Planning for the Next Century

Dennis Lynch accepted the deanship as the law school neared the completion of its first one hundred years. The themes and debates that had dominated the first century of the College of Law are still present and are complemented by the challenges new technologies present for legal education and the practice of law, as well as a growing sense of a crisis of values within the legal profession. The old themes combined with the new ones define the challenges the University of Denver must confront as it prepares students for the twenty-first century of law practice. This history of the first one hundred years ends as the law school takes steps to preserve its traditions and what has been exceptional about the University of Denver, and to confront future challenges.

Dennis O. Lynch
Dean, 1990 to present
M. MARILYN McWILLIAMS  
Class of 1991

My first year was a shock. It was harder in a lot of ways than I thought it would be. It was a very anxiety-producing year. It was different than college in that there was more of a hostile relationship between professors and students. Some of the professors were great and were easy to talk to outside of class, but the interchanges within the classroom were a lot less friendly than in college. I didn't go to law school until I was thirty-nine. It was fun for me because I got to go and relive the life of a twenty-two year old. I had been at home raising my kid1 for many years and I got to an age where I thought "if I'm ever going to do this, I'd better do it now."

I remember Professor Hardaway with his deck of cards. He had one of our names on each card and then he would shuffle and pick one at random. I was never called on the entire year. He was a very good professor and I did learn a lot from him in spite of the anxiety that his...
Considerable effort by many preceding Lynch’s arrival, set the stage for the change to a semester academic calendar in the fall of 1990. The transition affected new grading and class ranking systems. The faculty had long wrestled with grade normalization, assessing the wide disparity in grading. The change to letter grading necessitated a formula for converting quarter system grades, and the faculty set mandatory mean and medium grades for all sectioned classes.

The revised core curriculum accompanying the semester changeover was the result of a faculty curriculum committee’s comprehensive review begun in 1987. A total of forty-seven hours, fifty-two percent of the ninety needed for graduation, make up the required courses. These include Contracts, Torts and Constitutional Law at six credit hours each; Civil Procedure, Criminal Law, Property, Lawyering Process and Evidence at four credit hours each; Administrative Law, Legal Profession and a “perspective elective” for three credit hours each.

The new course called Lawyering Process was an important feature of the new core curriculum. Described as being on the “cutting edge,” the Lawyering Process course was developed by Professor and former Associate Dean for Academic Affairs Jeffrey Hartje, and was founded in the school’s tradition of combining theory and practice. Bringing together two former courses, Decision Process and Research and Writing, the new course also added distinctive elements. It simulates law firm settings where basic skills are taught through a clinical experience to a small number of first-year students. Upper-division law students serve as junior partners, and local attorneys guide the learning process as senior partners. The course

In Professor Laitos’ Constitutional Law class when we got to talking about affirmative action and abortion, there were some people that got really stirred up about it. There were some very heated discussions. Professor Laitos was not in the habit of allowing students to argue a lot about issues but he respected them and allowed them to get their points across.

I did a lot of writing while I was in school. I was on Law Review and did a lot there, but I don’t think I did enough while I was there. In fact, I don’t think anyone does enough writing in law school.

Exams were very different than those that I had in college in that I could never tell how I had done on a law school exam. My very first test was in Contracts. After the test I remembered that I had not even mentioned promissory estoppel on the test. I was convinced that would kill my grade because it is such a fundamental principle. I ended up getting an A on the test. I never felt like I had done particularly well or poorly on an exam after I was finished. I thought it was very hard to wait so long for your grades.

I really did like learning all of that stuff. It added a big dimension to me and to my life. I think getting through it gave me a sense of achievement.
My first year was everything that it was cracked up to be. I was an evening division student, a second-career student, and I found some of the attempts to put students through the drill ineffective. I think everyone tried to live up to the "Paper Chase" reputation, and I don't think it is very effective in the evening division.

