

Stanford Lawyer

CELEBRATION ISSUE



Stanford Lawyer

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IN CELEBRATION OF CROWN QUADRANGLE



Ralph Maltes, Jr.

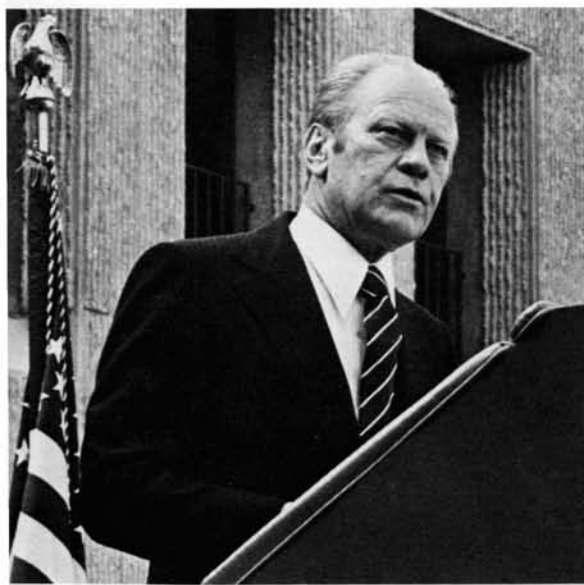
To commemorate completion of Crown Quadrangle, the new Law School buildings, more than 1,000 alumni returned to the School for a week of Celebration. The opening event of Celebration was a visit to the School from President Gerald R. Ford on September 21. On September 26 and 27 the School hosted two days of Celebration activities, which included tours of the new buildings, seminars on future trends in various areas of the law, panel discussions on the legal profession, a Law School revue, receptions for emeritus professors and deans, exhibits highlighting the history of Stanford Law School, an alumni banquet in the Inner Quad, class reunions, and the dedication of Crown Quadrangle.



Chuck Painter

LAW, LEARNING & LIBERTY

AN ADDRESS TO THE STANFORD LAW SCHOOL BY THE HONORABLE GERALD R. FORD, PRESIDENT OF THE UNITED STATES



Chuck Painter

It is a very great pleasure to be here at the Law School today, to be a part of this very special dedication. The students and faculty of Stanford have always demonstrated an outstanding devotion to the concepts of truth, justice, and equality under the law—and yesterday you did it once again. When it comes to equality, you just can't be any more equal than that game with Michigan.

19 to 19! Well, what better place than a law school to celebrate a hung jury.

Today's dedication of this impressive new home for the Law School is certainly no tie—it's one more victory in Stanford's unbroken record of educational excellence. The dream of Senator and Mrs. Stanford that the children of California should be their children, with the help of many who have followed their generous example, has been broadened to benefit the young men and women of all America and the world.

Back in 1968, when plans for this Law School complex were completed, there was a serious question in many sober minds whether the rule of law in this country was breaking down. Assassins gunned down a candidate for the Presidential nomination and one of our most eloquent civil rights leaders. In one week, riots and arson and looting swept 125

cities, including the capital of our Nation. Violent disorders, demonstrations and defiance engulfed many of our campuses.

In the midst of this, I was to make the 275th commencement address at the College of William and Mary, which produced such giants of our Constitutional history as Thomas Jefferson and John Marshall. As a result I got an early start on my Bicentennial re-reading of our Nation's beginnings. And I asked myself what were the most precious possessions the first settlers of the American wilderness brought across the Atlantic? What was nurtured here in the New World to be carried across the mountains, across the plains, across the deserts and over the High Sierra to the Golden Gate of California? What made us the unique nation and people we are today?

For the most part the first American immigrants were poor, they were outcasts, they were persecuted, they were disadvantaged, they were dissenters, and they were rebels against the Old World Establishment. They brought little beyond what was on their backs and in their heads except a few seeds and a few tools and a few books. But what they brought was precious.

They brought, even as they protested

its capricious abuse, an abiding respect for the rule of law—they built orderly systems of self-government even before they erected dry houses. Generations later, when our Founding Fathers met in Philadelphia to declare their independence, they formally stated their reasons in terms of both moral and legal rights which the distant King and parliament had denied the colonists. Our American Revolution was unique in that we rejected our rulers but revered their rules.

