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Class of 1970 Fifteen Year Report Alumni Comments

University of Michigan Law School

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RESPONSES FROM MEMBERS OF
THE CLASS OF 1970
TO THE LAST QUESTION ON SURVEY ASKING FOR
"COMMENTS OF ANY SORT ABOUT YOUR LIFE
OR LAW SCHOOL OR WHATEVER"

* * * * *

While I am generally happy with the type of work I do and the environment I live and work in I am dissatisfied financially. It is very difficult to make money representing individuals and small businessmen on an hourly rate. High overhead and excessive write-offs because small businessmen can't afford protracted litigation make the financial aspects of my practice difficult and terribly frustrating.

Law school must do more (than when I was there) to initiate students into the actual practice of law, as medical school does with its students. I knew very little of factual investigation, client and witness interviewing, direct and cross examination and trial tactics upon leaving law school. This is not for everyone, but everyone ought to have the opportunity to actually practice it before entering the "real world." (Maybe they now do.)

New graduates should not learn how to actually be lawyers after leaving law school. They should learn this in law school. Substantive learning isn't enough. Some learning by doing is essential. (E.g., in addition to learning substantive contract law principles, students should learn how to draft them. It's always harder to put something together in toto than to pick it apart by attacking one point or another.)

I find that the lawyers coming out of Law School during the last 5 to 8 years are much more concerned about money than during the Class of 1970. I find less idealism and more tendency to treat law as a business rather than as a total profession.

It would be helpful if law school would orient its courses more to litigation (i.e., what needs to be proved, how you do it, how you pick and persuade a jury, how you take depositions, etc.). Although Michigan provided a great theoretical education, it did very little to prepare me for the actual world.

Although I do think the curriculum had a serious gap when I was there because it almost ignored the existence of nonprofit and tax-exempt corporations, I must admit the Law School gave me the skills necessary to learn it myself. That, I assume, is a primary objective of quality legal education: to teach people to think so they can master new substantive materials themselves throughout their careers.

Our profession consists of too many fine minds who lack common sense. Unfortunately, many of these people become judges. They then make rules that promote a great deal of cynicism on the part of our citizenry toward the law.

The public perceives our profession negatively. They see criminals being protected by legal decisions that are supposed to protect liberty but fail to protect life. They see personal injury suits that include clearly non-negligent parties joined in the suit as defendants. They see our "CUT" of successful awards as too high. They blame us for the increase in insurance costs. One asks, why should anyone trust a legal system which presides over the trial of a man accused of shooting its President; where the shooting was recorded and witnessed by millions of people; and where the man was found not guilty upon the judge-made definition of insanity prevailing in that jurisdiction. We as lawyers may think it was the pinnacle of justice. The public thinks we are crazy and they do not trust our creation. We had better do something about that before the public takes away our responsibilities.

The law school did a good job. -- I have few complaints except I never saw both sides of a few areas i.e. labor-management side and constitutional law-government side. Neither has caused me any problem.

Life is really great and my wife is a great partner.

Small town I practice/live in (3,500) has agriculture-based economy, in great flux. Somewhat low income area. 'Natives' very conservative and suspicious of 'education' and 'outsiders.' Tend not to seek nor follow advice and to 'blame' others for their problems of all kinds. I was 3rd lawyer in town in 1971 and one retired in 1978. There are now 5 attorneys in town (4 full, 1 part-time) and 3 others who commute to or from town to work. There are simply too many lawyers for our area and all must scramble for available work. I feel very dissatisfied with the lack of financial rewards in the profession. Legal ability, hard work and integrity are personally rewarding but (totally) unappreciated by many prospective clients who operate from 'good ol' boy' connections. Time for a career change!!!?

My overall experience at the Law School was extremely satisfying -- academically, intellectually, and socially, with the faculty, students, and deans, despite some discrimination which is to be expected, and which unfortunately will always be present at the Law School and throughout society.

My law school experience was quite good but compared to my undergraduate experience at Cornell (liberal arts) it came in second place intellectually, socially and otherwise.

