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## The Law School (2013)

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## The Law School (2013)

**Margaret Leary**

### **The Law School, 1973-2013**

Someone entering the University of Michigan Law Quad from South University Avenue in 2013 might have noticed little that was different from the same scene 40 years earlier, in 1973. Here were four collegiate gothic-buildings surrounding an inner yard with stone walks, gracefully arching elm trees, brilliant green grass, even, perhaps, students with books, Frisbees or blankets. After an initial sigh of relief that nothing had changed, let alone deteriorated, the visitor might continue into the Legal Research Building.

The Reading Room too seemed the same; odd, how memory tricks one into thinking it used to be too dim. Why did she never notice that the stained-glass windows showed the seals of universities around the world?

Looking more carefully, the visitor might have wondered why students reading casebooks also had books on economics, philosophy, history, poetry and fiction, some in foreign languages. It looked as if half the students were women, and

perhaps a quarter had skin darker than white. And every student seemed to have a laptop computer.

Venturing to the east end of the Reading Room, wondering why she never noticed the beauty of the ceiling, the explorer finds a new opening. It leads to a broad staircase that proceeds downward into a spectacular space, another world, with a glass roof through which she can see a gothic-style arched bridge connecting Legal Research to Hutchins Hall, all of this new. Tempting aromas float from a café. Chatting, laughing students gather around the tables.

The visitor might find her way through to a familiar Hutchins Hall corridor that leads back to the world she recalls. She would make her way to the open classroom doors of Room 100. But the interior would not be familiar, nor would that of the other classrooms, and she would be once again disoriented. She might exit the south door onto Monroe Street, knowing she had just left Hutchins Hall, yet *there* was Hutchins Hall, on the *other* side of Monroe. In a moment she would see that this was a whole new building, similar but not identical to Hutchins. Remembering the admonition never to assume, she would think better of her earlier judgment that nothing had changed.

Our hypothetical visitor's experience would capture much of the period 1973-2013 at Michigan Law — what seemed not to have changed had in fact changed markedly, and the more closely one looked, the more changes one would see. Some were simply the extension and expansion of the School's traditions: excellence in teaching and scholarship that make it the premier public law school in the country; national and international scope in its faculty, alumni, student body, and curriculum; interdisciplinarity; and its large size. Other differences were entirely novel — the coming of greater diversity in the Law School's faculty, students and staff, as women and minority groups gained ground. Students also were older, on average, and had more education or professional experience than in the past.

In the 1970s and 1980s, Michigan Law acquired a highly interdisciplinary faculty, including many with advanced degrees in fields other than law and joint appointments in other U-M schools and colleges. Teaching methods expanded, moving from the classic large-class lecture system for almost

all classes, to the 21<sup>st</sup> century's mix of some large classes, some small, many seminars (including some in the homes of faculty members), externships and fellowships across the globe, and clinics in up to 16 different specialties. There were new topical programs focused on the environment, entrepreneurship and more, each with new sorts of faculty members, such as professors from practice or a business law fellow. In 1973 there had been just two student-edited publications. By 2013 there were eight, including journals that emphasized the same topics as specialized programs and clinics, such as international law and gender, race and law..

Behind the scenes, at least from the student perspective, a sea change occurred in Michigan Law's strategy to raise money for these intellectual and physical expansions during three national recessions (1973-75; 1981-82; 2007-09) and drastic reductions in state aid. After 1973, the Law School Fund not only raised more but the School developed relations with its alumni and friends to provide expanded opportunities to support the School. The University's increasingly sophisticated central development office proved to be of great assistance, and Michigan Law mounted its third capital campaign.

An ever-present tension in legal education has been between skill-building and the theoretical teaching of legal doctrine. That tension ebbs and flows nationally, but is felt most keenly at law schools associated with universities, such as Michigan, that have high academic standards. Michigan Law has never had trouble meeting the accreditation standards of the American Bar Association, but in the years after 1990 it was challenged to reconsider its curriculum by two studies (and an endless flow of law review articles) that recommended more skills training: *The MacCrate Report* (1992) and *Educating Lawyers*, a report by the Carnegie Foundation for the Advancement of Teaching (2007).

## **Faculty and research**

This review of the Law School's history from 1973-2013 tells the story of the evolution and expansion of the School's intellectual endeavors both in content and method. The 1970s, 1980s, and early 1990s (under Deans Theodore St. Antoine, Terrance

Sandalow, and Lee Bollinger) comprised an era of many interdisciplinary and joint appointments, building on what Dean Francis Allen (1966-1971) had begun. These appointments went beyond what more conservative faculty and alumni considered the true scope of the law, and thus created some tension. Nevertheless, Michigan Law made many strong appointments during this time, including Bollinger himself in 1973. The new faculty, most with experience as clerks to justices of the U.S. Supreme Court, also had training in philosophy, sociology, history and economics. The “law and humanism” faculty members who arrived in the late 1960s and early 1970s and built productive careers included Thomas A. Green, Donald H. Regan, E. Philip Soper, G. Joseph Vining, and Peter E. Westen. Michigan Law also hired strategically from other law schools’ mid-career faculty: J. B. White and A. W. Brian Simpson from the University of Chicago; Catherine MacKinnon from the University of Minnesota; and Joseph Weiler from the European University Institute. This continued the trend of the 1960s, when Terrance Sandalow, Edward Cooper, and Yale Kamisar all came from the University of Minnesota.

The next two decades under Deans Jeffrey Lehman (1994-2003) and Evan Caminker (2003-2013) saw no decline in the number or quality of interdisciplinary faculty, but new trends, including attention to the actual practice of law in the form of formal clinics that increased in number during the period under study from one to 13. Lehman also initiated the Legal Practice Program in 1995. The clinics and the Legal Practice Program (described in the section on curriculum below) affected faculty by adding a new type of faculty member: clinical assistant, associate, and full professors. The process and standards for determining details of appointment, review, and renewal or termination of the clinical faculty evolved over the next decade so that, in general, clinical faculty receive initial three-year contracts that were renewable (or not); if renewable, they were renewable once; after a second positive review, the clinical faculty member would receive a seven-year contract with the presumption of renewal. The arrangement was not the same as tenure, but it generally had the same effect.

Another trend, started under Bollinger and gaining

momentum through 2013, was to pay more attention to the international aspects of every subject and to reach out to Michigan Law graduates living and working across the world. Eric Stein (1941) led this effort, with his deep roots in Europe and long history of leadership in the field of European Union law. Drawn by what Stein, Hessel Yntema, William Bishop, and others had begun, others came: Daniel Halberstam in European law; John Jackson in international trade law; Steven Ratner in international organizations; Monica Hakimi in U.S. foreign relations law; and Reuven Avi-Yonah in international tax law. Faculty also came with particular expertise in the law of other countries: Mark D. West (Japan); Nicolas C. Howson (China); and Vikramaditya S. Khanna (India).

