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Class of 1970 Fifteen Year Report Alumni Comments, Part 3

University of Michigan Law School

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I spent 3 years in military service doing defense and prosecution trial work in criminal law. I felt that such practical experience was very beneficial and would encourage other graduates to consider such work. Perhaps future questionnaires should also include provisions relating to military practice.

Question VIII herein to me is a sexist and unnecessary question--especially subquestions B,C,C and E. The value to be garnered from subquestion A should also be sought from all students. I answered VIII B,C,D and E only to complete your questionnaire but with a sense of sadness that the school felt such questions were relevant.

More effective training in habitual marshalling of ideas and resources i.e., advocacy, would carry over into all aspects of private law practice involving individual and small business clients. More law school training should be directed toward the development of individual competency (effectiveness) rather than an almost total devotion to analysis with presumed tutelage of older lawyers for the first years of practice.

I spent two years serving in the Army after graduation from law school. Accordingly, I was unable to commence my career as an attorney until 1972.

I went through U.M Law at the wrong time as far as courses are concerned. Many profs were gone. They left either temporarily or permanently for gov't service, to become deans, etc. The result was chaos. There was no course in securities regulation that could be worked into my schedule. Anti-trust was taught by James Rahl as a visiting prof. He was excellent, but the course didn't include Robinson-Patmore. Try practicing AT law without knowing about Rob.-Pat! John Reed wasn't teaching evidence or trial practice when I was there. Luke Cooperrider, who had never before taught evidence, ~~xxxxxxxxxxxx~~ was called upon to do so. He did a good job, but.... Paul Carrington was my civil procedure instructor. Paul Carrington was a terrible instructor--right in there for the nod as the ~~worst~~ worst instructor in my entire collegiate education. I learned my procedure on the job as a law clerk and my experience has served me very well. I am able to answer procedural problems for my fellow attorneys (both partners who are my seniors and fellow-associates) which many others cannot because I learned procedure while clerking. Most of the other "problems" in my elections are (or were) of my own making. I took more tax and T & E than I or anyone who does not specialize in those areas would need.

With respect to courses, hindsight suggests that perhaps greater emphasis be made on problem solving in a limited time period. This comment probably arises because of the general corporate nature of my work. It may be worthwhile to review a program which Northeastern Law School in Boston is reviewing. The program involves, I believe, 6 month work-study periods. For those who want more "practical" experience, the work-periods (clerkships with firms, courts, administrative agencies) may provide mechanical experience. Also, the program provides a source of income. I would not elect such a program; however, a number of students might find it advantageous.

The method of instruction used in law courses during my time at the University of Michigan was too academic and not practical enough. The method of instruction should incorporate practical (e.g. dealing with clients) and ethical problems involved in various subjects such as contracts, antitrust, etc.

Instructors should not be hired to teach immediately after clerkships or one or two years in private practice when they have had no experience with the problems that responsible lawyers must deal with. I suggest that the Law School should consider hiring senior attorneys during a sabbatical year from their practice in order to overcome some of the limitations in the system of instruction as it was in my time.

The most significant aspect of my three years at Michigan which has contributed most to my professional ability and to my personal life is the fact that I studied under some of the finest legal minds in America. You can not believe the confidence my training at Michigan has given me-- Michigan prepared me quite well to compete with other lawyers, even those with far greater experience. Other lawyers respect Michigan and I join them in that respect for I know of what I speak. To have studied under Paul Kauper, J. J. White, Frank Kennedy, Doug Kahn, L. Hart Wright, Alan Polasky, Tom Kauper, Whit Gray, Ted St. Antoine, Joe Sax, Paul Carrington, Jerry Israel--even Yale Kamisar--What an invaluable experience!! I'm grateful that I was accepted as a student at Michigan. THANKS!!!

Most valuable experience in law school--

1. Law Review - forced to write article supporting legal position with which I disagreed.
2. Moot Court - wish I had done more - only participated in first year program.