I entered U of M in my second year (I transferred from Ohio State), so my time at Michigan was not normal 3 years. My college record did not warrant admission to U of M, but my first year law school record plus the number of vacancies due to the Vietnam War draft resulted, I believe, in a somewhat lower admission standard. I made it through Michigan (2.5 grade point), but I certainly didn't excel. I worked hard, but either my lack of a first year preparation at Michigan or simply stiff competition resulted in primarily C and C+ grades. Interestingly, I was able to land a summer job in NYC with a large Wall Street law firm and, after a good summer, came back to work there on a permanent basis. I got interviews and job based upon my first year at O.S.U., but I did well enough to warrant staying customary 4-5 years before leaving for something else. I often wonder, had I stayed at O.S.U., where the competition was not as keen and where I was near the top of the class, whether I would have come out of law school better equipped to function as a lawyer and better able to see the "big picture" of law as a profession. (I was too busy staying up with my studies to be able to take time to "smell the roses.") I am grateful for the opportunity to attend and graduate from U. of Mich. and will always be proud of that accomplishment. However, had I not gone to Mich. or to Wall Street, perhaps I would have found my niche in a good, quality Cleveland law firm and today be a partner instead of a senior staff attorney, adequately paid but capable of much more, if pushed a little.

Michigan gave me a great legal education! - I also gained a fantastic wife!

My Michigan Law degree impresses my peers and has given me the confidence to handle private law practice without taking a back seat to anyone!

I probably would have studied much harder in law school, but I loved the Village Bell, the Pretzel Bell, Dominic's and other great places. I also miss my fellow students and the good times we had together. Of course, the faculty was simply outstanding!

I'm having a great life!!!

The problem I find with law school is it teaches the theory of law, not how to be a lawyer.

The basic training that we must give an incoming Associate is how to be practical and think like a businessman.

Don't destroy the law school experience with clinical courses. They cannot prove of much benefit and necessarily take time away from far more important activities and courses.

Regarding the questionnaire:

Income: As a sole practitioner I see my income fluctuate greatly from year to year. My hourly fee varies between \$85/standard and 70/hour for one major client.

% Estimates: These are "guesses" and if you asked me next week I probably would guess different numbers, but I tried to be close. I have found that my practice seems to have greater variety than that of my friends in law. I do like the variety but it does exact a toll as "stress" from having to handle 6 to 10 different "topics" each day or areas of the law.

Life in general and law school:

I still bear a great resentment that during law school I asked for and received no financial help from the school although both my parents were deceased and I had limited income--while some other fellow students received substantial aid (grants and loans) although they had families who were quite well off that could and did help them.

Law School does nothing to prepare the young attorney going into litigation for the incredible timewasting, delays, inefficiency, and arrogance that is often encountered in some courts or before some judges -- it is refreshing to be before a caring, helpful, efficient, and knowledgable judge but all too rare.

I am enjoying and have enjoyed the practice of law fairly well. A key to this is my enjoyment of the area of the law in which I practice. Unfortunately my recent separation has cast a cloud on my entire life, but I have tried not to let it color my feelings and opinions for this questionnaire too much.

I still keep up with several classmates and have many fond memories of law school. I feel very fortunate to have been able to go to such a fine school.

The reputation of the Law School has always proven advantageous in seeking employment and dealing with other lawyers. Generally, I believe I obtained a fine legal education at the Law School. However, I've never felt a "part" of the school, nor do I have fond memories of it. Rather, I've always felt some animosity toward the place, principally, I think, due to the absence of a sense of community at the school. With few exceptions (Olin Browder, Paul Kauper), the faculty radiated a sense of elitism. Faculty seemed unapproachable and disinterested in all but the outstanding student. They may have been neither, but I was always too afraid to find out; it seemed unnecessary to confront the aloofness, or worse, more often than required. The faculty seemed more interested in their own work--and reputations--than in the students. As a consequence, the experience was less than it could (and perhaps should) have been.

After eight years in private practice doing trial work, I abandoned it for a corporate position. I couldn't have obtained the latter position, or been as effective at it, without the former experience, but the first eight years were hell by comparison.

I find government work socially rewarding and, because my wife is working, financially adequate. I have learned that I would prefer representing (advising) an agency or a corporation to private practice with many clients. However, I do like variety, and the challenge and stimulation has largely gone out of the work in communications and energy areas. Still, this must be more interesting, I feel, than many other areas of law and policy I could be dealing with now.

Broader social issues are becoming more important to me, as they seem more urgent (e.g., nuclear freeze, Central America, balanced Federal budget, population control, diminishing ecology and environmental quality). I'm developing a private interest in learning more in areas of social science (psychology, sociology) and natural sciences (anthropology, biology).

The ideal job for me, right now, would be U.S. Representative or Senator--i.e., I can see myself doing a good job, and the work would be stimulating and rewarding. However, I am dismayed at the very low intellectual level of American politics, and the process, and the increasing media (especially TV) captivization of American opinion, and trivialization and simplification of issues. As a nation, it seems to me we are becoming less pragmatic, and more dogmatic or ideological, in our approach to critical issues.