The decade 2003-2013 saw the arrival of a new generation of scholars and yet more curricular and pedagogical innovation. Law faculty continued to write law review articles, casebooks, and treatises, but the subject matter broadened. Throughout this period, Michigan law faculty helped to cultivate new fields of law. These included criminal procedure (Yale Kamisar and Jerold Israel originally, succeeded by Phoebe Ellsworth, Samuel R. Gross, Eve Brensike Primus, James J. Prescott and Sonja Starr); environmental law (Joseph Sax originally; later James Krier and Nina Mendelson); sexual harassment (Catharine MacKinnon); refugee and asylum law (James Hathaway); biomedical law (Carl Schneider); and Icelandic blood feuds (William Miller), for example. They built on the foundations laid earlier in the more traditional fields of tax law (L. Hart Wright, continued by Douglas Kahn, Kyle D. Logue and James R. Hines); contracts (Philip Soper and James J. White); labor law (Theodore St. Antoine); constitutional law (Paul Kauper, continued by Richard Primus); antitrust law (Thomas Kauper and Daniel Crane); evidence (Richard Lempert and Richard Friedman); and administrative law (Frank Cooper, Steven Croley and Nina Mendelson). The Law School took on faculty to fill gaps created by retirements in fields such as bankruptcy (Frank Kennedy retired; John Pottow arrived); foreign and comparative law (Hessel Yntema retired; Mathias Reimann arrived); federal courts (Terrance Sandalow retired; Edward Cooper and Christina Whitman remain; and Gil Seinfeld

arrived); and legal history (Thomas Green retired; Donald Herzog remains; William Novak and Rebecca J. Scott arrived). And Michigan continued a tradition of faculty holding the D. Phil. as well as the J.D. (Soper, Donald Regan, and Scott Hershovitz).

The Law School also developed new academic structures called centers — as happened throughout the University — to facilitate research in specialized areas. The first was the Center for International and Comparative Law, which opened in 1998; next came the Olin Center for Law and Economics; the European Union Center at the University of Michigan; and the European Legal Studies Program.

Other new programs served to support faculty research. These included the Cambodian Law and Development Program and the Program in Refugee and Asylum Law.

Michigan Law also developed new specialties, such as intellectual property (patents, trademarks, copyright, entertainment law, and computer and internet law) with faculty members Rebecca Eisenberg, Jessica Litman, Margaret Jane Radin; health care law (Sallyanne Payton and Nicholas Bagley); constitutional and civil rights litigation (Samuel Bagenstos and Margo Schlanger); Roman law (Bruce Frier); voting rights law (Ellen Katz); sports law (Sherman Clark), and finance (Michael Barr, Alicia Davis, Laura Beny). There was also a super-specialty that dealt with Michigan Law's role in integrating professional baseball (Evan Caminker and Richard Friedman).

The first African-American to join the Michigan Law Faculty was Harry T. Edwards (1970-76, 1977-1980). SallyAnne Payton and Christina B. Whitman, appointed in 1976, were the first women. In 2012-13, the Law School's 56 tenured and tenure-track faculty included 18 women and four African-Americans.

During the period 1973-2013, one of the most significant changes was the development of new ways of teaching, which in turn required a departure from the classic faculty structure (assistant, associate, and full professor) that prevailed until the last quarter of the 20<sup>th</sup> century. The first new category was that of clinical law, with the ranks of assistant, associate and full professor, used in the clinics and fully developed during Lehman's deanship. Next to arrive, in 1995, was the Legal

Practice Program, which, like the clinics, sought faculty with experience practicing law as well as a stellar education. Legal practice professors also had clinical law titles. Both categories of clinical law faculty could be (but were not necessarily) hired with the prospect of eventual long-term contracts. By 2013, additional categories were added to accommodate hiring practicing, or retired, lawyers to teach specialized courses, usually one course at a time. They were denominated lecturers. Another group included both part-time and full-time teachers, referred to as “faculty fellows” some of whom were also identified as “public interest/public service” fellows and/or as “professors from practice.” They are often long-serving, and always highly valued for their expertise and practical experience.

### **Students and alumni**

The Legal Research Building’s elegant and inspirational reading room was even more impressive in 2013 than it had been in the 1960s, thanks to renovations during Caminker’s deanship. But more than the woodwork and ceiling looked different: the occupants of the room were no longer almost all young white men in white shirts and ties. Thanks to decades of research by David L. Chambers of the Law faculty and Terry K. Adams of Michigan’s Institute for Social Research, we know a great deal about changes in Michigan Law’s students, both while they were students and as they moved through their careers. (Their study is also an example of how faculty scholarship has changed. Chambers’s work relied on questionnaires and statistical analysis, and his collaboration with Adams was typical of interdisciplinary work). The abstract of their 2009 work describes their methods for the Michigan Law School’s Alumni Survey:

“For 40 consecutive years, from 1967 through 2006, the Law School surveyed its graduates 15 years after graduation about their law school experiences and their careers. For more than 30 years (from 1973 through 2006), the survey included the graduates five years out, and for 10 years (from 1997 through 2006), the graduates 25, 35, and 45 years out. During the 40-year



period, nearly 17,000 persons were asked to complete a questionnaire, with all classes except the five-year graduates of 1992–2001 surveyed more than once. On average, 67 percent of the surveyed graduates responded each year, an extraordinarily high rate for a mail questionnaire.”

*Gender.* In the early 1960s, 99 percent of Michigan law’s graduates were men. Women began entering law schools nationally in ever-greater numbers starting in the mid-1960s. The number of women at Michigan Law doubled from then on every few years. By 2008, women were 45 percent of the graduates.

*Race and ethnicity.* In the combined classes of 1964 and 1965, the 597 graduates included only two non-white students. In the classes of 2000 through 2008, a quarter of the graduates were African-American, Asian-American, Hispanic-American, or Native American. As the study notes, the graduating class of 2011 revealed the effects of Proposal 2, which amended the Michigan Constitution in 2006 (upheld by the U.S. Supreme Court in 2014) to prohibit public institutions from considering race or sex as a factor in admissions decisions. The voter-approved amendment was in response to the U.S. Supreme Court’s 2003 approval (in *Grutter v. Bollinger* 539 U.S. 306) of Michigan Law’s method of using race and sex, among others, in its admissions policy. Enrollment of the groups most affected by Proposal 2 (African-Americans, Hispanic-Americans, and Native Americans) declined from 15 percent of the student body in the years 2000–2008 to nine percent in the class of 2011.

*Age.* The average age of Michigan law students increased. In the early 1960s, about two-thirds of the members of entering class were 22 or younger and entered law school straight from undergraduate work. The number of such young and inexperienced students has dropped sharply since then. In the early 2010s, about two-thirds of entering students were over 25 and had worked for at least a year after completing their undergraduate degrees.

The net effect of these changes in gender, race and age was that young, white males straight out of college had become a small minority among Michigan Law students.

There were other changes. The research of Adams and

Chambers shows that while Michigan remained the state supplying the most students to Michigan Law, the school has developed the most geographically diverse student body of any public law school in the U.S. Even in the 19<sup>th</sup> century, most Michigan law students came from states other than Michigan, but gradually more highly qualified students have come from both coasts, reducing the percentage of students from Michigan and other upper-Midwest states. Michigan Law students even got brighter over the years, at least as measured by Law School Aptitude Test scores and undergraduate grade-point-averages, which increased from the 84th percentile and 2.87 in the 1960s to 97th percentile and 3.67 in 2009-10.

