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Report to the President of the University for the Year 1971-72

University of Michigan Law School

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Report to the President of the University for the Year 1971-72
E. BLYTHE STASON
1891-1972
Mr. President:

The life of a dynamic institution like the Law School can be viewed, from a certain perspective, as a study in tension. I do not refer, of course, to the hypertension that hardens the arteries of men and organizations, but to the healthy, creative tension that exists when strongly reasoned, strongly articulated principles and policies are arrayed against each other. Sometimes, one principle prevails over another, and the tension is relieved. More often, the result is synthesis or accommodation, and the tension is merely transmuted. But always there must be new tensions, new disjunctions, or a flabby complacency will put an end to growth and development.

In this, the second of the annual reports I have had the honor to submit to you, I should like to comment briefly about three or four distinct but interrelated sources of tension within the Law School, and between the Law School and the wider community. These include such perennial issues as the law professor as classroom teacher versus the law professor as research scholar; the law school as vocational institution versus the law school as academic institution; the role of our particular institution as a national law school versus its role as a state law school; and elitism versus egalitarianism in legal education. I naturally do not expect to say the last word on any of these subjects. My more modest aim is to clarify some of the values and interests at stake in these debates, with the emphasis not so much on my own opinions as on the opinions of faculty members, students, citizens throughout the
state, and alumni throughout the country with whom I have talked during the past year or so.

**The role of the law teacher.** A perceptive colleague, who holds a joint appointment in the Law School but is not himself a lawyer, once gave a tongue-in-cheek but nonetheless apt description of the peculiar pedagogical problem of law teachers as contrasted with teachers in most other graduate disciplines. Said he: “We graduate school people know what we are doing, in a way you law school people do not. We are out to reproduce ourselves—to make our students as much like ourselves as possible, because they too are going to be teachers and researchers. But your students, by and large, are not going to teach law; they are going to practice it. So you must prepare them to be something different from what you are, and that is far more difficult.”

This mildly whimsical analysis masks several large questions about the nature of legal education and the role of the law teacher. Are the skills required for law practice essentially different from those required for legal scholarship? What kind of person should the law schools enlist to train tomorrow’s practitioners, and how should the teacher’s time be divided among classroom and library and legislative committee room? Should all schools follow the same pattern, or should some gear themselves (or portions of their curriculum) to the needs of specialized clienteles, such as would-be government policy-makers, or corporate counsel, or small-town and neighborhood lawyers?

If I were left to think such questions through by myself (but deans, no doubt fortunately, never are), I suppose I would conclude that they suggest false dichotomies, and that the most theoretical training is also the most practical; the finest scholar is also the finest teacher; and the law school best equipped to turn out jurisprudences is also best equipped to turn out general practitioners. In a sense, that is indeed what I believe. But enough dissents have been registered by students, alumni, and faculty members to convince me that, if my position is not simply wrong, at least it may require some qualification.

Student complaints that teachers become overly absorbed in their own intellectual pursuits are age-old; I imagine that Plato and his schoolmates thought their famous (and unpublished) mentor spent too much time in solitary walks instead of in discourses with them. Our law students are part of that tradition. And sometimes, surely, their complaints are justified. But a major legal thinker is not only a teacher for the students in his classroom; through his writings and speeches, he is also a teacher for the whole profession, and oc-
casionally for the whole society. I am confident that it is often more profitable for students as good as ours to look over the shoulder of a first-rate legal craftsman at work than to have the undivided attention of an ordinary artisan.

Students prize teaching marked by clarity and organization and a dash of showmanship, and they grieve that they do not always find it. Who can blame them? Yet I suspect that too much clarity and structure could easily serve as a deceptive tranquilizer against the painful ambiguities and disorderliness of the law. Slavishness to a lesson plan might inhibit some of the most original minds on a faculty, who tend to think out loud in the classroom in a way that is at first disconcerting but may ultimately be the most rewarding. The views of alumni may be helpful here. The teachers they most revere, at least by hindsight, are frequently the abstruse theoreticians, who concern themselves more with the underlying principles, with the legal process as a whole, rather than with the exhaustive exposition of technical doctrine.

At the same time, the alumni side with the students on another important point. The courses they value the most, and would most like to see expanded, are the most practical, the most distinctly professional, such as procedure and evidence, business and commercial law, trusts and estates, legal writing, and so on. This anomaly may be more apparent than real. Indeed, it may epitomize the unique status of the law as an academic discipline. The subject matter is the stuff of everyday living; yet only an intelligence of a high order can meet the challenge of treating it adequately. And perhaps nowhere else in the University must the speculative intellect operate so cramped by facts, so hedged by power, so vulnerable to a multitude of conflicting human values. The legal scholar’s flights of imagination can never stray far from solid earth. That is the law’s limitation, but also its strength and pride.

Toward the end of my first year as Dean, a substantial portion of the faculty went off to a lakeside retreat for two days of informal conversations about the Law School. While we had a fairly wide-ranging agenda, we never managed to get much beyond the first item, which dealt with “the teaching function” and “the appropriate content of a contemporary legal education.” In virtually around-the-clock sessions (that were rarely afflicted with the solemn air of the usual faculty meeting), we reproduced in microcosm the debates over methodology that have swirled through American legal education for almost 200 years, with the palm going, at various times, to the “academic model” characteristic of William and Mary and of Virginia in post-Revolutionary days,
where the study of law was coordinated with the study of the liberal arts in the rest of the university; the “professional model,” installed at Harvard by Justice Story in 1829 to meet the competition of the proprietary law schools that had built their success on appeals to the specifically vocational interests of their students; and the “integrative model,” pioneered by Columbia with mixed results fifty years ago, which attempted to fuse the study of law and the social sciences.