The early settlers also brought to America a profound appreciation of the disciplines of formal education. They cut logs for school houses as well as stockades. There were more colleges and universities in the 13 colonies before the American revolution than in all of England, Scotland and Ireland. As Americans moved westward, they set aside lands for the higher training of teachers, engineers, agriculturalists, scientists, doctors, lawyers and other professions. They encouraged the support of both private and public institutions of learning in State and Federal tax policies. No nation, at any time, has put a higher priority on education for all its citizens.

Finally, the long march of the Americans half way around the world, from Jamestown and Plymouth Rock to the westernmost tip of Alaska and the Pacific Islands, carried with it a common commitment to the future. The material progress of the United States of America has been premised on the half-humanist, half-theological idea of the perfectibility of society, the enlargement of human freedom and the innate worth of the individual.

Stanford University, where the winds of freedom still circulate through pleasant quadrangles old and new, was built and still stands upon that solid triad of law, learning and liberty.

The fears of seven summers ago were unfounded. The rule of law survived. Our Constitutional instincts proved sound. The commitment of Americans to law, learning and liberty continues in this very court this afternoon.

But contradictions and dilemmas remain in our society in abundance. They will always exist in a democratic nation where the delicate balances between freedom and order, between private right and public interest, between the safety of the state and the security of the individual, all require constant review and resolution.

This is the role of government at all levels and the mission both of those

who make the law and of those who practice and perfect it. There is an old saying that those who love the law and those who are fond of sausage should never examine too closely how either is actually made.

I certainly do not intend to pick any quarrel with the sausage-makers. But as a former lawmaker, and as a lawyer, I believe we need to examine much more closely how our Nation's laws are made—in order to prevent perfectly laudable legislative intentions from having perfectly horrible consequences.

Literally hundreds of examples could be cited. Let me take one area that affects almost everybody, with which you as lawyers will surely have to deal. That is the area of the individual's right of privacy—the right to keep one's individual identity inviolate—or in plain talk, the right to do your own thing.

I can speak with some authority on this because, as Vice President, one of my chores was Chairman of the Domestic Council Committee on the Right of Privacy. I took that duty very seriously. Among the first things we learned was that one of the worst offenders is the Federal Government itself. I don't mean improper or illegal invasions of people's privacy or Constitutional rights by Federal agencies or individual officials, which nobody condones and which I absolutely will not tolerate as long as I am President.

Rather, I mean threats to privacy which have resulted from laws duly enacted by past Congresses for laudable purposes having wide public approval. Many of these laws, with today's technology, cumulatively threaten to strip the individual of privacy and reduce him to a faceless set of digits in a monstrous network of computers. He not only has no control over this process but often has no knowledge of its existence.

For example, in a simpler and earlier era, the government's principal interests in watching its citizens was to see that they obeyed the law, paid their relatively uncomplicated taxes, and from time to time, came to their country's aid in an emergency.

But when government expanded enormously and undertook vast social programs that established a direct link between the citizen and the bureaucracy, government logically became interested not only in monitoring criminal behavior but also a lot of other things about its citizens' lives and habits. To determine the eligibility of millions of individuals



Chuck Painter



Chuck Painter

for receiving government benefits, for welfare or unemployment or social security or service pensions or other special assistance, government has to gather, record and constantly update information. Government acquired a legitimate reason to inquire also into the private lives of students seeking scholarships, professors seeking research grants, businessmen wanting government loans or requiring government licenses, professional persons doing business with the government or participating in subsidy programs. The list is endless.

Over the years, therefore, agencies of the government—State and local as well as Federal—gradually have amassed great amounts of information about almost every one of us. As technology advanced, it made administrative sense to combine and codify such information, especially when it was voluntarily given in expectation of benefits and beyond the special legal safeguards provided for Federal census and internal revenue data.

Here we face another dilemma of a democratic society in this new technological era where information is not only power—as it has always been—but also instantly retrievable by anyone trained to push the right buttons. Certainly we cannot scuttle worthwhile programs which provide essential help for the helpless and the deserving citizen. Yet we must protect every individual from excessive and unnecessary intrusions by a Big Brother bureaucracy.

Many recommendations of the Committee on Privacy which I chaired as Vice President were incorporated in the Privacy Act of 1974, which a cooperative Congress passed and I was pleased to sign as President. That law goes into effect next Saturday [September 27]. Briefly, the Privacy Act generally prohibits collection of information concerning ex-

ercise of an individual's First Amendment rights. It requires that files on individuals be accurate, relevant, timely and complete. It requires the Federal government to reveal the existence and whereabouts of all data systems containing identifiable personal information. It gives everyone the right to read his own file and make corrections or amendments. It commands the government to use the information only for the purpose for which it was collected. And it sets up an independent Privacy Commission with a two-year mandate to monitor the operation of the law and investigate additional privacy issues.