It wasn't as bad as I thought it was going to be. I had the advantage of spending several weeks the summer prior to entering law school in the preparatory program that Professor Brody put on. It gave me a chance to learn how to read case law and brief cases. It was very helpful for those of us who had been out of undergraduate school for a number of years, in my case ten or eleven. I was working full time for a national company out of Cincinnati and was able to balance that and school and family fairly well. I had to make some conscious decisions to maintain balance in my life and continue to be successful in my work and as a husband and father and to be successful also in law school.

As I look back on it, it was stimulating. I usually came home from work pretty well drained, and I was surprised how easy it was to get geared up and maintain the stamina to keep going until ten o'clock at night. It never used to hit me until the drive home. I think it was because it was so intellectually stimulating that it kept me going.

I was generally impressed with the quality of instruction at DU. Some of the best professors I had and some of the worst professors I had were from the adjunct program. I thought that group of professors brought an element to the education at DU that was pretty special. The instruction was very much based in the real world and the people that do it are dedicated professionals. They don't get paid very much to do it, and I think that their motivation is pretty pure.

I remember very clearly the Civil Procedure course, which at that time was pretrial and post-trial. The pretrial was taught by Dick Greenard who is an adjunct. He is a respected professional here in Denver. He used one hypothetical throughout the entire course to explain every facet of civil procedure. It was Miller v. McKenzie, a very simple fact pattern.

I think it was a dog bite case. He built on that hypothetical through the whole semester and the thing that was beautiful about it was that he would just have to say "remember Miller v."

The fall of 1990 also marked the inauguration of a long-term University study planning on mission and goals. Intertwined with this effort would be Lynch's call for a complementing review of the law school's educational mission in reference to a number of matters, both internal and external. The school's goal, he said in a Law Alumni Newsletter report, would be to become the most vital and between California and Illinois. We will do this by maintaining our unique character and fulfilling our role to identify and to address the educational needs of the legal community, both in the preparation of new legal practitioners and in the continuing education of accomplished professionals.

A mission statement for the College of Law evolved from the school's self-study begun in preparation for the 1991 ABA/AALS accreditation review. This statement, coupled with discussions of other goals, including a special supplementary report by a faculty/student/bar committee on student experiences, has provided ongoing direction. A thorough study of the mission statement provides insight into the direction the faculty and administration felt the law school should be moving.
MISSION STATEMENT OF THE COLLEGE OF LAW

The College of Law aspires to be a national law center of first rank, recognized for the quality of its professional education, for its relevant and innovative scholarship, and for the contributions of its faculty, staff and students to Denver, to the Rocky Mountain Region, and to the nation.

Through education, research, and service, the College contributes to human knowledge and betterment and to the understanding of law, legal institutions, and the social context of which they are a part.

To achieve this mission, several conditions must be met:

The College's educational program must prepare graduates in the knowledge, skills, and ethical standards demanded of the legal profession and prepare them to confront the challenges lawyers will face in the 21st century.

We must aspire to:

Make the student learning environment even more nurturing, challenging and successful;

Place particular focus, of both resources and creativity, on the crucial first-year experience;

Commit to integrate our evening division students fully into the life of the institution;

Provide even greater faculty-student interaction, through smaller classes, colloquia, visiting scholars, and other activities;

McKenzie” and we were all on the same page. It was one of the best teaching techniques that I have ever been exposed to.

Jan Laitos in the Constitutional Law course and then again in the Natural Resources course had an outstanding ability to teach the course content. He was masterful. I liked the level of respect that he shows to his students through his preparation. His exams were take-home and you were allowed to work in groups to gather your own information so long as you wrote your own paper. His explanation for this was that it was more like the real world situation. In practice, you are given a problem and they don't care who you talk to to get the answer, so long as you get it. I thought it was a mature and wonderful way to treat students.

Probably the best course that I had in all of my law school career was a real estate course that I took with Jimmy Winokur. There were eleven of us in the class. It was in a small room in the basement of Porter Hall and we all sat around one table. It was so informal and casual that I loved it. He was wonderful.