One plausible suggestion emerging from our discussions was that perhaps no single law school can be equally effective in turning out practitioners, policy-makers, and scholars, and that therefore different schools should concentrate on different objectives. I am satisfied, however, that a law school of the size, quality, and public status of Michigan cannot afford such a choice. We owe a duty to the great mass of our students and to the people of the state to adhere to our primary mission of training the future members of the practicing bar. Yet I am also convinced that to produce the most effective active practitioners, it is essential for a law school to have the capacity to produce creative legal scholars.

A fully formed lawyer will know some things that almost any law school can teach, some things that no law school can teach, and some things that ordinarily only a great law school can teach. Practical judgment, personal rapport, and communicative power may be refined in law school, but legal education can hardly bear the major responsibility for inculcating these qualities; they are the deposit of a whole lifetime. Two other, more peculiarly professional attributes—a lawyer’s analytical skill and his basic store of legal information—can, fortunately, be acquired in any reputable law school, although the depth and richness of the learning experience will naturally vary from place to place. Much as students may worry about understanding “the law” and knowing how “to think like a lawyer,” the standard legal education (supplemented by the first year or so of practice) is largely successful here. Young practicing attorneys are generally not deficient in either the analytic techniques or the doctrinal knowledge that we could reasonably ask the law schools to impart.

What lawyers of any age are most likely to lack is something I would call “legal self-consciousness.” By that I mean an awareness of the law-client-lawyer relationship, not as a fixed construct, defined by a relatively static set of rules, but as an organic entity, constantly evolving in response to assorted political, social, and economic stimuli. To me, an attorney who negotiates the merger of two once-mighty but now-struggling railroads, or who revises the
estate plan of an elderly tycoon, knowing all the applicable provisions of the corporation code, the probate code, the Internal Revenue Code, and the securities regulations, is still an incomplete lawyer unless he adds to his technical expertise a sure grasp of the myriad extralegal forces that may vitally affect both the practical consequences of the merger or estate plan and the legal principles governing it. To give students a sense of this critical extra dimension of law practice requires, in my judgment, the same kind of broad-gauged education that is needed to fashion imaginative legal scholars. Thus, while I have no right to speak for all my colleagues, I should like to think that most of us came away from our marathon sessions beside the lake last spring with a deeper realization that a law school's dedication to original scholarship is not only compatible with the training of the most proficient active practitioners; it is indispensable.

The national law school in the state university. Michigan occupies a unique place among the state law schools of the nation. At its opening in 1859, the Law School appealed widely for students by publishing newspaper advertisements in the major cities across the country. Over the years nonresidents have generally outnumbered residents in the School, and about two-thirds of our 10,000 living alumni are outside the state. Even now, only a slight majority of incoming first-year students are Michigan residents.

During the past few years, as pressures for admission to law school have sharply increased, Michigan's large out-of-state enrollment has come under heavy attack from many quarters within the state. It is felt to be unfair for a state law school to turn away qualified residents while accepting nonresidents, and it is felt to be especially unfair for the citizens of Michigan to have to subsidize the legal educations of students from other states. In my view, these grievances are based on serious misconceptions.

Quite apart from the historical tradition, and the concomitant obligation that may impose on us toward our nonresident alumni, Michigan's funding in itself is enough to demonstrate that the School is a state institution only in a somewhat attenuated sense. More properly, it might be called half-public and half-private. In round figures, as I look at them, it takes four million dollars a year to maintain the Law School. That includes not only our internal operating budget but also our share of the University's administrative and maintenance expenses, and depreciation on our splendid buildings (the gift, of course, of New York lawyer William W. Cook). Of that four million dollar total, about half is derived from student fees, and another quarter from private or non-
Michigan sources. Only one-quarter comes from the public revenues of the state. Although even our higher nonresident tuition does not fully cover the cost of a legal education at Michigan, the difference is more than offset by gifts from out-of-state donors, primarily nonresident alumni. In short, it is entirely correct to say that the education of nonresident students at the Law School does not cost the Michigan taxpayer one cent.

Michigan is large as law schools go. Indeed, it is fairly close to twice the size of the principal state law schools in neighboring Ohio, Indiana, Illinois, Wisconsin, and Minnesota. Despite its substantial nonresident enrollment, therefore, Michigan in a normal year will train as many residents of this state as our sister law schools will train residents of each of their home states. Put another way, it is much as if we had two law schools in Ann Arbor—one of standard size for residents, publicly financed, and the other of comparable size for nonresidents, wholly financed from private sources.

We do not, of course, have two separate institutions here; we have a single major national law school. And I am satisfied that the presence of a cosmopolitan, highly qualified student body, and of a cosmopolitan, highly qualified faculty, is of inestimable value both to our resident students and to the people of Michigan. When the state turns to writing a new constitution, or when the Legislature turns to writing a new corporation code or criminal code or probate code or environmental protection law or no-fault accident liability law or public employee relations law, it knows that it can find on the Law School faculty one of the nation’s foremost authorities in each of those fields. When a student walks into a Michigan classroom, he or she knows that the instructor will be the kind of person the federal government is pleased to call upon to redraft the bankruptcy laws, or to advise on international trade or disarmament, or to consult on tax policy, or to serve as an Assistant Attorney General. And the student knows, too, that in exchanges with schoolmates, he or she will be stimulated and enlightened by some of the liveliest young minds that can be assembled from all over the United States.