One quality of Michigan law students did not change: decade after decade, the fathers of approximately one in eight graduates had been lawyers. Asked to recall their political attitudes when they entered law school, a substantial majority in every decade recalled themselves as having been somewhat to extremely liberal; and, in every decade, more than twice as many recalled themselves as having been liberal rather than conservative.

The number of married law students declined from the 1950s to the 1990s. The proportion of students married at the beginning of law school, and married at the end, each fell by about 50 percent. The percentage with children by graduation declined even further, from about a quarter of all graduates in the 1960s down to only seven percent of those who graduated in the 1990s.

*Career plans and debt.* Long-term career plans of students entering Michigan Law changed. From the 1960s to 2000, there was a steady increase in the proportion of students hoping to work in a public-service setting — up to 32 percent of the classes of 2000-2001. At the same time, the mean educational debt from college and law school for Michigan Law graduates with any debt rose significantly. In dollars adjusted for inflation, mean debt rose from \$30,000 in 1970-74 to \$94,000 in 2000-01. Did this debt affect career choices? Chambers and Adams said they found little evidence that debts caused many students to change their career aspirations, although higher debts may cause a student to be more likely to postpone a job in public

service and instead take a first job in a high-paying setting such as a large firm.

*The student experience.* Changes in course offerings, pedagogical methods, physical surroundings and fellow students had a huge impact on the student experience, of course; they are discussed below. Two elements of students' experience were more under their control than the others: affinity groups of students and student-edited publications.

Starting in the 1960s, the number of student organizations grew. Each of the minority groups formed at least one organization (e.g. the Black Law Students Association), while women formed the Women Law Students Association. There were also groups representing particular political views; sharing an interest in areas of law such as the environment or health care; raising money for scholarships or to support students taking low-paying public interest jobs in the summer (Student Funded Fellowships), and putting on special events such as dinners or auctions, most open to everyone including faculty. The Student Funded Fellowship auctions roped in faculty as auctioneers, had standing room only attendance, and raised more money every year.

A particularly significant type of student organization at any law school is the student-edited publication. These journals are the primary locus of scholarly writing, whether in print or online. (Law seems to be the only scholarly field in which students determine which authors to publish, including faculty at their own and other law schools. While this may seem backwards, the practice is well established and provides students with opportunities to assess articles, learn the field of scholarly publishing and organize complex work being done by a group of volunteers.)

Michigan's first, and for a long time only, student-edited publication was the *Michigan Law Review*, formed in 1901 with, at first, strong faculty oversight. By 2013 Michigan had seven others: *University of Michigan Journal of Law Reform* (1968); *Michigan Journal of International Law* (1979), initially called *Michigan Yearbook of International Legal Studies*; *Michigan Journal of Gender & Law* (1994); *Michigan Journal of Race and Law* (1996); *Michigan Telecommunications and Technology Law Review* (1999);

*Michigan Journal of Environmental and Administrative Law* (2012); and *Michigan Business & Entrepreneurial Law Review* (2012, initially called *Michigan Journal of Private Equity and Venture Capital Law*).

These publications each require, in addition to the critical mass of willing and able unpaid student editors, office and carrel space, equipment and administrative staff. For decades this support was provided by groups of one to five full-time publications staff members who were not administratively connected to an assistant dean or director. In 2012, the support function and the staff were merged with the Law Library staff; this made sense because the publications were housed in the Allan and Alene Smith Library Addition, and because the library staff were already involved in training the student staff members and in acquiring the resulting print and online publications.

### **Alumni: Where they work**

David Chambers and Terry Adams also identified changing patterns in the first jobs of Michigan Law graduates. In sum, they found that in the early 1950s, the typical Michigan Law graduate began his career as an associate in a law firm with four other lawyers and earned about \$5,000, slightly less than classmates whose first job was in government. But in the early 2000's, the typical graduate still started as an associate in a law firm, but that firm had more than 400 lawyers and she earned about \$114,000, three times as much as those who began their careers in government. Their research provided more details about where graduates took their first jobs over time, and what they were paid. It also showed the increasing importance of judicial clerkships as the first step in the careers of Michigan Law graduates: from a mere five percent in the 1950s to eight percent in the 1960s, 10 percent in the 1970s, 14 percent in the 1980s, 22 percent in the 1990s and 18 percent from 2000 to 2008.

More than 1,300 Michigan Law grads worked in countries outside the U.S. (Current and detailed information about where

Michigan Law's graduates work appears here: <http://www.law.umich.edu/careers/classstats/Pages/default.aspx>.)

Michigan Law increasingly provided career support to its students and alumni. In the 1950's, Professor Laylin James oversaw a placement secretary, Elizabeth Bliss, who had two rooms that could be used for interviews. By 2013, the Office of Career Planning defined its role very broadly: "OCP encourages and helps guide students to look broadly at all the opportunities a Michigan Law education makes possible. We're here for our students even before they become our students: our emphasis on one-on-one counseling begins during the admissions process and continues long after our students become our alumni."

The OCP had about a dozen full-time staff under the direction of an assistant dean, including six attorney-counselors and one who specialized in judicial clerkships. OCP includes one person who specializes in public interest jobs, which were emphasized more under Caminker's deanship than in the past.

The MLaw Bridge Fellowship was for 3Ls actively seeking an offer of part-time or full-time legal employment. These fellowships helped Fellows to obtain post-fellowship positions at a variety of organizations, government agencies, clerkships, and firms. Originally it covered 12 weeks; in 2014 it was expanded to cover up to 12 months. The class of 2013 provided Bridge fellowships to 37 students; 27 then obtained work.

## **Alumni**

Michigan Law, in 2013, had more than 21,000 living graduates.

Michigan Law's alumni have, as noted above, always come from across the nation and around the globe, and the Law School has been a leader in the University in its steady connection to its graduates. An early and outstanding example was Harry B. Hutchins, who, as the newly-appointed president of the University — promoted after 15 years of service as dean of the Law School — identified William W. Cook, Law 1882, as a prospective donor, leading to Cook's ultimate gift of the Law Quadrangle and a faculty research endowment. The Law

School's annual fund, started in 1961 and described in the financial section below, was the University's first. Classes held occasional reunions in Ann Arbor, but until the 1970s did so with little or no organized assistance from the Law School.

That changed in 1979 with the first annual alumni reunion and law forum, organized by Roy Proffitt, professor, dean of students and director of the Law School Fund for 25 years. The event was sponsored by the Lawyers Club, which Proffitt described as "a new alumni group affiliated group with the University's main alumni body, the Michigan Alumni Association, which in recent years has promoted the formation of separate school and college associations. Every student becomes a member, and upon graduation becomes a life member in the Lawyers Club." It is no coincidence that the Law School started its first-ever capital campaign in 1974, as described below in both the Financial and Physical Facilities sections. By 2013, reunions had become routine and frequent. Each class held a reunion every five years on a home-football game weekend, with earlier classes (with fewer members able to attend) grouped into "emeriti" reunions in late spring. These gatherings strengthened ties to the Law School and among class members. Attendees could drop in on classes, hear reports from the dean and faculty, gather in the Lawyers Club lounge or under a tent in the Law Quad for meals, explore new and revamped buildings, and see the results of their generous giving to the Law School.