Law school was a positive experience for me. My wife went back to get her master's degree at about the same time that I went back to law school. We figured that we might as well study together. It was a time in our life in our late thirties when we were looking for something else. It was extremely intellectually stimulating.

The one thing that I took away from law school that was overwhelmingly positive were the friendships that developed and that I still have. We had a class that I think was relatively unique in that you didn't see some of the competitiveness and back-biting that is common in law school. We had a pretty special group. Several of us decided to try to get some of the class together last year. We met down at the Rock Bottom one day after work and sixty or seventy people came.
I came to DU because I had been on the East Coast all my life and I wanted a change. I had heard of DU only because of the fact that it was one of the two law schools in Colorado. The East Coast has the impression that only the Northeast schools count, but I did not believe this. I remember the application process because I find personal statements really difficult.

I had a chance to take part in two of the clinical programs at DU. I did the mediation clinic and the tax clinic. They were wonderful.

Generally speaking, no matter how hard you work law school is extremely arbitrary. I have worked very hard in classes and gotten average grades and then worked diligently but not hard at all in other classes and gotten A's.

After my first year of law school I went to upstate New York and worked for a district attorney. It was a disappointing experience because I worked for a D.A. who wanted to play golf more than he wanted to prosecute. There were a lot of incest problems and the family court attorney would work very hard to get all the evidence together so that the D.A. could prosecute and he would plead out the cases all the time. It was very frustrating to see. That soured my whole opinion of the judicial system.

My second year I did the mediation clinic, which was great because I was down at the court a lot. It was an invaluable experience. After my second year I received a Public Interest grant from the law school to work with Native Americans in New Mexico. That was an incredible experience. So much of what we did down there was mediation, so my clinic experience was invaluable. Two of the attorneys who were there were in the process of taking the bar so we were in a situation where we all had our own caseload and I had pretty much full authority to work with the clients. It was fascinating to have my own clients, especially to have Native American clients. I

Provide students with more opportunities to engage in legal research and writing under faculty supervision;

Build on the strengths of our recognized special programs in Natural Resources Law, International Law, Transportation Law, Business and Commercial Law;

Infuse ethical considerations into all classes;

Inspire a vision of the law that is aspirational: to serve, protect, and better human conditions throughout the world.

The faculty must be capable of producing scholarship, broadly including all forms of legal-intellectual creativity, not only on traditional law subjects but also addressing the problems of a changing society.

The College must maintain a quality law library that adequately supports both the educational and research missions of the faculty and that serves as a resource to the surrounding legal community.

The College must foster an educational and research environment that will attract and retain exceptional teachers and scholars and the finest students, and that will encourage each individual to develop to the limits of his or her professional and scholarly potential.

Lynch and the law school faced many challenges, including program and faculty development as they began working toward the achievement of the goals embodied in the mission statement. Many new faculty appointments were made, increasing the diversity of the group. Retirements of long-time teachers also reshaped the faculty ranks. Professor Janes E. Wallace stepped down from full-time teaching in
1992, following the 1991 retirements of Professors Christopher Munch and Edward E. Pringle. Professor William Beaney had retired in 1990, Professor Murray Blumenthal in 1989, and in 1988 Professors William A. Altonin, John Carver, and John Phillip Linn left full-time posts. Several have continued to maintain offices at the College and Law and teach on a part-time basis. Adjunct Professor Stephen C. Rench left the faculty in 1991 to return to the full-time practice of law.

Faculty also received major recognition. The World Peace Through Law Center bestowed its highest honor for legal scholarship - the World Legal Scholar Award - upon Professor Nanda in April 1990. The award was presented to him during the organization's annual conference in Beijing, China. In addition, Nanda was instrumental in obtaining a $40,000 Ford Foundation grant covering the 1990-92 academic years. The grant, one of twenty-four awarded to American law schools, was designed to attract students and scholars to the study of public international law. Veteran Law Professor Howard Rosenberg also served as president of the Denver Bar Association from 1992 to 1993.