It is, to be sure, admittedly experimental. But it makes a long-overdue start in trying to restore to every individual some of his rights which have been eroded in the process of gaining other advantages. I have said in Bicentennial speeches around the country—and will continue to say—that the great achievement of the first century of American Independence was to perfect political institutions strong enough to endure stress and responsible to the times and needs of the people.

The second century of our independence, now ending, saw the development of the world's strongest economic system in the free climate our political freedom fostered. Two hundred years of American independence have gained for us an unprecedented measure of political and economic stability and success.

But what should be the goal of our third century as a Nation? I prefer to look at our Bicentennial celebration through a telescope, not a rear view mirror. I see the great challenge of our next hundred years as the advancement of individual independence—of specific steps to safeguard the identity of each and every American from the pressures of conformity. These pressures close in upon us from many quarters—massive government, massive management, massive labor, massive education, massive communication and massive acquisition of information.

To meet this challenge, we still need a positive and passionate commitment to law, to learning, and to liberty. Without law, there is no liberty. Without liberty, there is no learning. Without learning, there is no law.

Here at Stanford, you have all three. Law, learning, and liberty. Make the most of them. Make them part of your lives. Make them your richest legacy as well as your most precious inheritance.

San Jose Mercury

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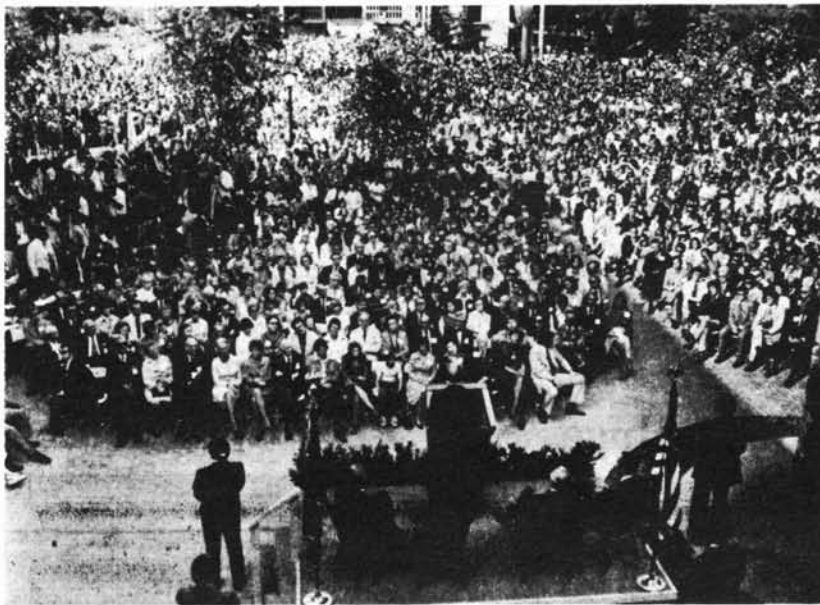
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★★★★★

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Ford Pledge At Stanford: Rebirth Of Citizen Privacy



STANFORD SPEECH — President Ford addresses the more than 10,000 persons who attended the dedication of Stanford

University's new law school facilities. In his speech, the President decried federal government intrusions into privacy. Sev-

eral hundred demonstrators, blocked by the huge crowd, were unable to get very close to Ford. (More photos on Page 3)

— Staff photo by Richard Widson

10,000 HEAR SPEECH

Declares War On Excessive Bureaucracy

By ELIAS CASTILLO

Staff Writer

STANFORD — President Ford vowed Sunday to ensure every American's right to privacy as he made his first Northern California speech since a gun was drawn on him 16 days ago.

"We must protect every individual from excessive and unnecessary intrusions by a Big Brother bureaucracy," he told a crowd of about 10,000 who gathered under clear skies outside Stanford University's new Crown Quadrangle Law School.

More than 250 chanting demonstrators unsuccessfully attempted to drown out Ford's brief speech.

The President ignored the group as he stressed that America must "safeguard the identity of each and every American from the pressures of conformity" during its next hundred years.

The United States, he criticized, has passed too many laws that impinge upon its citizens' right to privacy. "Among the . . . worst offenders is the government itself," he said.