Michigan Law's alumni publication, *Law Quadrangle Notes*, was founded in 1957 and by 2013 published twice a year in paper.

### **Curriculum and pedagogy**

The major changes in curriculum and pedagogy, 1973-2013, included a move away from teaching primarily in large classes. The era saw experiments with small sections and a "bridge week;" the rise of clinics and their expansion geographically; the adoption of the Legal Practice Program to teach legal writing, research, and practice skills, replacing the student-teaching used by the former Case Club system; the use of externships and fellowships to provide not just employment and experience, but

also supervised academic credit; and two new required courses: Transnational Law (required for all students starting with those who entered in 2002; the class of 2004 was the first in the U.S. which had been required to take Transnational Law); and Legislation and Regulation, (required for first-year students matriculating after May 2013.)

Collectively, these changes — all generally viewed as improvements, all consistent with general trends in legal education, and some for which Michigan Law led the way — were huge, as the accompanying table shows.

**COMPARISON OF TYPES OF TEACHING 1973-74 AND 2009-10: 35 YEARS' DIFFERENCE IN TYPE OF TEACHING**

<b>Type of class</b>	<b>1973-74</b>	<b>2009-10</b>	<b>Total/ Difference</b>
1. Regular courses	119	116	-3
2. Seminars, supps, & mini-seminars	47	18	-25
3. Legal Practice Program	0	33	+33
4. Clinics incl. classes and seminars	0	22	+22
5. Externship and semester abroad papers	0	22	+22
6. Workshops and colloquia	0	11	+11
<b>Total</b>	166	222	+56 (+34%)

Sources:

- For 1973-74: <http://www.law.umich.edu/historyandtraditions/curriculum/Pages/CoursesTaughtByYear.aspx?Year=1973-1974>
- For 2009-10: <http://www.law.umich.edu/historyandtraditions/curriculum/Pages/CoursesTaughtByYear.aspx?Year=2009-2010>

As with the types of faculty — where the years saw a small increase in “regular” faculty but a huge increase in new types of faculty — this chart shows a tiny decline in the number of regular courses, a huge decline in seminars, and the impact of the Legal Practice Program, clinics, externships, and workshops. Perhaps some of these changes are just nominal and not substantive; but overall they have the consequence of providing Michigan Law students with many opportunities not only for participating in smaller groups but also for learning about many more areas of law than were available in the 1970s.

### **The Legal Practice Program**

In 1994-95, Dean Lehman, saying that “we must find new and ever more effective ways to prepare our students for professional life,” established a faculty committee to examine the Case Club program, which for decades had been the means by which 1L’s learned legal writing, research and argument. Third-year students, Senior Judges, with help from a second-year, taught small groups of 1L’s. There was general agreement among faculty and alumni that the program was not preparing students adequately. The committee visited programs at other schools, and concluded that Michigan should establish a completely new Legal Practice Program (LPP), staffed by seven full time clinical faculty with three-year contracts. Students would still be in small groups, and the teachers would develop and use a curriculum that ensured quality and completeness. The new program, Lehman realized, would cost more than three times as much as what it replaced, but the annual Law School Fund giving had grown enough to support such new initiatives, and this one, he said, “would begin our program of institutional renewal precisely where it should: by designing and implementing a model program of instruction in the craft of



persuasive writing.” The LPP includes a semester each of Legal Practice I and II, a Legal Practice Skills class, and a class in Research and Analysis in American Law.

### **Clinics at Michigan Law**

Michigan Law’s commitments to public service, to a global perspective, to skill-building and to interdisciplinarity led to the development of a series of clinics to provide real-world experience with real impact. Michigan Law students were first involved with actual clients on a systematic basis in 1965, staffing the first office of the Washtenaw County Legal Aid Society under general supervision of local attorneys. Professor James J. White was a key supporter of the program. The first for-credit clinic was established in 1971. In 2013, there were 16 clinics; enrollment had doubled in the five preceding years. Court rules in the state of Michigan allow students to appear in court in their second year and obtain credit. One of the oldest clinics was the Child Advocacy Law Clinic (and related clinics in Child Welfare Advocacy, Juvenile Justice, and Pediatric Advocacy); one of the newest is the Human Trafficking Program, the first in the United States, which provides cross-border experience. The International Transactions Clinic’s clients were in Tadjikistan, Russia, and Europe. Other examples included the Detroit-concentrated Community and Economic Development Clinic, founded in 1991 and formerly called Urban Communities Clinic; and the Michigan Innocence Clinic (2009), which seeks to exonerate convicted criminals using non-DNA evidence; by 2013, seven clients had been exonerated. Rounding out clinics in 2013 were Civil Mediation, Civil-Criminal Litigation, Entrepreneurship, Environmental Law, Federal Appellate Litigation, Low-Income Taxpayer and Unemployment Compensation.

Michigan Law’s clinical offerings, combined with the legal practice curriculum and broad practice-based coursework such as seminars and simulation courses, provide skill-building opportunities for Michigan students. The growth of Michigan Law’s clinics and the important pedagogical role of clinical education were reflected in the Law School’s new academic

building, South Hall, which opened in 2012. The building featured suites for the clinical programs, enabling faculty and students to meet with clients in a professional, business-style setting.

The final new components of Michigan Law's curricular offerings were mini-seminars, externships, and fellowships. The mini-seminars began in 2005 and were unique in several ways. They were small, only 10-15 students; they were held in the faculty member's home; they may have one or two professors; and the topics were chosen by the faculty member. Immensely popular, there were about 15 each academic year. These examples illustrate the wide range of topics: Wall Street, Reading Banned Books for Credit, The Israeli-Palestine Conflict, Business Development for Law Firm Associates, and Baseball Law.

Externships also illustrated Michigan's transnational reach, interdisciplinarity and commitment to public service. They offered students a chance to pursue sophisticated work and research in areas of the law not covered deeply enough by the regular curriculum. Externships could be with local, state, or federal government agencies, or non-profits around the country; opportunities also existed in nonprofit organizations based in South Africa and with international, non-governmental and governmental institutions in Geneva, Switzerland.

Fellowships grew tremendously in the decades since the 1970s, reflecting the generosity of Michigan Law alumni, the dedication of students to helping each other in the form of Student Funded Fellowships, and the Law School's desire to help its students and graduates work around the globe, provide legal services to the underserved, and take part in public service. Some summer fellowships were directly related to substantive programs at Michigan Law, such as the Michigan Fellows Program in Refugee and Asylum Law; the Cambodian Law and Development Summer Internship Program; and the Bergstrom Child Welfare Law Summer Fellowship. Others were not so specialized, such as the Dean's Public Service Summer Fellowship and the Bates Overseas Fellowships.

Michigan Law also provided postgraduate fellowships: the

Fiske Program for Government Service; the Bates Overseas Fellowship; and the MLaw Bridge Fellowship.