On the programmatic side, the Rocky Mountain Land Use Institute was established at the College of Law in 1992, with Professor Edward H., as the executive director. Through the work of the institute, law students have an opportunity to participate in a variety of educational activities related to government regulation of land use and development. The self-supporting institute operates in affiliation with both regional and national advisory boards, the members of which are among the leading academics and practitioners in the field.

Dean Lynch also undertook a number of high profile development projects, a lifeblood of the College of Law. He continued to strengthen the Public Interest Clerkship program which had been initiated by Professor Beaney. Beaney was honored for his special support at a reception on October 10, 1991. In the fall of 1992, efforts to expand public interest awareness were further enhanced by the establishment of The Chancellor's Scholarships, noting DU as one of only twenty law schools with such programs at the time. The scholarships provide full-tuition support, renewable through all three years of law school, for candidates demonstrating prior public service as well as a strong level of public interest commitment for the future. Recipients organize and participate in a variety of public interest activities and programs at the law school and in the community.

A student Public Interest Law Group is also active at the school and its founding leaders have been honored by their fellow students. One of the initial and very successful projects of the group has been a tutoring program at a nearby elementary school. In 1993, other student leadership awards were initiated by the SBA to provide recognition of the contributions students make to the law school and the community. Students, faculty and staff submit nominations for these awards recognizing those who create innovative programs within and outside the law school and those who demonstrate significant leadership.

As was true for many of his predecessors, Lynch's tenure was marked by a war. Although the January 1992 Desert Storm operation was short-lived, it affected the lives of some law students and gave the administration pause to interpret the effects and aftermath of such conflicts. Other issues affecting students...
were also at the forefront. While DU's placement record has been commendable, Lynch realized that the job market was at a crisis level. Innovative programs, beyond the traditional methods, he pointed out, would be required to assure potential law students that a DU legal education is marketable. The Law Alumni Council played an important advisory role as Lynch and other school officials addressed new directions and goals. The council members were asked to critique the College's self-study as well as to review communication issues between the school and the local, regional, and national legal communities.

A 1993 summer project provided additional student lounge space with the relocation of the Ira L. Quiat Lounge from Mason Hall to an attractively created area adjoining the entrance to the Westminster Law Library. Expanded computer lab facilities were added in the library as part of that project as well. The school also created a much-needed smaller lecture hall with the renovation of classroom C-85 in the Lowell Thomas Building. The combination classroom-lecture hall is appropriate for lectures and presentations for groups up to 150 persons. Other physical changes also occurred. During the school’s centennial year a permanent Lowell Thomas exhibit was completed in the atrium of the law building, featuring memorabilia highlighting Thomas’ well-known career. Through a gift of $30,000 from the DU Law Bookstore, carpeting and lounge furniture were added in the atrium area, greatly enhancing its physical appeal.

Under Lynch’s leadership the College of Law has generated funds and financial support from a number of traditional as well as new sources. These include the continued success of the Law Alumni Fund, new named scholarships, and significant bequests. Included in the latter category was a $400,000 bequest from the estate of Phyllis H. Smith, sister of Kenneth L. Smith ’50, who died in 1987. The gift established the Smith scholarship award. A $288,000 grant from the United States Department of Education extended for the years 1990 to 1993 the funding of the College’s
Mediation and Arbitration Center. A group of Hispanic law graduates has renewed support efforts, under the chair of Ralph G. Torres '70, for the Robert B. Yegge Hispanic Scholarship which they established upon Yegge's retirement as dean.