So, while I enjoy my work and use of my legal skills, I find that problems of society (here and globally) are encroaching on my thinking more and more, and I feel a greater need all the time to try to do something in these areas.

I see the following deficiencies in most new lawyers, and it is not clear that additional course work can provide an answer - maybe--

1. Inability to read statutes as opposed to cases and be able to apply them.
2. Inability to solve problems involving the co-ordination of several areas of law. E.g., a tax shelter must co-ordinate Partnership law, Tax law, Securities, Contracts, and sometimes Corporations. Financing a business involves co-ordinating Corporate, Tax, Securities, UCC, Banking, etc. I don't expect new graduates to be proficient at those arts. Too many don't even know how to start--they try to solve each problem with reference to an area of law but have trouble with overlaps into

other areas--finding a solution to all issues at once.

3. Corporate law is well taught. Partnership law could use more emphasis, including tax aspects.

Although I have indicated that certain practical aspects of law were not taught in law school, I would hate to see U of M become a trade school!

How can one pass an opportunity to comment about 'life' when one knows that the surveyor is waiting so anxiously for words of wisdom to come forth from these respondents?

This morning I woke at 4 AM and checked the sky to see if it was clear. It was, so I woke my 9 year old daughter, got dressed and made a thermos of hot chocolate. We went to a local donut shop where the proprietor seemed surprised to see so unlikely a pair at 4:30 in the morning. With a half dozen donuts we went to a country road outside the city to set our comet vigil. I left the car running with Jennifer inside while I scanned the southern and eastern horizon, straining to make out the constellations that were on my star map. Finally I confirmed Scorpius (after maybe 40 minutes in the -10 air), then Sagittarius 10 minutes later. (I came into the car to warm up and have some hot chocolate and check the map from time to time). Finally I could make out the 'spoon' (so called by Dick VanEffen - local amateur astronomer in his star map) above and to the left of Saggitarius. To the left I could see Halley's Comet! Mind you, it was more of a wispy smudge--but a comet nevertheless and I called Jennifer from the car to share it with her. There we stood in the ten below air looking at a once-in-a-lifetime starry visitor across a million miles of space. And we were closer because of it. Of what value are our accomplishments and discoveries without someone close and caring to share them with? Life and love are richer in the sharing between two caring people.

When I went into the Army out of law school I knew my future was uncertain. I accepted the fact that I might die in Vietnam and resolved that if I came back alive, each day would be one more glorious reprieve from death, the icing on the cake. God has been good to me and blessed me with a loving wife, two fine healthy children and work that I enjoy and look forward to every day. I really can't expect more out of life except to give and share my feeling with others I love; and the more you give away, the more you receive in return. If more people would open their eyes to their own special blessings and expect less and give more, they would be happier and healthier. I didn't learn this in law school. It isn't taught anywhere that I know of except by example--by enthusiastic people full of life and warmth and love for their fellow men. Even death does not stay their spirit but they live on:

"I bequeath myself to the dirt to grow from the grass I love
If you want me again look for me under your boot-soles."
"You will hardly know who I am or what I mean
But I shall be good health to you nevertheless
And filter and fibre your Blood."
"Failing to fetch me at first keep encouraged,
Missing me one place search another,
I stop somewhere waiting for you."

(W. Whitman)

I continue to believe strongly that my experience at Michigan opened my eyes to the intellectual development of law. The two basic reasons for the school having such a profound influence on me as a person and as a lawyer are (i) the top quality professors who were able to awaken my latent thinking ability to spot issues and (ii) being associated with exciting and talented classmates. I still keep in close contact with professors and classmates. Rather than retaining the specific content of courses, the approach and analytical scheme followed by giant professors is something that will continue to allow me to develop as a lawyer. Michigan, in essence, gave me the tools to apply to the cutting edge of all issues. I remember fondly Dean Allen's farewell speech to our class indicating that we were leaving an intellectual environment that could not be duplicated. He was right but I was able to take with me the ideal of striving for excellence and the ability to think and live in a life complicated with legal principles. So far, I think my experience has given me an advantage over others, particularly in the honest and ethical approach to solving legal problems.