### **The Law Library**

Over the period 1973 to 2013, Michigan's Law Library maintained its distinction as one of the world's most comprehensive collections, built to support research and teaching in any area of law in almost every nation in nearly every era from the past to the present. By the early 1970s, the building of that collection by retrospective purchasing was over. While they continued to develop the collection year by year, librarians were free to take on new endeavors as well.

The Law Library developed an Advanced Legal Research course, to take students beyond what they learned in the Legal Practice Program, and in particular to familiarize them with methods to research foreign, international and comparative law. The course was first taught by the director of the Law Library, later by reference librarians.

The Library had the opportunity, from 1976-1981, to help plan and then to occupy the underground Allan and Alene Smith Addition; then, from 1984 to 1996, to finish previously unused space in that addition to hold the international law collection and later rare books; to manage the transition from a collection that was mainly analog (printed books and microforms) to one that was largely (but not completely) digital; to develop a "History and Traditions" section for the Law School's website in celebration of the Law School's sesquicentennial in 2009; to take on oversight of Michigan Law's eight student-edited journals; and to develop a program to provide substantive research support to Law School faculty, a program that has been emulated across the U.S. as well as in the United Kingdom and Australia. The Library's support for faculty research yielded an interesting measure of the increasingly interdisciplinary nature of faculty research: in 1992, the Library met 76 percent of document requests from faculty from the Library's collection; by 1997, that percentage had fallen to just 60 percent. At the same time, the Library had to borrow more books from other libraries: from 769 items in 1992 to 1,476 in 1997.

Library staff also created an online Law School Scholarship Repository.

Libraries traditionally measure themselves by counting, and the Law Library still does:

- Size (volumes) as of July 1, 2014:
  - Paper: 711,761
  - Non-print: 318,192
  - Audio-visual: 75
  - **Total Volumes: 1,030,028**
- Size (titles) as of July 1, 2014:
  - Paper: 275,820
  - Microform: 24,399
  - Audio-visual: 25
  - Electronic format: 151,508
  - **Total Titles: 451,752**
- Location of books (approximate):
  - 305,000 paper volumes in Legal Research
  - 407,000 paper volumes in Smith Addition
  - 318,000 non-print volumes
- Subscriptions: 3,740
- Electronic databases: 991

The Law Library's staff reorganized most of the collection into the Library of Congress classification system and about 2010 began to digitize the collection as part of the University's Google project. However, both projects were suspended in about 2012. All of the collection in the Smith addition was reclassified, but not all the books in the Legal Research stacks.

Librarians in the Law Library have continued Michigan's tradition of active membership in professional associations: the American Association of Law Libraries, the International

Association of Law Libraries, and the American Library Association. They have also contributed to the literature of the profession.

### **Law School administration**

Five deans served during the period covered in this history: Theodore J. St. Antoine (1971-78); Terrance Sandalow (1978-87); Lee Bollinger (1987-1994); Jeffrey Lehman (1994-2003); and Evan Caminker (2003-2013). Mark West became dean in September 2013. During this time there was an associate dean, a member of the tenured faculty who carried out major academic functions; and a varying number of assistant deans and directors, none of whom held tenured or tenure-track faculty positions. In general, these assistant deans served to lead critical activities such as development and alumni relations; student affairs and records; career planning; administration, finance, and strategic planning; the Law Library; human resources; computer systems support and information technology; communications; clinics; international affairs; financial aid; and admissions. In the early 2010s, admissions, financial aid and career planning were consolidated under a senior assistant dean.

Here the deans speak for themselves about their accomplishments and the challenges they faced.

St. Antoine said he was “proud of fundraising success and the new library addition” but modest about other programs during his term, saying that he “expanded rather than initiated programs started by” his predecessor, Francis Allen, in clinical and interdisciplinary teaching. The most important thing a dean can do, he said, is put together a first-rate faculty. “We brought to the Law School an extraordinary group of able young people, both men and women.” Professor Harry Edwards said that “St. Antoine is a tremendous inspiration to Michigan’s young faculty. The result has been that a lot of young people on this faculty have done many many things in their areas of expertise that they might not have done if they were in another institution, a different setting, a different dean.” St. Antoine stressed the importance of “teaching larger intellectual concepts in preference to narrowly practical legal training.”

That dichotomy between larger intellectual concepts and narrowly practical legal training presented a dilemma to Michigan Law from the 1980s into the mid-1990s. Dean Allen, speaking in 1981, saw it as a national problem, calling it an “identity crisis” as law schools “attempt to provide broad interdisciplinary and humanistic education, and at the same time meet the demands for practical legal skills training.” He went on: “The rise of theories of social causation of crime or of genetic or psychological conditioning of human behavior” has opened the door and drawn law schools more deeply into the “central intellectual current of university life.” Concurrently, he continued, “there is a call for greater emphasis on skills training to improve the competence of young lawyers,” and he warned that “educational policy in the law schools during the closing years of this century is likely to become increasingly pragmatic and consciously experimental.”

Dean Terrance Sandalow (1978-1987) tilted toward the humanistic, “larger intellectual concepts” side, and wrote of the moral responsibility of law schools. “Students ought not to be regarded merely as instruments, not even in the setting of a professional school. They are, in Kant’s familiar formulation, ‘ends in themselves and sources of value in their own right.’... The proper objects of legal education...are to enhance the capacity of students to think clearly, to feel intelligently, and to act knowingly.” Speaking about his deanship in 1987, he felt the same: “I hope those pressures [to provide students with more practical experience and more specialized training] will be resisted. Our responsibility is to educate students in a liberal tradition, not simply to prepare them for narrow professional tasks.” The increased size of law firms was making this pressure stronger, he observed.

Sandalow also noted changes during his deanship starting with turnover in the faculty: about half the members of the faculty present in the coming fall were hired during his tenure as dean. A second big change was accomplished by continuing Allen’s initiative to increase the interdisciplinarity of the faculty: nearly 20 percent of the faculty held joint appointments, broadening the school’s intellectual base. Sandalow also spoke proudly of a reduction in class size of 15 to 20 percent; and

of building the capacity to meet the financial needs of every person admitted to the school by increasing financial aid. Michigan Law's greatest strength, he said, is its tradition of excellence; in times of budget crisis, alumni responded with more support, and did so because they felt indebted to the school for an outstanding legal education. More women in the school was another accomplishment.

Challenges facing the next dean, Sandalow said, were the need to revise the curriculum (a "fundamental rethinking of how courses fit together and the role of electives"), and appointments to tenure track faculty positions, where "reluctance to deny tenure leads to being too conservative in making appointments."

Lee Bollinger served as dean from 1987-1994. Looking back, he said the school's greatest achievement during that time was "the formation of a new generation of scholars, which we need to continue." He echoed Sandalow's concern about the curriculum: "We need to look hard at it. I have serious reservations about the third year, about putting 25 years or older students behind a desk and calling on them to answer questions. We need more independent research and writing, and we need more faculty because we need smaller classes." He identified the expansion of international studies as another accomplishment. "By now a quarter of our faculty who had never been to Japan have taught in Tokyo, and we have a similar program with Cambridge and Leiden." Another change that Bollinger saw was "creating an environment that makes alumni feel they are part of the Law School, both domestic and international, going to them in their cities, and bringing them back here." Bollinger was disappointed at not achieving curricular change, and at not "taking back the Reading Room," by holding concerts and other events there, to prevent that lovely space from being "lost to undergrads."