Ford, clad in a dark blue suit, white shirt and red, white and blue striped tie, stressed he did not mean "improper or illegal invasions (by the government) of people's privacy or constitutional rights, which I'll absolutely not tolerate as long as I am President."

The Chief Executive said he referred to "threats of privacy" resulting from laws passed for "laudable purposes having wide public approval."

Such laws, he said, "threaten to strip the individual of privacy and reduce him to a faceless set of digits in a monstrous network of computers. He not only has

no control over this process, but often has absolutely no knowledge of its existence."

Government agencies "gradually have amassed great amounts of information about almost every one of us," he said. Such information, Ford continued, requires a need to "protect every individual from excessive and unnecessary intrusions by a

(Back of Section, Col. 1)

★★★

Protesters Muffled By Big Throng

By CHARLES BRICKER

Staff Writer

STANFORD — President Ford's political magnetism got a big boost Sunday when a crowd estimated by police at 10,000 poured onto the thick grassy fields of Stanford University to hear the chief executive dedicate a new law school building.

It was one of the biggest gatherings for a political figure in Peninsula history, observers noted.

The throng was so enormous it dwarfed and rendered ineffective a demonstration of some 250 to 300 predominantly young people opposed to the Ford administration.

The protesters carried dozens

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WRITERS UP TO PAR

Gags Lighten President's Speech

By HARRY FARRELL

Staff Writer

STANFORD — President Ford's speechwriters did their best Sunday to lighten his Law School dedication speech here with a quota of gagsline.

The Stanford gridders' Saturday game against the President's alma mater, Michigan, gave them a natural starting place.

After lauding Stanford's devotion to "equality under the law," Ford jested:

"When it comes to equality,

you just can't be any more equal than that game with Michigan — 19 to 19! Well, what better place than a law school to celebrate a hung jury."

The President probably hoped his audience of 10,000 would take that line as a lighthearted, spur-of-the-moment adornment to his speech which was a serious dissertation on the right to privacy.

But it wasn't. Every word of the gag was frozen into the formal text. And the President didn't deviate one iota as he

read it in his sincere "middle America" tones.

Ford wasn't ad libbing either when he tossed in "the old saying that those who love the law and those who are fond of sausage should never examine too closely how either is actually made."

He used that line to drive home one of his more somber points—the tendency of Congress, in its zealotness to legislate, to intrude on the private lives of individuals.

But if President Ford's punch-

line timing left something to be desired—as compared to Bob Hope's (or John Kennedy's)—no one in Sunday's crowd gave any indication of feeling cheated by the performance.

The outdoor throng, which spread for 150 yards or so in front of the President, was an orderly one, though a fringe of student demonstrators kept up an undertone of cries and catcalls way out in right field. They didn't bother anyone (least of all the President), nor did

(Back of Section, Col. 4)

September 26-27, 1975

CELEBRATION



Dean Ehrlich gives the Celebration Welcome.

Professor J. Myron Jacobstein





Professors Gerald Gunther and William Cohen discuss developments in Constitutional Law.

Frederick I. Richman '28 strolls in Crocker Garden with second-year student Shirley Deutsch.



Professor Byron Sher and Bayless Manning



Ralph Maltres, Jr.

Professors William Cohen, Howard Williams, and John Henry Merryman with Judge Joseph Sneed.