The Law School owes much to the State of Michigan. The state owes it to us, and to itself, not to forget just what it means to have a great national legal center in Ann Arbor.

*Elitism and egalitarianism.* Almost 5,000 students applied for admission to the first-year class of 360 that entered Michigan in the fall of 1971. That was about double the number of applicants of a couple of years before. This extraordinary surge of interest in law study undoubtedly had multiple causes. Three that I can identify
are a nationwide shortage of lawyers, which helped boost the annual income of the typical American attorney from $5,000 in 1950 to $25,000 in 1970; a new idealistic attraction to the law as the cutting edge of such social movements of the '60s as civil rights, the war on poverty, and the defense of the environment; and the drop in the Ph.D. market that occurred toward the end of the decade. This confluence of circumstances, we can be sure, will not continue unabated indefinitely.

In the meantime, the law schools are faced with the happy (or unhappy) task of picking and choosing among the most outstanding group of applicants in history. At Michigan, the median undergraduate average of first-year students is now around a "B+," and the median score on the Law School Admission Test is in approximately the upper three per cent. Without being too cruelly precise about it, we can say that something like the lower half of an entering class of less than a decade ago would not be admitted today.

This embarrassment of riches calls for some hard thinking about what we are doing in legal education today. We all know that our so-called "predictors" are somewhat deficient even in forecasting academic performance; they are still less reliable in predicting success in practice. They tell us little or nothing about such critical factors as energy, drive, conscientiousness, business sense, client relations, and the like. Even if we were better at gauging potential for "success" (however defined), there is left the question of our obligation to respond to perceived societal needs for more lawyers who are blacks, women, natives of the Upper Peninsula, and so on.

I confess to genuine bafflement in sifting through the competing claims of elitism and egalitarianism in legal education. As I have indicated earlier, I am convinced that the practice of law at the highest levels demands an intellectuality of the highest order. But a rugged breed of self-taught lawyer flourished in this country for a century after President Jackson's populist heyday, until the American Bar Association and the legal educators combined, with the usual mixed motives of professionalism and economic self-interest, to make the formal three-year law school program the well-nigh universal pathway to the bar. If a certain kind of client could be reasonably well served in a certain kind of practice by an attorney who never went to law school at all, have we become self-deluded mandarins in thinking that legal education must now be reserved for the best of the best?

While recognizing the temptation of professional chauvinism, I believe on balance that a law school like ours should strive, with
certain qualifications to be mentioned shortly, to put together as intellec-
tually able a group of students as we can. I have faith that brains make a
difference in solving legal problems (like other problems), and even among
our current vintage crop of students, marked gradations in ability exist.
Although I concede there may not be a direct correlation between
brainpower and the other, more subjective qualities needed for success in
practice, I find no inverse correlation, either. Law may not remain forever
the magnet it now is for so many of our brightest young people, and I
think we ought to seize the present opportunity to get the finest among
them to help us reshape and advance our profession and our society.

For me, two practical conclusions follow from all this. First, we
should not readily give up the struggle to sort out the very best
from the next best in the admissions process, and simply resort to
random selections from a pool of “qualified” applicants. At the
same time, I am sufficiently skeptical of the validity of the
evaluative formulas we now employ that I think we might seriously
consider reserving, at least experimentally, a certain number of
places in each beginning class for selection on a random or other
nonquantitative basis. Second, I do not feel this is the time for
American law schools to embrace the bold and imaginative
recommendation of my colleague Paul Carrington that we move
from a three-year to a two-year standard curriculum. The proposal
is sure to face intense opposition from the bar associations, anyway,
anxious as they are about the unprecedented flood of young lawyers
now moving into practice. But entirely prescinding from that, I
think that if there was ever a chance to perfect our capacity to use
the third year of law school profitably, by broadening the horizons
of our fledgling lawyers, by deepening the sense of “legal self-
consciousness” of which I spoke before, it is with the extraordinari-
ly talented group of students we have to work with today.

This quest for excellence, in the sense of an almost ruthlessly
objective pursuit, admits of at least one further, glowing qualifica-
tion. We can now pronounce our six-year-old special program for
minority group students a resounding success. Students who came
to us with grave educational handicaps performed effectively in this
highly competitive environment, and then embarked on promising
careers in active practice. Their example compels one to ask
whether there may be other neglected groups in our society that
should receive special consideration in the law school admissions
process—whose impact in law practice would similarly be all out of
proportion to their numbers: whether we should, for example,
deliberately seek a geographical as well as a racial mix among our
student body, so that the outlying rural areas of the state, and not just the metropolitan centers, are broadly represented. I do not think this is a betrayal of the elitist principles I espoused earlier. Egalitarianism, too, has worthy claims, and the goal here, as elsewhere, is not the triumph of an absolute, but the proper accommodation of competing values.

FACULTY

Fifty-six persons held professorial appointments in the Law School during the University year of 1971-72. Included in this total are five visiting or part-time faculty members and three with full-time University administrative positions. Not counted are four emeritus professors, and several professors from other departments in the University who taught courses in the Law School.

Professor Bernhard T. Grossfeld of Göttingen University returned once again to teach comparative corporation law and comparative antitrust law in the winter term. In the absence of Professor Frank R. Kennedy, on leave as Executive Director of the Commission to Study the Bankruptcy Laws of the United States, the course in debtors’ and creditors’ rights was handled by Professor Bradford Stone of the Detroit College of Law in the fall term and by Professor David G. Epstein of North Carolina in the winter term. Professor Stephen H. Schulman of Wayne taught investment securities in the winter term. In addition, Assistant Professor Richard Mancke of the University’s Department of Economics began teaching economics half time in the Law School, and Mr. Edward R. Stein of Ann Arbor joined us as a lecturer to offer trial practice.