In 1994, as Bollinger yielded the dean's office to Jeffrey Lehman, who saw a need to adjust the balance between the intellectual and the professional. His reliance on a group of alumni advisors, the Committee of Visitors, brought him to the conclusion that a primary objective during his term should be to "find ever more effective ways to prepare our students for professional life, and we must continue to nurture research that

significantly enhances the development and understanding of our legal order.” As described above, Lehman’s first step was a big one: to discontinue the student-taught Case Clubs, and shift to the much more expensive Legal Practice Program as the method to teach legal writing, research and advocacy to first-year law students. Lehman also expanded the clinics, most significantly by establishing the Legal Assistance to Urban Communities clinic based in Detroit. It provided legal services to community-based organizations engaged in the construction of housing.

The Law School’s international efforts continued to expand, for example, with the 1996 launch of externships in South Africa and the formation of an alumni group in Korea. In 1998 the Center for International and Comparative Law opened, and in 1999 the Program in Refugee and Asylum Law began. Mark West, a specialist in Japanese law, arrived in the fall of 1998 and shepherded a new joint degree program with U-M’s Center for Japanese Studies; incorporated Japanese law teachers into courses whose overall responsibility is with a full time law school faculty member; helped the Law Library develop its Japanese law collection; and increased awareness of the importance of Japanese law. The European Union Center opened in 2001. Lehman and other faculty members visited Beijing, Tokyo, Bratislava, Slovakia, Rome and Florence.

Recognizing the Law School’s need for more space, Lehman initiated a relationship between the Law School and architect Renzo Piano, winner of the Pritzker Prize. More about that appears below, in the section on Physical Facilities. After Lehman stepped down in 2002, Associate Dean Evan Caminker took the reins in 2003.

On Caminker’s first full day as dean, in June 2003, the U.S. Supreme Court issued its decision in *Grutter v. Bollinger*, upholding the Law School’s admissions policy after six years of uncertainty. This allowed Caminker to turn to other matters: strengthening the faculty; expanding “our majestic array of early 20th Century buildings; to amplify the strengths that make Michigan the finest public law school in the nation.” He continued with specific goals for constituent groups: “As a faculty we should aspire through both scholarship and varied



professional activities to work toward solutions to important societal problems. As an administration we should provide opportunities and financial support for students who seek public service positions, public interest positions serving underrepresented people or causes, and private positions addressing weighty public policy issues. And most fundamentally, I view it as central to our mission that we encourage our students to develop and maintain a sense of public-spiritedness, and to incorporate a healthy respect for public values into their professional practices and daily lives long after they leave our magnificent halls.”

## **Finances**

William W. Cook, Law 1882, laid the groundwork for Michigan Law’s ability to gain support from its alumni. In his 1930 will, by which he gave his fortune to Michigan Law, he declared that he wanted his gift to “cause others to realize that the University can no longer be extended in its main developments by state taxation alone” and that others “should be generous in their financial support. That University is and should be the pride of the State of Michigan.”

The most salient fact about finances at Michigan Law from the 1970s to the 2010s was the steep decline in state appropriations. The Law School was, perhaps, better able to deal with the decline because of its previous work developing its base of alumni support. The chart below shows that the school was able to use its main sources of revenue (tuition, endowment income, and annual giving) to boost its expenditures from about \$3.6 million in 1972 to \$81 million in 2012. And that excludes expenditures on new buildings.

**LAW SCHOOL EXPENDITURES: 1972-2012**

<b>Fiscal Year</b>	<b>Instruction &amp; Research</b>	<b>Total</b>
1972	\$2,444,522	\$3,596,084 (1)
1982	\$6,137,807	\$8,967,415 (2)
1992	\$14,507,762	\$24,325,802 (3)
2002	\$21,996,199	\$45,308,741 (4)
2012	\$19,622,714	\$81,696,394 (5)

(These numbers evade analysis except at the grossest level because of changes in University of Michigan financial reporting methods and changes in budgeting practices. For example, in the earlier years many expenses were covered by the central administration, not allocated to the schools and colleges: staff benefits, workers compensation, parking. Gradually they were put into the budgets of schools and colleges.)

1. Includes separately listed expense of \$575,781 for the Law Library. 1971-72 Financial Report, p. 39, 40
2. Other expenses: Academic support \$1,390,250; Student services \$366,028; Plant \$74,000; Scholarships and fellowships \$999,330. Financial Report p. 11, 13-16.
3. Financial Report p. 12 (includes I & R and several other categories).
4. Financial Report p. 11 (includes I & R and several other categories).
5. Law School Finance and Business Office. FY2012 Operating Source/Use by Programmatic Category.

Compiled by Margaret A. Leary, Nov. 10, 2014.

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Information about the sources of funds for earlier years is not

available, but FY2012 operating source/use by programmatic category shows this:

### SOURCES

<b>Endowment Income</b>			\$14,763,370
	Cook Trust	\$2,000,000	
	Wolfson Trust	\$413,870	
	Other	\$12,289,500	
<b>Expendable Gifts</b>			\$6,000,000
	Law School Fund	\$3,000,000	
	Other expendable	\$3,000,000	
<b>General Fund</b>			\$58,795,914
	General fund interest	\$15,463	
	General fund transfers	\$1,267,149	
	Tuition and fees	\$58,297,529	
	University supplement	\$1,215,782	
<b>Grants, attorney fees, other</b>			\$2,000,000
<b>TOTAL OPERATING SOURCES</b>			\$81,559,284

**USES**

<b>Programmatic Categories</b>			
Clinical programs		(\$7,469,444)	
Development and alumni relations		(\$3,147,167)	
Faculty research & instructional activity		(\$19,622,714)	
International programs		(\$2,356,214)	
JD Scholarships and financial aid		(\$13,123,240)	
Legal Practice Program		(\$1,356,245)	
Library		(\$5,937,777)	
Student journals and symposia		(\$2,540,054)	
Student services		(\$5,578,976)	
Visiting faculty and adjuncts		(\$2,540,064)	
<b>General administration</b>		(\$5,545,771)	
Academic administration	(\$1,784,153)		
Building planning activities	(\$26,000)		
Facilities	(\$863,701)		
Human resources	(\$230,918)		
Information systems and support	(\$1,616,011)		
Public information			
Programmatic activities before capital and taxes, etc.			(\$67,151,692)

Capital projects		(\$100,000)	
Utilities		(\$3,578,266)	
University taxes		(\$10,856,436)	
Capital and taxes, etc.			(\$14,534,702)
<b>Total operating uses</b>			(\$81,686,394)
<b>Projected balance/[defecit]</b>			(\$127,110)