I think closer attention should be given to individual qualities in the admission process. LSAT are not an "end-all."

Also, more independent study classes should be instituted that allow students to obtain credit for political and public interest work, i.e. legislative aid Bureau and legal work for Political parties.

I would like to see a system developed whereby a student's education would be guaranteed by University & government loans with a mandatory percentage of a person's salary for the first 10 years after graduation being used to repay the loan.

I am very thankful for the education I received at U of M.

I received a good general and practical education at U of M Law School. The only deficiency in the program (and I believe it is a glaring one) is that there were no courses offered in drafting legal instruments other than wills. Corporate practice in a large firm (or a small firm for that matter) requires such skill and I had to pick it up on my own--having had no preparation in law school.

I spent approximately 3 1/2 years on active duty in the Navy Judge Advocate General's Corps.

I believed in law school and I believe now that classroom education should not consist entirely of case analysis followed by questions. Some of this is good, but the subject being taught should be related more to what a lawyer will face when he gets out in private practice, e.g., after certain principles of contract law are studied by case analysis, the student should be handed a file containing relevant and non-relevant correspondence between two businessmen and be asked to give a written opinion on one or more points whereby he must apply the principles learned to his review of the correspondence. Also, law students need to be trained to write concisely and well. The amount of reading required should be reduced somewhat and a series of short memos should be written by the students and analyzed by the professor for clarity of expression as well as analytical ability.

✓ Question VIII is sexist in that considerations of wife, family apply to the male lawyer as well.

✓ It has been of some concern to me over the past few years that recent graduates from Michigan as well as the other top national schools are so weak in writing skills and, to a somewhat lesser extent, research technique and a knowledge of how to use research materials. This observation is shared by others in my office. I believe there is demonstrable need for the law schools to more adequately equip their graduates in these areas.

Question II assumes one was raised in a specific single location, which was not true in my case. I answered with the city where I lived the largest period of time during the period I was being "raised."

Question III assumes at least 3 ~~xx~~ sources of income; I had only two.

✓ The most important skill that was honed in law school was the ability to think critically--not to accept an argument merely because it is made by a teacher, judge, or anyone.

✓ I believe the law school could develop a curriculum that would develop litigation skills, including courtroom demeanor and technique, which would be of considerable value to those persons who wish to become trial lawyers.

✓ These questions seem designed to elicit an instantaneous impression of a graduate's professional condition 5 years after law school. Perhaps the entire 5 year period ought to be inquired of as a more complete picture. Additionally, a brief description as to the type of specialty if any beyond? VI might also be of interest.

✓ I am just completing 4 years of service as a judge advocate in the Air Force. For the past 2 years I have been engaged exclusively in criminal trial practice. This experience has made clear to me that courses in trial practice and procedure are a must in law school. Also, advanced courses in specialized problems of evidence would be most helpful for those interested in litigation. In this same vein, questions of ~~professional ethics and responsibility~~ professional ethics and responsibility should be explored in the context of the litigation process.

I found myself quite unprepared for trial practice and had to spend 2 1/2 years teaching myself about these matters. At least those interested in this aspect of the law should have such courses available to them.

✓ In addition to practicing law with a firm, I also am employed as an adjunct professor of law at a local, Detroit law school.

✓ No substantive knowledge is of direct benefit. The law school contributions are analytic training and the development of an inquisitive and skeptical approach to problem solving.

✓ This is excellent. I hope results will be published for everyone to see.

1. Emphasize research, writing ability, advocacy. Nothing betrays a mediocre lawyer more than inability to analyze & express clearly.

✓ 2. Business courses should be more integrated. i.e., interplay of tax, antitrust, corporate, commercial, financial considerations should be stressed. A good business lawyer (counselor & advocate) plans, view problems from all these standpoints. Security, Creditors Rights, & Commercial Transactions came closest to this ideal when I was at UM.

3. Practical career counseling should be available on a more frequent basis. It is difficult to impart an accurate notion of private practice without actually experiencing it, but some effort should be made for students who can't clerk during the summer.