An unusually large flock of instructors came aboard to fill various posts. Five of them, Geoffrey Caine, Jules M. Fried, William Gaus, Peter Jacobson, and John R. Snowden, handled writing and advocacy for first-year students. Joseph J. Kalo served in the new clinical law program, and Daniel S. Seikaly conducted a writing course in criminal appellate practice.

There was a substantial turnover in the permanent staff during the year. Michigan strengthened its claim to the title of "Mother of Deans" when Professor Robert L. Knauss and Associate Professor Craig W. Christensen assumed the deanships of Vanderbilt and Cleveland State, respectively. Professor Arthur R. Miller resigned to join the faculty of his alma mater, Harvard. Professor Thomas E. Kauf, after spending the year back at the Law School, again went on leave to return to the United States Department of Justice, this time as Assistant Attorney General in charge of the Antitrust Division. Assistant Dean and Admissions Officer Matthew P. McCauley resigned to enter private practice, and was succeeded as guardian of the gates by Jane M. Waterson of the Law School class of '72.

Retirements deprived us of two highly esteemed colleagues. Professor Marvin Niehuss had returned to teach property and university administration at the Law School after leaving the University's Executive Vice-Presidency in 1968. Edson R. Sunderland Professor Russell A. Smith, one of the country's most famous labor law authorities, retired early to devote himself to arbitration. He was succeeded as Sunderland Professor by former Dean Francis A. Allen.

To offset these losses, the Law School added two exceptionally able younger men. Professor Edward H. Cooper came to Michigan from Minnesota, where he had specialized in antitrust law and civil procedure. Professor Cooper was a summa cum laude graduate of both Dartmouth College and Harvard Law School. Assistant Professor Thomas A. Green was appointed right out of Harvard Law School, but he had previously obtained a Ph.D. in history from Harvard and had taught at the college level. Professor Green will concentrate on legal history, and will also teach a basic first-year course.

Three different lecture series augmented the regular offerings of the Law School. Professor Louis L. Jaffe of Harvard Law School delivered the Cooley Lectures, speaking on "Regulating the Broadcaster." The Cook Lectures on American Institutions were given by Dr. Daniel J. Boorstin, whose subject was "Frontiers of Ignorance." Judge Carl McGowan of the District of Columbia Circuit presented the Holmes Devise Lectures, on "Rule Making and the Police."

Sadly, I must report that Dean Emeritus E. Blythe Stason died in Ann Arbor on April 10, 1972, a few months short of his eighty-first birthday. One of the pivotal figures in legal education at Michigan, as well as an expert on administrative and atomic energy law, Dean
Stason was memorialized in a faculty resolution that declared: "His work evidences the happy union of scientific and legal training. This, coupled with a native skill and an extraordinary endowment of physical energy, enabled him to be immensely productive during the time he served as dean. The Law School was the central object of his attention and he gave it thought, care, and devotion far beyond the line of duty."

STUDENT BODY

The student body swelled to an all-time record high of 1,245 during the 1971-72 regular session. Of these, 128 were women and 107 were members of minority groups. Students came from 233 colleges and universities, and from 59 states, territories, and foreign countries.

I had the good fortune to spend my novice year as Dean under the gentle tutelage of an unusually competent and sympathetic Student Senate President, Robert G. Kuhbach. Other student leaders who enriched and enlivened this inaugural period for me included Paul L. Lee, editor-in-chief of the Michigan Law Review; Thomas G. Morgan, editor-in-chief of the Journal of Law Reform; Joseph D. Lonardo, presiding judge of the Case Clubs; Wayne A. McCoy, president of the Black Law Students' Alliance; Carolyn Stell, president of the Women Law Students' Association; Carolyn Hansen, president of the International Law Society; and a host of others who did not take the pains to record their names where they would be ready at hand when I was preparing this report.

Associate Justice Harry A. Blackmun of the United States Supreme Court presided over the court in the final round of the first Campbell Competition in which I had the honor to participate as Dean. The winning team consisted of Ned L. Fisher and John T. Meredith, with Donald W. Anderson and Herbert E. Sloan the runners-up.

STUDENT FINANCIAL ASSISTANCE

During the financial aid year, which ran from February 16, 1971 to February 15, 1972, the Law School provided $693,338.50 in loans and scholarships to 383 students. This was not a dramatic increase over the $670,136 furnished from Law School sources the year before. But we know that our students also obtain substantial
assistance from outside sources, including state or federally guaranteed student loans from hometown banks, private foundations, and the "G.I. Bill." Counting all known sources of aid, both internal and external, we calculate that a total of 669 law students received $1,626,871.50 this year, or a striking 37 per cent increase over last year's total of $1,189,879.00.

These figures suggest that Law School resources are now at or near the point of full utilization. Any future extension of demand will almost necessarily have to be met from outside sources.

PLACEMENT

There was a minuscule decline from last year in the percentage of seniors reporting definite job plans—from 76 per cent to 75 per cent. The 1972 placement record was still most impressive, especially since the class of 1972 was about 20 per cent larger than the class of a year ago. The number of interviewers at the School decreased from 341 to 324, but this seems less alarming when it is noted that 57 employers cancelled their scheduled interviews because of lack of student interest. The total number of job opportunities increased from 919 to 1,031.