Perhaps none of the financial developments was as significant as the one Dean Lynch reported to members of the Law Alumni Council in January 1993. After long negotiations, Lynch and University officials had "worked out an equitable formula... allowing the College of Law to retain 81% of the funds they collect. This is termed a standard arrangement between law schools and university administrations throughout the country," Lynch noted. Achieving this arrangement with the University had long been the goal of the law school's deans and much credit goes to Lynch's perseverance and personable style in achieving this great success. Chancellor Ritchie has also commented that he felt relations between the University and the College of Law, particularly in regard to financial matters, were the best they had ever been. As a result, the 1991 ABA/AALS site evaluation team was complimentary regarding:

- progress made in raising the level of salaries, in financial support available to students, in increasing reference staffing of the library, in addressing the issue of overhead payments to the University, in addressing the problem of funding for the library and in increasing the availability of support and computer services to the faculty.

Despite this significant progress on the financial front, financial aid issues remained pressing. With individual tuition costs at $13,920 and the annual law student budget at $23,428 for 1992-93 it was not surprising that law students must borrow huge sums of money to pay for their legal education. It was estimated that for 1992-93, approximately seventy-five percent of the students would borrow over $11 million from all loan sources. The actual amount of financial aid awarded by the College of Law for the same period amounted to $1,298,508, distributed among 280 students. That so few received assistance supported the school's continued fund-raising emphasis on scholarship needs. It was increasingly important as the competition to attract new students grew. That competition was also affected by the attempts to rank America's 176 accredited law schools. In one such ranking in U.S. News and World Report, March 22, 1993, the College of Law was ranked in quartile three, a position that must be improved, Lynch emphasized. The rankings were based on student selectivity, placement success, faculty resources and two measures of institutional reputation determined by two surveys conducted by the magazine, one among deans and senior faculty, the other among practitioners and judges.

One of Lynch's major assignments was to set in motion planning for the College of Law's centennial observance during the 1992-93 academic year. Preliminary planning had been initiated soon after he assumed his duties as dean. Lynch wisely tapped Professor of Law and Dean Emeritus Yegge to coordinate centennial activities. Co-chairs of the centennial planning committee were Judge Robert McWilliams, and Mary T Hoagland, MSJA '72, JD '75.
The centennial celebration included a year-long series of events, all planned around the central theme of "Building on a Tradition of Leadership." Included were many lectures and conferences during the year, as well as some particular events dedicated to the centennial itself. On October 1, 1992, the centennial celebration dinner was held at the Radisson Hotel in Denver, the former site of the Mapelli Brothers Market. The dinner speaker was R. William Ide III who was then president-elect of the ABA, and citations were given to graduates of the first fifty years of classes at the College of Law. Later that month, on October 22, those from the DU law school joined their colleagues from the University of Colorado School of Law in a luncheon at the Brown Palace Hotel celebrating the centennial years of both schools. In April, a revival of Derby Day was held at the law school as part of the centennial celebration.

With the close of the centennial year comes the end of this text. The history of the law school recounted here has been varied, a tale of the institution itself and its struggles and achievements during its first century. The real measure of the success of the College of Law is not only in its own history but also in the stories of its graduates. As Lynch recently acknowledged to school contributors:

In every generation graduates of the College of Law have been leaders, in government service, the courts, as distinguished practitioners and prominent legal educators. We are proud of the alumni who have dedicated themselves to the exercise of their profession with faithfulness to the people and communities they have served, as practitioners or in other capacities.

Our graduates' achievements are their legacy. We celebrate their success and generously with gratitude and pride.

It is to all University of Denver College of Law graduates that this history is dedicated.

One of the most significant legacies of the centennial was the establishment of the John A. Carver, Jr. Chair in Natural Resources and the inauguration of the Lectureship on Natural Resources and Environmental Law also done in Carver's name. In a celebration on April 1 in the Davis Auditorium, Professor Jan G. Laitos, who directs the law school's Natural Resources Program, was installed as the first holder of the chair. The initial lecture was presented by former Secretary of the Interior Stuart Udall who spoke on "Reflections on the West and Its Resources."

A gala dinner was held on October 1, 1992, as part of the year-long celebration of the law school's centennial.