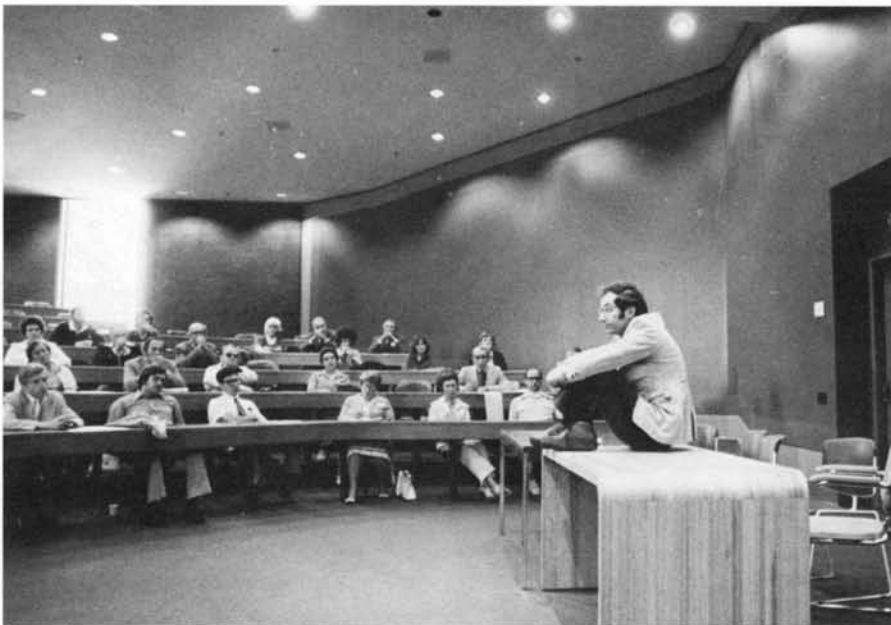


Professor Charles Meyers reports on Land Use Planning and the Courts in the Moot Court Room.





Celebration Banquet in the Inner Quad



Professor John Kaplan discusses The Problem of Heroin.



Ralph Maltes, Jr.

The Hancock/Leininger Revue



Dedication of Crown Quadrangle





Chuck Painter

Victor Palmieri '54 (left), Senator Frank Church '50, Waller Taylor II '50, and Judge Ben. C. Duniway '31 congratulate Dean Ehrlich following the dedication ceremony.

Alvin Katz



Ralph Maltes, Jr.

Henry Crown previews dedication ceremony.

An Interview with Dean Thomas Ehrlich



David Margolick

On October 16, Dean Thomas Ehrlich announced his decision to become the first president of the Legal Services Corporation, an organization established by an act of Congress to expand and improve legal services for the poor. On January 1, 1976, he will resign as dean and begin a two-year leave of absence as a member of the law faculty.

In an interview held shortly after his announcement, Dean Ehrlich talked about his decision and the last five years as dean of Stanford Law School.

Editor: Dean Ehrlich, it's been two weeks since you made public your decision to become the first president of the Legal Services Corporation. What are your feelings at this time?

Dean: I suppose they are somewhat schizophrenic. I am excited about the new enterprise, and I am troubled about leaving Stanford—even temporarily.

Let me expand on both of those feelings. I think there is an enormous set of challenges in carrying out the mandate of the new Legal Services Corporation, which is to promote, expand, and improve legal services for the poor. In my view, and I think it was the view of Congress in adopting this legislation, access to justice is an essential right of

every citizen and a requirement of our legal system if it is to serve the needs of our society. The Corporation's goal is to find ways to expand and improve legal services to the poor. I don't know any more important challenge to the legal profession.

At the same time, my family and I love Stanford. We've been here for a decade; it's been a glorious ten years. We've come to feel very close to a great many people here. The School has done a lot in the last decade, but there's a lot more that can—and ought to—be done. Not being part of that effort—even temporarily—is a hard reality to face.

Editor: What has been the general response to your decision—both within and outside the School?

Dean: Our friends understand the importance of the new enterprise, but hope that we do just what we said we'll do—come back to Stanford.

Editor: Given your long-time interest in international law, what attracted your attention to legal services for the poor?

Dean: I've been involved in a number of legal aid programs at Stanford for some time and have been concerned about the inadequacy of legal services for the poor. But I suppose I came to the matter from a somewhat different route than most who are in the field. A primary job of a law school dean, certainly the dean at Stanford, is to consider where the legal profession ought to be and will be five to ten years hence, as well as where the provision of legal services will be at that time, and how to train students to help meet the challenges they will be facing. That exploration led me to the reality that a very substantial segment of our population, which is poor, is inadequately served in terms of legal services. As one who believes that access to justice is inherent in citizenship, that disturbing reality troubled me greatly. The more I thought, wrote, and talked about it, the more it troubled me. When it was proposed that I might become president of the Legal Services Corporation, I found that I could not in conscience resist the opportunity to put the rest of my anatomy where my mouth was.

Editor: How do you think your time at Stanford has helped to prepare you for your new job?

Dean: There are a number of requirements in this new enterprise, some of which I hope my experience at Stanford will help me to fulfill.

Among the first requirements is build-

ing a whole new organization. One of the most important responsibilities of a law school dean is finding the right people to do the right kinds of jobs. It's a different enterprise, but it's obviously related.

Editor: You have no doubt spent considerable time already thinking about your staff. Is it appropriate to ask who some of those people might be?