By May 31, 1972, 312 of the 417 members of the senior class (including August graduates) had reported their plans to the Placement Office. By far the largest number, 182, were headed for private law firms. Thirty-five had judicial clerkships and 27 had government positions. Corporations were getting 16, the military 12, and legal aid, public defenders, and VISTA a total of 14. Other plans included banks, CPA firms, and graduate study. The range of starting salaries in law firms was from $8,400 to $17,000, with the average being $14,454. The average salary paid by corporations, banks and CPA firms was $13,852, down from $14,636 a year ago (but these latter figures are based on small samplings).

Two encouraging points should be underscored. Out of 208 students in the lower half of the class, 138, or 66 per cent, had found employment by graduation. Furthermore, the record of the third quartile was actually as good as the second quartile. Second, out of the 19 minority graduates, 13 had jobs by May, with three others not reporting their plans to the Placement Office.

LIBRARY AND LAWYERS CLUB

The Law School and the Board of Governors of the Lawyers Club are now actively considering the feasibility of a capital fund-
raising campaign to provide desperately needed new library facilities and to permit the refurbishing of the Club. While a decision on this is pending, there seems little sense in rehearsing the gloomy tidings of previous reports on the condition of the Library and the Club.

During this last year, the Library managed to add 9,600 volumes to its collection, hardly a cause for rejoicing. The total holdings now stand at 430,600 volumes, an entirely respectable figure, but the contrast with current acquisitions only emphasizes that the present is living off the past. That cannot go on indefinitely.

PRIVATE GIFTS AND CONTRIBUTIONS

For a new Dean at this Law School, there could not have been a more reassuring link with the institution’s traditions than to have Thomas E. Sunderland, son of Michigan’s renowned Professor Edison R. Sunderland, step forward to head the 1971 annual giving campaign. And when the returns were in, National Chairman Sunderland could report that the eleventh annual drive had set new records in both the amount of contributions, $363,513.99, and the number of gifts, 4,576. It also brought the grand total for the first eleven years of the Law School Fund to over two million dollars.

In submitting his report, Chairman Sunderland commented: “We are fortunate: our Law School alumni have the quality to appreciate the opportunity they had of attending one of the great law schools, they want to help succeeding generations of law school students to have similar opportunities, and they have the loyalty to provide, by annual giving, ‘the extra margin’ that is necessary to keep our School in the front ranks. The quality and loyalty of our alumni are among our greatest assets.” To which I responded: “Perhaps more than most other kinds of schools, a law school and its alumni maintain a relationship through the years that I feel is of vital mutual importance. Both the practicing lawyer and the law teacher are the better for knowing the other’s experiences and ideas. I like to think that a significant by-product of the activities of the Law School Fund is a constantly improving interchange between the faculty and the alumni of the Michigan Law School.”

Respectfully submitted,

Theodore J. St. Antoine

December 31, 1972
Faculty Publications, 1971-72

PROFESSOR FRANCIS A. ALLEN


PROFESSOR LAYMAN E. ALLEN


"EQUATIONS Presented as an Example of a Nonsimulation Game" (with J. Ross), 1 Simulation/Gaming/News 12-13 (March 1972).

ASSOCIATE PROFESSOR VINCENT A. BLASI


RESEARCH ASSOCIATE DR. VERA BOLGAR


RESEARCH ASSOCIATE ELIZABETH H. G. BROWN


ASSOCIATE PROFESSOR ROBERT A. BURT


PROFESSOR PAUL D. CARRINGTON


ASSISTANT PROFESSOR DAVID L. CHAMBERS


PROFESSOR ALFRED F. CONARD


PROFESSOR LUKE K. COOPERRIDER


PROFESSOR ROGER C. CRAMTON


"Enforcing the National Environmental Policy Act in Federal Agencies" (with R. Berg), 18 Prac. Law. 79-98 (1972).


ASSOCIATE PROFESSOR CHARLES DONAHUE, JR.


ASSOCIATE PROFESSOR HARRY T. EDWARDS


PROFESSOR SAMUEL D. ESTEP

PROFESSOR WHITMORE GRAY

PROFESSOR CARL S. HAWKINS

PROFESSOR JEROLD H. ISRAEL

PROFESSOR JOHN H. JACKSON

INSTRUCTOR PETER M. JACOBSON

PROFESSOR DOUGLAS A. KAHN
“Mandatory Buy-Out Agreements for Stock of Closely Held Corporations,” reprinted in Selected Articles on Closely Held Corporations (ABA Section of Corporation, Banking and Business Law, 1971).

PROFESSOR YALE KAMISAR

PROFESSOR PAUL G. KAUPER


PROFESSOR THOMAS E. KAUPER

PROFESSOR FRANK R. KENNEDY


ASSISTANT DEAN BAILEY H. KUKLIN

ASSISTANT PROFESSOR RICHARD O. LEMPERT


ASSISTANT DEAN MATTHEW P. McCauley

ASSOCIATE DEAN WILLIAM J. PIERCE
Report to the Ford Foundation on Activities of the Advisory Committee to the Office of Legal Counsel, U.S. State Department, on Unification of Private International Law (1972).

PROFESSOR MARCUS L. PLANT

PROFESSOR ALAN N. POLASKY


PROFESSOR BEVERLEY J. POOLEY

PROFESSOR JOHN W. REED
Courtroom Confrontation, 64 min. film based on materials prepared by Professor Reed. Geigy Pharmaceuticals, 1971.