### SOURCES OF INCOME: TUITION

Annual tuition by Resident and Non-Resident showing % change and relationship

Year	Resident	% change	Non- Resident	% change	Res. As % of Non- Res
1972-73	\$900	—	\$2,300	—	250%
1982-83	\$2,915	+223%	\$6,091	+165%	210%
1992-93	\$10,378	+256%	\$18,352	+201%	180%
2002-03	\$24,900	+140%	\$30,990	+69%	124%
2012-13	\$49,784	+99%	\$52,784	+70%	106%

*Sources:*

- [https://www.law.umich.edu/historyandtraditions/students/Documents/Law\\_School\\_Tuition\\_History.pdf](https://www.law.umich.edu/historyandtraditions/students/Documents/Law_School_Tuition_History.pdf)
- [http://www.law.umich.edu/aboutus/Documents/Std509InfoReport-76-76-01-27-2014\\_14-58-46.pdf](http://www.law.umich.edu/aboutus/Documents/Std509InfoReport-76-76-01-27-2014_14-58-46.pdf)

Everyone familiar with public higher education since the 1970s knows that, especially in Michigan, state support has declined precipitously. The Law School's support from the central administration dropped from 48.8 percent of its budget in 1935 to 41 percent in 1953 to only 3.9 percent in 2004 and barely three percent in 2012.

There are several consequences. One is that in order to maintain high-quality faculty, facilities, and student support, tuition must rise much faster than inflation. Another is that as state support slips, the rationale for allowing residents to pay lower tuition than non-residents gets weaker. In 1972-73, non-residents paid two-and-a-half times what residents did; by 2012-13, the difference had fallen to a mere six percent. This was accomplished by increasing in-state rates more quickly than out-of-state rates. Another consequence is that any financial incentive to admit more non-residents than residents has diminished. At the same time, the legislature's ability to dictate a preference for residents has slipped.

Throughout the period under study, the student body has remained between 1,100 and 1,500, counting both J.D. and graduate-degree candidates. The Law School has not admitted more students in order to increase revenue.

### **Sources of income: The Law School Fund**

Michigan Law has always accepted gifts from its alumni, but it has not always had a systematic way of doing so, nor an organizational structure to promote giving. The School has records showing that from 1904 to 1961, the highest number of donors in any year was 86, and the most given in any year was \$2,140 (in 1948). The Law School Fund was formally established in 1961, and its first annual report, in 1962, reported that 1,199 donors gave \$49,663.61. In June 1965, a small group of alumni, almost certainly assisted by Professor Roy Proffitt, wrote a nine-page plan for how to raise as much as possible through a geographically organized web of alumni and competition among cities, states, regions and class year. The Law School Fund was the University's first annual fund. In 1972-73, 4,847 alumni gave \$411,037. In 1982-83, 7,318 gifts totaled \$1,400,278.

By 2011, the 50th anniversary of the Law School Fund, Dean Caminker wrote: “The transformative power of collective annual alumni giving cannot be overestimated. Michigan Law would not be the same without the work of the Law School Fund.” In 2012, Law Quad reported that the Law School Fund was raising an average of \$3.2 million a year from 32 percent of its J.D. alumni.

### **Sources of income: Three capital campaigns**

Michigan Law began its first capital campaign in 1974, when it needed to raise \$10 million to add space for the Law Library, whose collection was by then spilling out of the stacks and into hallways, stairwells and basement storage rooms. Dean St. Antoine hired the school’s first professional development officer, and with his help and that of about 10,000 alumni and friends of the Law School, the campaign more than succeeded.

#### **First Capital Campaign Results (1976-1980)**

<b>Source of Support</b>	<b>Amount</b>
Alumni and Friends	\$9,450,000
Foundations	\$4,000,000
Corporations	\$350,000
Faculty and Staff	\$100,000
<b>TOTAL</b>	<b>\$13,900,000</b>
Designations	
Law Library	\$6,200,000
Faculty Support	\$2,900,000
Unrestricted	\$2,500,000
Student Aid	\$1,200,000
Programs	\$1,000,000
Lawyers Club	\$50,000
<b>TOTAL</b>	<b>\$13,900,000</b>

The Law School’s second capital campaign, unlike its first, was conducted as part of the university-wide Michigan Difference



campaign. The Law School called its campaign “Building On,” since a primary purpose was to raise money to build more space for the Law School. The campaign began in 2004 and ran through 2008, concluding as the Law School commenced a celebration, in 2009, of its sesquicentennial.

Of the campaign, Dean Caminker wrote: “The Building On campaign includes an unprecedented building project; increased support for the Law School fund; and significant enhancement of faculty and student support. The Quad was built to accommodate a remote, authoritarian style of education, with instruction in large lecture halls and with little interaction among students. Today’s curriculum includes a much wider array of subjects. Smaller classes and seminars, in which students engage in fruitful dialogue with peers and with their teachers, are now important components of a first-rate legal education. At Michigan we work hard to use the most innovative teaching practices, but we can’t continue to ask faculty to lead 12-person seminars huddled around long, fixed tables in Room 100 or our other cavernous lecture halls. Today organizations and activities that could not be envisioned 70 years ago are central to the life of MLaw. We have more than 40 interest groups of students passionate about everything from sports law to politics.”

He reminded readers of the new Legal Practice Program (1995) and the School’s many clinics, which brought dozens more faculty members and created a need for spaces quite different from regular classrooms. Then he asked a difficult question: How can we maintain the distinctive character and excellence that Michigan Law has achieved in the last 150 years? How can we protect the collegial community that defines us? How can we ensure that our school will continue to set the pace among top law schools in the nation? It is time to design for people and academic programs.

The Building On campaign was a great success, surpassing the goal of \$135 million to gather in more than \$139 million in cash and new pledges, as well as \$32 million in new bequest intentions to support all facets of the Law School’s mission. Donors’ generosity translated into:

- A nucleus fund of more than \$40 million for the new academic building and commons.
- More than \$52 million for student support, including 52 new endowed scholarships.
- \$21 million for faculty support, including the creation of seven new endowed professorships.
- More than \$53 million for the Law School Fund and program support, benefiting international initiatives, the Clinical Law Program, student support and more.
- The Law School's third capital campaign, again part of a university-wide campaign designated Victors for Michigan (the University's sixth such campaign), officially began in 2013. The goal was to raise more than \$200 million — \$70 million for student financial aid; \$40 million for programs; \$40 million for facilities; \$30 million for faculty; and \$20 million for the Law School Fund. The Law School had prepared itself for this new campaign by forming, in 2011, a new group of alumni to support fundraising goals, the Development and Alumni Relations Committee. It began where the steering committee for the Building On campaign had left off, naming 21 members to three-year terms.

### **Physical facilities**

The original Quadrangle was built solely with a gift from William W. Cook. Its four buildings were completed between 1924 and 1933. Those buildings served well and still do, but by the 21<sup>st</sup> century they were many decades old and no longer large enough for the School they housed. Three major new spaces were added from the 1970s to the 2010s, and significant renovations were made to most of the other space.

