional Convention. There he urges his people toward new frontiers of law reform and effective administration of justice.

For the many volumes of his decisions which have enriched our law in very nearly every area of its concern; for a lifetime of public service as judge, scholar, and teacher; for years of friendship and counsel to this University.

On Charles Stewart Desmond, the degree of Doctor of Laws, honoris causa.

An honorary degree was awarded also to Mr. Edmund A. Stephan, '33, of Chicago. He and Mr. Paul F. Hellmuth, '40, of Boston, were further honored by being elected President and Secretary, respectively, of the University's Board of Trustees.

CONCLUSION

It was generally understood that the academic year 1966-67 would be my last year as Dean, and Father Hesburgh appointed a committee to recommend a successor. I appeared before that committee and should like to quote here my concluding remarks:

... I haven't resigned and don't intend to resign. I'm in better health than I've been for some years. I'm not tired and haven't lost interest in being Dean. I don't desire retirement. But I read in a speech by a former president of the DuPont Company, six or seven years ago, a statement which convinces me completely. Here are his words, "One of the primary duties of a chief executive is to assure continuity of leadership, to sense when the new leadership is ready and then leave the scene so that his successors can make their own contribution in vigor of their prime." I believe that deeply. So, about two and a half years ago, I approached Father Solita, then Academic Vice-President of the University, and told him I was ready to step aside whenever the University wished me to do so. On the eighth of last November I had lunch with Father Walsh, Academic Vice-President, showed him the quotation I have read you and told him I felt the time had come. It is better to leave too soon than to stay too long. In that connection I remember a statement by Chief Justice Hughes, who said that the judges who by all odds ought to resign or retire were the very ones who did not realize it. Yes, it is better to leave too soon than to stay too long. My only concern now is that the vigor, the strength and sound health of the Notre Dame Law School shall be preserved, and its excellence increased to greater and greater heights of excellence.

Subsequently I was asked to continue as Dean until next July. After stepping down as Dean, I expect to continue in the School I love as Director of Admissions.

Respectfully submitted,

JOSEPH O'MEARA
Dean

September 1, 1967
FACULTY PUBLICATIONS
1966-67

G. ROBERT BLAKEY
Articles:

J OHN J. BRODERICK
Book:

CONRAD L. KELLENBERG
Article:
The Law of Insanity, accepted for publication in Encyclopaedia Britannica.

EDWARD J. MURPHY
Article:

J OHN T. NOONAN
Book:
Articles:

Joseph O'Meara
Articles:

ROGER PAUL PETERS
Book Review:

ROBERT E. RODES
Article:
Sub Deo Et Lege, A Study of Free Exercise, accepted for publication in Religion and the Public Order.

THOMAS L. SHAFFER
Book:
Articles:
Direct Restraint on the Press, 42 Notre Dame Lawyer 865 (1967).
Snow's Justice, accepted for publication in the California Western Law Review.
The Overture in a Well-Drawn Will, accepted for publication in The Practical Lawyer.