DEAN THEODORE J. ST. ANTOINE

PROFESSOR TERRANCE SANDALOW

PROFESSOR JOSEPH L. SAX

PROFESSOR STANLEY SIEGEL
PROFESSOR ERIC STEIN


PROFESSOR PETER O. STEINER


“The Public Sector and the Public Interest,” reprinted in *Bobbs-Merrill Reprint Series in Economics*.

ASSISTANT PROFESSOR G. JOSEPH VINING


DR. ANDREW S. WATSON


PROFESSOR RICHARD V. WELLMAN


PROFESSOR JAMES J. WHITE


PROFESSOR L. HART WRIGHT

“Determination and Review of Tax Liabilities,” 6 Assessor’s Jour. 27 (July 1971).
Faculty Activities, 1971-72

Professor Francis A. Allen was on leave for the year as a Guggenheim Fellow. He chaired a seminar on the Centennial of the Fourteenth Amendment at the dedication of the new law school building at Washington University in St. Louis, and chaired the Committee for the Triennial Book Award of the Order of the Coif. He was a member of the Council of the American Law Institute, and of the Advisory Committee of the Federal Judicial Center in Washington, D.C. He also served as Visiting Scholar at the American Bar Foundation in Chicago. Professor Layman E. Allen received the Commendation Award of the American Bar Association’s Law and Technology Committee. He served as editor of *Simulation & Games Journal, Simulation/Gaming/News*, and the *Journal of Conflict Resolution*. Professor William W. Bishop, Jr., Honorary Vice President of the American Society of International Law, was Chairman of the Society’s Panel on State Responsibility and of its Committee on the Annual Award, as well as a member of various other committees of the Society. He was an Associé, Institut de Droit International, and participated in the work of the committees on maritime and river pollution. He also spoke on “International Law and Maritime Pollution” at an Indianapolis Law School Conference. Associate Professor Vincent A. Blasi was a consultant to the Twentieth Century Fund Task Force on Government-Press Relations, and spoke on the reporter’s privilege at the Columbia School of Journalism. He participated in a conference on the grand jury sponsored by the Committee for Public Justice in New York. Research Associate Vera Bolgár participated in seminars on comparative law and constitutional law at the University of Florence. Research Associate Elizabeth H. G. Brown continued her service as Secretary of the Building Authority of the City of Ann Arbor. Associate Professor Robert A. Burt was a consultant to the Administrative Conference of the United States, and to the Advisory Committee on Child Development of the National Academy of Sciences. He served as Vice-Chairman of the Washtenaw County Chapter of the American Civil Liberties Union, and was appointed a member of the University Council. Professor Paul D. Carrington served on the Ann Arbor Board of Education and on the Association of American University Professors’ Ad Hoc Committee on Discrimination. He was Chairman of the Committee on Civil Rights and Responsibilities of the ABA’s Section of Individual Rights and Respon-
sibilities, and of the Schools Committee of the Washtenaw County Chapter of the ACLU. He represented the University of Michigan Law School in the House of Delegates of the Association of American Law Schools. He was a member of the Executive Committee of the Advisory Council on Appellate Justice, and a consultant to the Administrative Conference of the United States, the Federal Judicial Center, and the Alabama Supreme Court. He testified before U.S. Senate and House committees on the federal courts and busing. He was also a consultant to the University of Hawaii and Michigan State University on law school planning. He spoke on paraprofessionalism at the University of Denver, on the future of legal education at Columbia University, New York University, and Catholic University, and on school finance at the University of Illinois in the Miller Lecture Series. Assistant Professor David L. Chambers received the University of Michigan Distinguished Service Award as an outstanding younger teacher. He was a member of the Special Committee on Prisons and Corrections of the Michigan State Bar Association. Lecturer Robert A. Choate was Chairman of the Advisory Committee of the Michigan Patent Law Association and a member of the Educational Committee of the American Patent Law Association. Professor Alfred F. Conard was President of the Association of American Law Schools. He was a Visiting Professor at the Salzburg Seminar in American Studies, an Associate of the International Academy of Comparative Law, and a trustee of the Law and Society Association. He was a member of the Council on Law-Related Studies, the National Research Council, and the American Law Institute. He served as Consulting Editor of the American Journal of Comparative Law, and continued as Chief Editor of Volume 13 of the International Encyclopedia of Comparative Law and Chairman of the Editorial Advisory Board of the Bobbs-Merrill Company. He delivered addresses in New York, San Francisco, Charlottesville, and elsewhere throughout the country. Professor Luke K. Cooperider was a member of the University Senate Assembly, and of the Assembly's Research Policies Committee and Tenure Committee. Professor Roger C. Cramton continued on leave of absence as Chairman of the Administrative Conference of the United States. He testified before Congress on a number of occasions, and spoke to professional, governmental, business, and university groups throughout the United States. Professor Roger A. Cunningham was a member of the Task Force on Legal Aspects of Joint Development, established by the Highway Research Board of the National Research
Associate Professor Charles Donahue, Jr. was a member of the University's Civil Liberties Board and of the Rackham Faculty Advisory Committee on Relations with College Level Institutions. He was treasurer of St. Mary's Chapel Council and a member of the Ann Arbor Cablecasting Commission.

Associate Professor Harry T. Edwards was Chairman of the Ann Arbor Model Cities Legal Services Center, and a member of the Council of the Labor Relations Law Section of the Michigan State Bar Association and of the Committee on Government Employee Relations of the ABA Section of Labor Relations Law. He served as counsel for an employee complaining of sex discrimination before the University of Michigan Complaint Appeal Committee. He spoke on race and sex discrimination in employment and on public employee unionism before groups in Ann Arbor, Columbus, Los Angeles, New York, Chicago, and Atlanta.