4. UM's quality education really shows to good advantage when compared to other schools' products. I appreciate it more year by year.

✓ I think the Michigan Law education was an excellent grounding for the private practice of law.

✓ When I went to law school I knew I was not going to practice, I always intended to go into family business. Law is an excellent background for business. One of my best courses at law school was Mr. White's "Lawyer as Negot."; more courses like that would have been super.

✓ Under Item VII: Trial practice was not even offered when I wanted to take it--my final year. That was a gross, inexcusable deficiency in the curriculum. Even the lowliest law school should offer the course every term. For a school of Michigan's calibre it is intolerable that a full school year should pass without a course in trial practice offered. It should not be allowed to happen again!

Under Item VIII: Limiting responses to women shows the law school's same old sexist mentality is still going strong!

✓ Question VIIA. This question is difficult because one must distinguish between how he would change his own course elections and how the law school should change its course offerings (at least that's how I understand it). I am reluctant to suggest any deletions because I have ended up in a fairly "narrow" (and, at the time, new) specialty and think it one of the great strengths of the school that it offers these opportunities I suggest the additions I do because a) I have found my work regularly calls for knowledge which might be obtained in a Master of Public Administration curriculum (#17); b) I find it necessary to know more about the role(s) of law in ordering society than I derived from individual courses (and I don't recall a jurisprudence offering during my time, only Donahue's legal history) (#13); and c) I find myself repeatedly going into more depth in certain areas of constitutional law (commerce clause, (con't))

pre-emption, taxation powers) than was able to be covered in the 1-semester survey or than was offered (to the best of my recollection) in seminar settings (#5). My general feeling is that the course offerings were so varied and interesting that it was hard to choose.

Question VIII? At least for parts C,D and E of the question, I wonder why it's only directed to women.

The biggest shortcoming of my legal education was the lack of practical application. My course in Civil Procedure meant absolutely nothing to me in law school & seemed, at the time to have no relationship to my other courses. Upon starting practice, the importance of civil procedure immediately came to the fore. I firmly believe that each course should include practical application & that Case Club etc. not be limited strictly to appellate proceeds. In "Contracts," draft a contract; in "Real Property," draft a deed, land contract, examine an abstract; in "Civil Procedure," start a suit; in "Evidence," try the suit you started in "Civil Procedure;" in "Case Club," appeal the suit you lost in "Evidence;" etc.

I worked for IBM for two years as a corporate lawyer after graduation from law school (one of those years was with an IBM subsidiary subsequently transferred to another corporation), I left corporate practice to work for the N.Y. Public Service Commission, at a reduction in salary, in order to find more meaningful employment, and to get involved in public interest and environmental law.

I would suggest a new course with the following format. Perhaps once a week a problem in the form of a client's request for advise would be given out at 2 PM, and a handwritten memorandum of advice would be due at 5 PM the same day. The problems should cut across different areas of law and should involve a practical judgment in addition to straight research. An additional hour each week could be spent discussing research tools, effective organization of the response, and the exercise of judgment in recommending a course of action.

Question VII A. on the 5th year questionnaire does not admit of an easy answer. My personal course selection fits fairly well with what I am doing today which is approximately 50% tax law, 25 or 30% business counsel, and the balance in securities law. Accordingly, the answers that I have selected for VII A reflect my personal evaluation of where my own background could have been improved. Of the "hard courses," it seems to be that only Real Estate Financing is an area in which I am fairly weak by comparison to my understanding of the remaining areas of the law. My other two choices were negotiations, which I seem to do a great deal of, and professional responsibility. Professional responsibility is clearly underemphasized in law school as the lawyer in practice finds himself in a great deal more conflict of interest setting than he might have been led to believe.

I deliberately did not mark any columns for decrease because it seems to be that even those areas in which I personally do not practice would be applicable to others in today's rapidly changing society.

If you need a guinea pig for further clarification or amplification, put me on the list of volunteers.