I remain moderately liberal but I have just finished a major civil rights case which gave me an uneasy feeling toward one of the country's leading civil rights law firms. I found that they were morally arrogant and that they could not focus on legal issues in anything but a strident and intellectually dishonest way. I am quite concerned that a reverse McCarthyism is rife within the civil rights bar. I find the attacks on recent appointees to federal judicial positions as examples of excess zeal. I fear a lesson of Watergate is being lost on the civil rights bar--there is, in fact, a limit on justifying any means simply because one has strong personal feeling. For these reasons, I encourage the Law School to consider a course on personal humility and tolerance. Although one can and should take courses on social and economic issues, we should not infer to law students that judges have some special dispensation to apply their personal views. The intellectual arrogance that could possibly exist at Michigan needs to be guarded against so that one does not feel he has a pipeline to God so to speak. I find more and more gray areas in the law but my education has given me the ability to wrestle with ambiguities in what I am satisfied is an honest, moral and intellectual way that benefits society. The common man is not so bad as some philosopher kings

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might imagine.

Michigan remains the one known place where I would return to accept a faculty position. Given my background, I feel very fortunate to have attended Michigan.

I was disappointed that the faculty kept to itself and there were not many opportunities to get to know the professors as individuals. I taught law school for one year immediately after I graduated - I found the atmosphere at the other school much friendlier than Michigan's.

I enjoyed law school immensely and would like to thank the faculty for a thoroughly enjoyable education.

Private firms must learn to operate in a business-like fashion yet retain their professionalism. Partners interact as opponents in litigation might. Consequently, stress is created in addition to the stress of representing others in their problems. I wish the law schools could spend some time helping fledgling lawyers curb their aggressiveness in such situations and teach some business and organizational theory. As former managing director of my firm, I am extremely conscious of the lack of training and, frankly, interfering nature of the typical lawyer personality. Some emphasis should be put on "not fouling one's own house." I find private practice, for me, to be interesting, but not with a group. The price has become too high.

1. As a married student, I did not pursue an active social life on campus while in law school.

2. In my first 7 years in practice I had considerable appellate court experience (not evident from current answers to questionnaire questions).

3. I began law school in the summer and attended year-around, but took off the third summer to clerk with my current firm, thus graduating in Dec. 1970. I appreciated the ability to accelerate the time to graduate by the summer option.

4. I attended law school paying out-of-state tuition, on a half-grant, half-loan basis (through the law school). The loan has been repaid for so long I cannot recall its amount.

5. I am proud of U-M Law School and will always be its booster. Keep up the outstanding reputation.

1. The faculty was excellent!

2. Classes were too large!

3. Student body was outstanding!

4. Law School has an excellent reputation and it is well deserved.

Personal and family priorities have become increasingly important. Professional and business efforts have been intentionally limited in favor of personal and family time. Achieving high success professionally does not seem as important now, nor does it seem to merit substantial sacrifices affecting family and friends.

Law School was effective in teaching me how to think and analyze problems. However, increased attention should be placed on skills in dealing with people, especially negotiating skills.

I enjoyed my time at U of M Law School very much. It was one of the best times of my life.

Law School taught me to think like a lawyer, so as to be better able to identify or create viable legal issues.

Law School provided absolutely no training in how to be a lawyer, particularly a trial lawyer. While I am sure that opportunities for such training were available to limited extent, on a volunteer basis, programs which in retrospect I certainly would have made better use of, no such courses were included as part of the required curriculum or emphasized as part of the mainstream of legal education.

Moot Court may have its place in legal education, but as a practical matter, a litigator will try ten cases for each appellate argument that is made. Mandatory mock trials, conducted under the rules of evidence, should be a required and essential part of law school education.

As with other things in life, now that I am older, and maybe wiser, I wish I had the opportunity to go through law school again. I would do things differently. But as time passes, I do tend to appreciate the good and challenging things about law school more and more. Despite my comments and criticisms, I did enjoy many aspects of law school and of having had the privilege of attending Michigan Law School.

I wish I had closer ties to some faculty members. When in school, professors are looked upon not as colleagues, but as superiors. Upon leaving school, it becomes apparent over the years that professors are equal colleagues in the practice of law.

I believe the Law School could carefully and selectively draw upon the extraordinary talent of the alumni in its formal instruction to students. There is a tremendous wealth of talent, ability and experience which could be discreetly tapped.

Although I have never practiced law, my education at the U of M

Law School has been invaluable in my business activities. Rarely does a week go by that I do not rely on a concept learned at Michigan. The education was superb. Also, the prestige and self satisfaction from having attended Michigan law School is an intangible of immeasurable value.

I am opposed to clinical or so-called "job-related" training in law school. I believe such training is superficial and of very temporal value.

Law school should concentrate on developing intellectual capacity and written and oral skills within the context of Anglo-American legal principles.