Professor Samuel D. Estep was co-founder and first President of the University Club. He continued to serve as a member of the Panel on International Telecommunications of the American Society of International Law, and of the Committee on Atomic Energy of the American and Michigan State Bar Associations. He addressed the National Commission on Workmen's Compensation on a possible federal approach to workmen's compensation, and a special panel of the American Society of International Law on international telecommunications.

Professor Whitmore Gray served as Chairman of the Soviet Law Committee of the ABA Section of International and Comparative Law. He participated in the annual AALS Contracts Round Table and taught in the summer program sponsored by Escuela Libre de Derecho and the University of Florida in Mexico City.

Professor Robert J. Harris continued to serve as Mayor of Ann Arbor.

Professor Carl S. Hawkins continued to serve as Executive Secretary of the Michigan Law Revision Commission and as Reporter for the Michigan Supreme Court Committee on Standard Jury Instructions.

Professor Jerold H. Israel was a member of the Supreme Court Committee on Guilty Pleas, Co-Reporter for the Committee to Revise the Uniform Rules of Criminal Procedure of the National Conference Council.
of Commissioners on Uniform State Laws, and Reporter for the Michigan State Bar Committee to Revise the Code of Criminal Procedure. He spoke before various groups on the proposed Michigan Criminal Code, the legal aspects of campus disorders, search and seizure, police efficiency, and other problems of law enforcement . . . . Professor John H. Jackson was a member of the Board of the Washtenaw County Legal Aid Society and of the Board of the Washtenaw County Chapter of the American Civil Liberties Union. He served on the court of the Jessup Moot Court Competition at the annual meeting of the American Society of International Law. He was Vice-Chairman of the Committee on Tariffs and GATT of the ABA Section of International and Comparative Law . . . . Professor Douglas A. Kahn was a member of the ABA Section of Taxation and the Federal Bar Association . . . . Professor Yale Kamisar prepared drafts and commentaries as Co-Reporter for the Special Committee on Uniform Rules of Criminal Procedure of the National Conference of Commissioners on Uniform State Laws. He continued his work on the Advisory Committee of the ALI's Model Code of Pre-Arraignment Procedure, and served as a member of the Editorial Advisory Board of the Criminal Law Bulletin . . . . Professor Paul G. Kauper was elected to the Advisory Board of the American Enterprise Institute for Public Policy Research. He continued his activity as a member of the Board of Directors of the University Musical Society. He spoke on Supreme Court appointments at Albion and on the doctrine of precedent at East Lansing . . . . Professor Thomas E. Kauper was Executive Director of the National Institute for Consumer Justice. At year’s end he was appointed Assistant Attorney General of the United States in charge of the Antitrust Division . . . . Professor Frank R. Kennedy continued as Executive Director of the Commission on the Bankruptcy Laws of the United States, and as Chairman of the Subcommittee on Secured Transactions of the ABA Section of Corporation, Banking and Business Law. He was a member of the Executive Committee of the National Bankruptcy Conference and of the Subcommittee on Faculty Rights of the ABA Section of Individual Rights and Responsibilities. He also chaired the AALS Round Table on Creditors’ Rights and Bankruptcy. The University of Michigan bestowed on him its Distinguished Faculty Achievement Award . . . . Assistant Dean Baily H. Kuklin was appointed to the Board of Trustees of the Washtenaw County Legal Aid Society . . . . Assistant Professor Richard O. Lempert spent the year as Visiting Lecturer and Russell Sage Fellow at Yale Law School. He received a Ph.D. in Sociology from the University of
Michigan, and was named to the Editorial Advisory Board of the *Law and Society Review*. . . . **Assistant Dean Matthew P. McCauley** completed his service as Secretary of the Washtenaw County Legal Aid Society. . . . **Assistant Professor James A. Martin** chaired a Rackham Graduate School board of inquiry, and was appointed as an arbitrator for the steel industry in the Detroit area. He spoke on consumer protection in Holland, Michigan. . . . **Associate Dean William J. Pierce** continued to serve as Executive Director of the National Conference of Commissioners on Uniform State Laws and as Chairman of the Executive Committee of the Institute of Continuing Legal Education. . . . **Professor Marcus L. Plant** was the University of Michigan’s faculty representative to the Intercollegiate Conference. He was a member of the Board of Directors and Executive Committee of the United States Olympic Committee; of the Board of Directors of the University of Michigan Development Council; and of the Budget and Finance Committee of the University of Michigan Alumni Association. He also served on the faculties of the American Association of Orthopaedic Physicians Annual Seminar at Wake Forest and of the Institute on Hospitals and Medicine at the Medical College of Virginia. . . . **Professor Alan N. Polasky** was a member of the Editorial Board of the *Real Property, Probate and Trust Journal*, and of several committees of the ABA Section of Real Property, Probate and Trust Law and of the ABA Section of Taxation. He served as Reporter on the Uniform Disposition of Community Property Rights at Death Act for the National Conference of Commissioners on Uniform State Laws. He was a member of the faculty of the American Bankers Association National Trust School, a member and conferee of the Advisory Council on Appellate Justice, a member of the AALS Committee on Paraprofessional Legal Education, and a member of the Ann Arbor Tax Study Committee. He spoke on estate planning and other matters before professional groups in Boulder, Evanston, Albany, Lexington, New Orleans, Kansas City, Minneapolis, Louisville, Orlando, Jacksonville, Miami, Dallas, and elsewhere. . . . **Professor Beverley J. Pooley** was appointed to the University Council. He addressed a convention of teachers of special librarianship in Ann Arbor. . . . **Professor John W. Reed** continued serving as a trustee of Kalamazoo College, as President of the Baptist Ministers and Missionaries Benefit Board, as Chairman of the University’s Committee on Rights and Responsibilities of Faculty Members, and as Chairman of the Evidence Committee of the Multi-State Bar Examination Project. He was a member of the Committee of