✓ This is probably meaningless for me. I am between jobs to finish a Ph.D., and did not know whether to answer in terms of my last job - Legal Counsel to a School District or probable position beginning in January - Prof of Educ (law/adm) at U.C. Santa Barbara.

My income for the past year was exceptionally high and previously had been much less. In 1973 it was \$14,000. In 1972 it was \$10,000. I entered the U.S. Army directly from Law School in 1970 and spent 1 year and 9 mo; entering private practice in March of 1972. It is not likely that my income will exceed \$40,000 for yet some time again.

✓ The law school seems to have lost some of its best professors since I left and I don't have the impression that their replacements are of the same quality that they were. Why the loss? Could it be because the law school isn't giving the faculty the support it deserves in terms of concentrating on practical legal courses and is devoting too much support to what I would term liberal arts, rather than law, classes?

I think this Questionnaire is an excellent idea and I eagerly await the results of your tabulation and analysis.

With respect to V, supra, I spent two years racing sports cars as a driver at times, but mostly as a team manager and chief mechanic. I have checked the appropriate reasons in V.

Probably the only important consideration in my choice to leave the practice of law was a great sense of frustration in realizing that the real world is a lot different from law school.

✓ The most important difference is that Michigan is staffed by highly qualified, intelligent, and, for the most part, liberal instructors. The real world of law is staffed by all manner of lawyers. Unfortunately, my law school education was directed toward my ideals for a lawful society and I was lulled into the belief that while all people may not agree with me, at least the best lawyers would think along the same lines as I.

However, while logic may be fine for law school, it does not function well in the real world. While I was of the opinion that my reasoning was sound in my decisions in my first jobs, my immediate superiors were not. I was always vindicated by the highest authority which helped to assuage my feelings of inadequacy. But I still was faced with the question of whether the minimal change I was working was worth all the hassle.

I have now returned to the practice of law with one year of VISTA service and 6 months with Public Defender's. However, I still question whether the hassle is worth going through.

✓ It is difficult to separate knowledge learned in law school from knowledge learned in practice, but I feel the course selection and courses taken did prepare me for private practice, recognizing that based on my legal education there was not a single problem that I could solve w/o further research.

I have found that any given fact situation lends itself to multiple analyses involving principles of law from many areas, and that sometimes

(cont)

principles from different areas of the law result in different results. I don't know if that is something that can be taught, i.e. the diversity of approaches to a problem, but it is a fact of practicing.

Question VII appears ambiguous in that the first clause appears to elicit a response indicating changes the respondent would make in his individual program while clauses (a) and (b) seem to ask what changes should be made in the curriculum in general. I have answered the question on the assumption that the former interpretation was intended. With respect to the curriculum in general, I believe the program as offered at the time I left in 1970 (which I assume is essentially unchanged) is fundamentally sound. The required courses (with the possible exception of the historical introduction to the legal system) were clearly the basic courses with which every lawyer should be familiar, and the elective courses covered the full range of potential interest.

I can make no recommendations on course offerings. The variety available was such that I could not take advantage of all that was offered, nor did I take any courses which should not have been available.

Two years ago I was on the 25-30 K salary range at a Detroit firm. However, I did not like the way I was living - personally & professionally. So I now live on an 80 acre farm in northern Minnesota. After not practicing for a couple of years, I am not handling appointed work in my local county court. All that doesn't seem to fit in your boxes.

Number VIIA is ambiguous, It refers to revising course election but the actual question deals with course offering, i.e. in light of my experience I might revise my course election to take, for example, business planning-- but since this was offered, this does not reflect on the course offerings.

Writing opportunities in law school seem confined to lengthy research projects & tests which are completed at the end of a term and rarely critically examined by students after the professor's evaluation. Short research topics and even opinions of legal subjects limited to one, five, etc. pages might be appropriate for mid-term assignment.

1. For government employees and others who receive non-cash or deferred income, the above salary figures are not reflective of actual income.

(Perhaps the next survey could make allowance for this.)