Based upon my experiences in the practice of law, I regard my law school training as having been very valuable. Both course content and curriculum have proven to have provided excellent preparation for the practice of commercial law in particular.

I guess there is still some conversation these days about the value of clinical programs in law school. I was heavily involved in the City of Detroit's federally funded program in 1969-70--for financial reasons (I was paid) and because of academic/compassionate tendencies in my personality.

In retrospect, the program at Neighborhood Legal Services offered few long term advantages and I might better have stayed cloistered behind Hutchins' walls.

Before attending law school, I earned an MBA at business school. The teaching style assumed some intelligence and maturity in the students; it encouraged their curiosity and creativity. The educational mode in law was diametrically opposite: intellectually stifling, condescending instructors, virtually no interest in the students' original views. Almost any other time I have spent in school, from kindergarten through my other two graduate, was more mind-expanding than my three years in law school.

Would have been helpful to have found:

- a) professors more approachable
- b) clinical opportunities
- c) career counseling
- d) more emphasis on professionalism and ethics.

Looking back, at the time, a positive experience.

I have fond memories of law school. While I only made few friends, they have been lasting ones. Also I have come to conclude there is no substitute for teachers who teach by striving to communicate with their students.

Fifteen years after I had been taught by L.H. Wright and J.J. White, my classroom experiences are still fresh in my mind.

It was great!

My wife and I live and work in a small community in rural southside Virginia. I am the County Attorney and she is the State's prosecutor. Both of these positions are part-time permitting us to maintain a private practice. I do in the main personal injury work, employment law and civil rights cases. My wife does real estate and estate work. We have two young sons, two dogs, chicken, an old house and seven acres of land. We have a good life together.

I found the University of Michigan Law School well suited to my needs. I enjoyed my stay in Ann Arbor. I felt comfortable at the University and I believe I learned a lot from some very excellent professors. I am most proud to be a Michigan Law School graduate; incidentally there are a very few of us in Virginia.

The practice of law in Virginia is another matter! The State court judges tend to be racist and arbitrary and the decisional law is biased against plaintiffs in general and working class people in particular. Indeed, the judges are "political appointees" of the legislature who in most cases should not be on the bench and would not be if we elected judges, as do most other states, or if judges were selected on the basis of strict merit. Our inadequate system of appellate review permits state trial judges to act very arbitrarily, comfortable in the knowledge that discretionary appeals are awarded in only a small fraction of the cases, civil or criminal, in which review is sought.

The federal judges are equally as bad. One federal district court judge, on the bench for twelve years, never ruled in favor of a Black plaintiff on the merits in a "civil rights type" case. Nevertheless, this same judge found numerous instances during his tenure of "reverse discrimination" involving White plaintiffs who claimed their rights were violated by the hiring or promotion of a Black co-worker, etc. There are no Black federal judges or magistrates in the state and only a handful of Black state court judges out of perhaps three hundred. Black people for good reason have little confidence in the state's legal system if their respective cases involve making claims against White persons or defending against the claims of White persons. In one of my cases, the State Supreme Court recently approved entry of a quarter of a million dollar judgment against a Black man in favor of a white college professor who claimed to have been libeled who the Black real estate developer, by implication called him a racist in the middle of a long controversy involving the rezoning

of the developer's properties. The case is now on petition to the U.S. Supreme Court. The situation is bad and contributes to a lack of respect for the legal system. Law professors should take a greater interest in the dispensation of Justice at the trial level.

You should examine closely the relationship between what is taught in law school and the arbitrary way "the law" is too often applied by the trial courts; state and federal, and to insist that minority and women lawyers, with our different perspectives, be placed on the various judicial benches in representative numbers. President Reagan has nominated only three Black attorneys to the federal bench in his more than five years in office. To my knowledge no representative of the law schools has protested that sad state of affairs which places in serious question the judicial selection process.

The University of Michigan Law School made an early commitment to the task of training Black lawyers even though it was only within the past twenty years, that minority students began to appear in the law classes in representative numbers, that Black faculty members were hired and the longstanding commitment bore real fruit. I am a personal beneficiary of the effort.

I would hope that Michigan would reaffirm its commitment to that goal and that its leadership will work at all levels towards the creation of a future, legal community, consisting of judges and lawyers alike, committed to the constitutional proposition of equal justice under law.

I would especially hope that all steps are being taken now to ensure that a significant number of minority persons continue to be present on the faculty and in the student body of the University of Michigan Law School. I believe that more is at stake than simply the education and preparation of non-white people for a middle class existence in our society.