Visitors of the Army JAG School and of the Special Committee on Bar Examinations of the Michigan State Bar Association. He served as a consultant to the Special Joint Committee on Legal Education of the Michigan Legislature, to the National Center for State Courts, and to the University of Bridgeport Commission to Study the Feasibility of a New Law School. He addressed professional groups on evidence and other topics in New York, London, New Orleans, Boulder, Birmingham, Detroit, and various Michigan cities. . . . Assistant Professor Donald H. Regan read a paper at a Ripon College Conference on Moral Practices and Political Rights . . . . Dean St. Antoine was Secretary of the ABA Section of Labor Relations Law. He completed his service as a member of the University Council and was appointed to the Steering Committee of the University’s Office of Budgets and Planning. He received the Achievement Award in Law from Fordham College. He spoke at numerous alumni, professional, and civic gatherings throughout the country . . . . Professor Terrance San­dalow was Reporter for the Zoning Digest of the American Society of Planning Officials and a member of the AALS Committee on Academic Freedom and Tenure. He participated in a panel on Interdisciplinary Perspectives on Public Policy Formation at the annual meeting of the American Political Science Association . . . . Professor Joseph L. Sax was Distinguished Lecturer in Agriculture and Natural Resources at Michigan State University. He testified on amnesty before the Subcommittee on Administrative Practice and Procedure of the U.S. Senate Committee on the Judiciary. He was a member of the Advisory Board of the Ford Foundation Energy Study, and of the National Council of the Federation of American Scientists. He continued to serve as Chairman of the Editorial Advisory Board of the Environmental Law Reporter, and as a member of the Environmental Studies Board of the National Academy of Science; of the Board of Trustees of the Center for Law and Social Policy, Washington, D.C.; of the National Advisory Board of the Ecology Law Quarterly; and of the Consulting Council of the Conservation Foundation. He also spoke before the Young Lawyers Section of the D.C. Bar Association and the University of Illinois Department of Urban and Regional Planning . . . . Professor Stanley Siegel testified before Senate and House committees of the Michigan Legislature on the proposed Michigan Business Corporation Act, which was subsequently enacted into law as P.A. No. 284 of 1972. He served as a member of the first ad hoc sex discrimination review board constituted under the University’s new sex discrimination review procedures . . . .
Professor Eric Stein lectured at the Hague Academy of International Law. He attended meetings of panels of the American Society of International Law on International Safeguards of Peaceful Uses of Nuclear Energy and on Regional Problems; of a Council on Foreign Relations study group on increasing the use of international tribunals; of the Department of State’s Advisory Council on European Affairs; of the Board of Review and Development of the American Society of International Law; and of the Board of Editors of the *American Journal of International Law*. He was appointed a member of the Oceana Advisory Council, and continued as a member of the Executive Committee of the University Center for Western European Studies, at the Free University of Brussels, and of the Board of Editors of the *Common Market Law Review*. He also spoke at The Hague and at Duke Law School on economic integration and the Common Market. . . . Professor Peter O. Steiner continued to serve as Chairman of the University’s Department of Economics and of Committee Z of the AAUP. He was also Chairman of the AAUP Task Force on the Wage-Price Freeze and a member of the Higher Education Advisory Committee on Wages and Prices. . . . Assistant Professor G. Joseph Vining was a consultant to the Judicial Review Committee of the Administrative Conference of the United States, and to the World Peace Tax Fund Steering Committee. He served as hearing officer for the Credentials Committee of the Democratic National Convention, and as Secretary and Director of the American Friends of Cambridge University. He continued as a member of the ABA Standing Committee on the Facilities of the Law Library of the Library of Congress, and of the Steering Committee of the Committee on Alcoholism and Drug Reform of the ABA Section of Individual Rights and Responsibilities. He also participated in panels on “Crisis in the Courts” and “White Collar Crime,” produced by the University Television Center. . . . Dr. Andrew S. Watson delivered the Jackson Memorial Lecture before the National College of State Trial Judges at the University of Nevada in Reno. . . . Professor Richard V. Wellman was a Commissioner on Uniform State Laws, from Michigan. He was active in NCCUSL Special Committees on the Uniform Probate Code, on the Uniform Management of Institutional Funds Act, and on the Uniform Disclaimer of Inheritance and Gifts Act. He was a member of, and later the Educational Director for, the Joint Editorial Board for the Uniform Probate Code. He became a member of the American Law Institute, and continued as Rapporteur, United States Department of State, for the International Will Project of UNIDROIT.
He planned or participated in programs on the Uniform Probate Code in Denver, Idaho Falls, and St. Paul. . . . Professor James J. White spoke at a seminar on Business Law for Inner-City Businessmen . . . . Professor L. Hart Wright arranged and took part in a panel presentation by leading foreign tax officials at the Law School on the relevance of European tax systems to the American scene. He continued as Chairman of the University's Board for Student Publications. He also spoke on a variety of tax law problems in New Orleans, Mexico City, Phoenix, Flint, and Amsterdam, and at the annual meeting of the National Committee of the Law School Fund in Ann Arbor.