2. With the growth of public contract law as a separate area of practice distinct from administrative law, consideration should be given to establishing a course or seminar in that field.

I guess I was more distressed at my lack of practical experience than anything else when I got out of school. I realize that it was partly my fault, but I cannot propose any type of fool-proof system to accommodate every student. I am most appreciative of the basics that I received at a very fine school, and I do not feel that their importance can be emphasized enough.

In all, I am very grateful for having had the chance of going to school at Michigan and meeting the many good people that I met. The overall atmosphere for me was the most important part of the school.

From my experience after Law School, I have concluded that the most valuable training the Law School can provide involves the areas of legal analysis and communication including both oral and written advocacy. I do not mean to downgrade the substantive instruction, but believe strongly that sharpening the tools of effective reasoning and communication is essential for the Law School in training students for successful careers in the law.

Highly interested in any correlations that can be drawn between the answers to category VII and IV A, IVB and VI.

In question VII A would have also increased areas of contracts & remedies (6), Real Property (21) and Business Planning (2).

Any thought being given to a 'general practice' curriculum or quasi-specialty cross section of classes designed to provide general background for smaller and/or rural practice? (*akin* to medical FAMILY ~~PRACTITIONERS~~ PRACTITIONERS)

Don't men have family responsibilities, children and spouses who "feel" about their careers?

Expanding on VIIB, particularly in the corporate and commercial areas, it seems to me that a more unified educational approach would provide greater assistance in analyzing practical problems. For example, a typical business planning assignment may include highly integrated problems of personal and corporate taxation, corporate law, anti-trust law, and estate planning. An educational approach which incorporated these integrated areas- ~~emphasizing~~ emphasizing the weight attributable to each-may provide a more helpful, practical orientation.

I do not understand why Part VIII was limited to women. It seems to me the combining of family & career responsibilities and the supportiveness of one's spouse are sex neutral areas of inquiry.

Since Law School, I have only been with one law firm, but my association there was interrupted by 3 1/2 years in the Navy (Judge Advocate's Corps)

Law School seems to produce people who are unable to recognize that a client deserves the best representation available irrespective of counsel's personal view of the merits of the facts &/or law of the case and to realize that a certain "toughness" in advocating the client's rights is essential in effecting such representation.

My training at U. of M. seemed largely an intellectual exercise, in which I lost interest after first year. I felt unprepared to take on responsibility as an attorney in the business world upon graduation, although I realize that my own lack of interest played a large role. I would have liked to see more of an emphasis on dealing with people, rather than simply concepts. I also disliked the often humiliating practice of "calling on" students for recitation - for me, the prospect of being embarrassed by being unprepared in class led to a record of absences which has probably not been approached since.

I am not a "woman's liberationist," however I resent the questions set forth under Section VIII. Although a man I also have a spouse, children and family responsibilities. Is it not important to know if my spouse is supportive of my career? If I have time for my children? Also, I found, in my case, Question 3 (III) almost impossible to answer. As a whole I can't believe benefits can be derived from this questionnaire to even approximate what costs must have been involved.

✓ Law School curriculums need to be related more to the real world work of lawyers, whether in private practice or government.

✓ Courses should stress, to extent reasonable (and depending on the course) teaching students how to draft, how to negotiate, and how to deal with people.

✓ I have just opened my own practice.

✓ I would like to have a better business and finance background. This would enable me to better apply the legal principles that I learned more or less in a void. I feel it would be very helpful for law students to work in firms, government organizations, etc., during the summers. This would give them a better perspective for examining legal theories during the school year. I also think it is valuable for students to take a variety of types of courses, e.g. common law subjects; administrative law; courses based mostly on regulations (tax); etc.

Law School has undoubtedly been the most significant of my experiences.

✓ I have never regretted my decision to study law. I received a superior education at Michigan and it has served me well, although, in retrospect, I can see that most of the instructors tended to be *rather* reactionary...I am pleased, *therefore*, to see new faces being added...-