The first new space was the Allan and Alene Smith Law Library addition, named for Allan F. Smith (professor of law, 1947-94; dean of the Law School, 1960-65; U-M vice-president for academic affairs, 1965-74; and interim U-M president, 1979) and his wife. The addition opened in 1981 after more than three years of construction. The underground building, designed by Gunnar Birkerts & Associates, was 77,000 square feet of well-

lit space, most of it open, which provided carrels for students, offices for student journals, group study rooms, and library staff, as well as public service desk, and shelves for 300,000 volumes. The building won an award given jointly by the American Library Association and the American Institute of Architects.

The second and third new spaces did not come for over twenty more years. During the tenure of Dean Lehman, the Italian architect Renzo Piano proposed a new building on the Quad, above the underground library addition. It would have had an L-shape and four stories, and its height would not have exceeded that of the John P. Cook Dormitory to its north. The façade was to be stone and glass, but the proportions would be roughly the opposite of the stone-to-glass ratio in the original buildings of the Quad, so it would have had a lighter, more contemporary look. The faculty's Building Committee worked with Piano and his staff for more than two years. At the end of Lehman's term, the University regents saw the conceptual drawings and gave them high praise. Lehman then departed to become president of Cornell University, and Evan Caminker's new job as dean included the tasks of finalizing the plans and raising money for the Piano concept.

After long labors on both, Caminker determined by late 2008 that Piano's plan was not financially feasible. In the Winter 2009 edition of *Law Quad Notes*, he described a new plan developed by Washington, D.C.-based Hartman & Cox. The project would include 116,000 feet of new space in an academic building and Law School commons, and it would, Caminker said, multiply everything good about Michigan Law: its character, its collegiality and its competitive edge. Hartman Cox was tasked to respect the historic, embody the new, and ensure that the whole would be more than the sum of its new and old parts.

Groundbreaking for the new building, called South Hall, took place in the fall of 2009 as part of the Law School's sesquicentennial celebration. University President Mary Sue Coleman and John Roberts, chief justice of the United States, attended and spoke. The construction caused relatively little disruption in the Law School's routine and proceeded without unforeseen delays. South Hall opened its doors in January 2012. Supreme Court Justice Elana Kagan spoke at the grand opening.

The Robert Aikens, Jr., Commons and the adjoining Kirkland and Ellis Café opened in fall 1011, before South Hall. These spaces jump with energy between classes and are relatively quiet spaces to study at other times. Having fresh food and coffee available within the Law School's walls is a boon to community building and collegiality. The Commons and the café were cleverly sited in space that was formerly outdoors, between Hutchins Hall and Legal Research. The Commons served not only as a gathering space but as a long-wished-for connection, at ground level and below-ground, between Hutchins Hall and Legal Research.

South Hall, a four-story "LEED-Gold" building of 100,000 square feet, provided classrooms, seminar rooms, gathering spaces and offices for faculty, clinics, admissions, career services, information technology, development and alumni relations staff. There had been fears that splitting faculty among three buildings (Hutchins, Legal Research and South Hall) might create artificial divisions. But no such problems arose; a mixture of faculty of various ages and disciplines chose the new space. Monroe Street, which lies between South Hall and Hutchins Hall, offered parking on both sides and was only two blocks long, so pedestrians had little traffic to contend with as they crossed the street between buildings. A critical quality of South Hall is that it is aesthetically compatible with the original Law Quad buildings, right down to the use of stone from the same quarry that supplied the builders of the original quad. The stone, of course, has a slightly lighter hue, but over time it will probably age into the same coloration as the stone of Hutchins Hall.

The construction of the Commons and South Hall included two enormous improvements that one can see from Monroe Street: the replacement of aluminum siding from the upper levels of the Legal Research stacks with stone facing to match the rest of the Quad; and removal of the aluminum-clad bridge connecting the seventh level of the Legal Research stacks with the third level of Hutchins Hall. The bridge had been built in the 1950s with the addition of levels 7-10 of the stacks; it became less important when the Commons connected the two buildings at the level of most foot traffic. A new north-south bridge, new

stairs and a new elevator, all consistent with the architectural aesthetics of the original buildings, replaced the old east-west bridge.

Several important renovation projects went on just before and just after the construction of the two new spaces. The first began as a \$3-million lighting-improvement project that expanded into a complete renovation of the Reading Room (an additional \$1.2 million) and new lighting in most of the rest of Legal Research and Hutchins Hall. The Reading Room was closed for most of a year; furniture was removed and the large tables refinished; the ceiling and woodwork were cleaned; the cork floor was replaced; all light fixtures were removed, refinished and rewired to be more energy-efficient. In addition, cove lighting aimed at the ceiling made it possible to appreciate the glory of that part of the room.

During the 1990s and 2000s, most classrooms in Hutchins Hall were extensively renovated, thanks to generous gifts from individual alumni and law firms. Some rooms were internally rotated 90 degrees so that instead of being long and narrow they became wide and shallow, providing a better connection among students and between students and instructors. Some were converted from classrooms into seminar rooms.

Then, in early 2011, Charles Munger — a vice-president of the multinational holding company Berkshire Hathaway, who had funded much of the lighting and Reading Room project — gave \$20 million to renovate rooms in the Lawyers Club and John P. Cook Dormitory. The project began in the summer of 2011, and students moved into newly renovated rooms — all singles — at the start of fall term 2013. The exteriors of the buildings were not changed, though they were improved by such changes as new windows.

## **Conclusion**

The years from 1973 to 2013 saw the continuation and growth of the Michigan Law School's underlying qualities:

- Its excellence in teaching and scholarship has been achieved by hiring the best faculty members and providing a variety

of ways to educate students in theoretical, doctrinal, and practical aspects of the law;

- Its global reach is demonstrated not only in the makeup of its faculty and students but by alumni groups around the world; partnerships with law schools in Japan, India and Europe; and a curriculum that requires students to take Transnational Law and to consider transnational aspects in most courses;
- The people who teach and study at the Law School show diversity as measured by race, ethnicity, gender, and age;
- The faculty is diverse by type of employment, including those who earn tenure to part-time lecturers, fellows, professors from practice and clinical faculty;
- A diversity of educational methods are used. The large classes of the early 1970s have been joined by a much wider range of clinics, workshops, mini-seminars, and the Legal Practice Program;
- The Law School adjusting to the decline in state revenue (from 45 percent of the budget in the early 1970s to less than three percent in the 2010s) by increasing tuition, lessening the difference between resident and non-resident tuition, adding more graduate students, and — most significantly — deepening relationships with alumni and friends so by 2013 the Law School was raising \$3 million in annual gifts and expecting to raise \$200 million in the bicentennial capital campaign.

Perhaps most important, the Law School has carefully reconsidered what it means to be a public law school at a time when Michigan’s taxpayers provide little support for the School. Now, “public” means, to use a short version, not just a goal, but an expectation, of providing service to the public.

*A note on sources*

To gather the information in this article, the author used the following:

All issues of *Law Quadrangle*, 1972-2014

The Dean's Report to the President of the University of Michigan, 1972-1978. (No later reports were published.)

[www.law.umich.edu](http://www.law.umich.edu)

[www.law.umich.edu/library](http://www.law.umich.edu/library), especially the History and Traditions section.