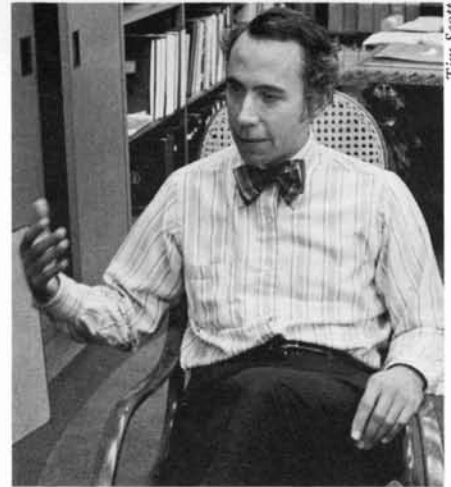
Dean: It's certainly appropriate to ask. I don't know the answer, with one exception. I have hired Clinton Bamberger as my executive vice president. Clint was the first head of OEO Legal Services and has a distinguished background in the provision of legal services for the poor. He and I and those on the Board of Directors have spent time talking about different staffing arrangements, but we haven't come to any judgments that are final.

Editor: You have served as dean of Stanford Law School during an especially exciting period in its history. What was your own reaction to Celebration?

Dean: I thought it was smashing! It was a very exciting enterprise to me from beginning to end. The purpose of Celebration, of course, was to celebrate an enormously important event in the history of the School: the move to our new facilities, the first set of buildings expressly designed for legal education at Stanford. Celebration was also intended to give our alumni and other friends of the School a sense that these new buildings are *their* School, that although we have moved to new quarters the goals of the School—to provide the best in legal education and legal scholarship—are still the same. The various events of Celebration week, beginning with President Ford's visit through the dedication and the class reunions, brought more alumni to the School than had ever come for any occasion.

Editor: What do you feel has been your greatest contribution as dean to the School?

Dean: I'm not the best one to answer that question. The reality is that one in the position of dean hopes to make a number of kinds of contributions. Primarily, a dean has to deal with people—faculty, students, staff, and alumni—and I guess most of my contributions have been in those dealings. One of the things we have done, and must do more of, is build up the faculty by adding more of the very best and keeping those we have. Strengthening the student body and finding ways to provide financial support



Tim Scott



for faculty and students is obviously important. Building up the staff is also a necessity. At the present time, I think we are blessed with having—person for person—as fine a law faculty, a student body, and a staff as exist in the country.

When I became dean, however, I did recognize one overarching concern. We had a splendid faculty, student body, and staff, but our facilities did not match their quality. I became convinced that we needed a major funding effort and spent much of the first two years of my deanship building up that support. These new buildings put us in the position of being able to do whatever our wisdom and ingenuity permit in terms of law training and scholarship.

Editor: When Dean Manning was about to relinquish his deanship, he noted in an interview with the *Law School Journal* that the School was “like a plane which is flying too fast on too short a financial wingspan.” Do you feel that this is still the case?

Dean: The Law School has and will continue to have some financial problems because it is a small, private, expensive institution. But our financial support has been steadily expanding over the last few years and there is no reason why the pattern shouldn’t continue. If we continue to do the job that we are called on to do—to provide the best in legal education and legal scholarship—then the financial support will continue to be there from our alumni and from other sources as well. Although financial times are tougher now than they were five years ago, we’re in reasonably sound financial shape, particularly when you look at our existing enterprise and our potential for attracting more funds.

Editor: Can you think of a source that hasn’t been tapped yet that could provide a stronger financial base to Stanford Law School and private legal education in general?

Dean: I hope we can find ways to persuade businesses that their support for legal education would make sense. They have to deal with the legal system, and a good way to strengthen that system is through strengthening the best in legal education.

We haven’t received much support from the government either, but that’s a mixed blessing: I’m sorry not to have the money, but the strings that are inevitably attached to government support end up costing something. The School’s basic support from outside

sources should, in my view, continue to be private, so that we can continue to do the kinds of things that a public institution—as part of the political process—can’t do.

Editor: How would you define the role of the alumni in legal education?

Dean: One of my aims over the last five years has been to try to find ways to bridge what seemed to me a gap between legal education and practicing lawyers in general, and between Stanford Law School and some of its alumni in particular. We have 5,500 living alumni, most of whom care a lot about this School and about maintaining its leadership position. Part of their role has been financial. Without the financial support of the alumni, without their sense of obligation to the School for providing them with a first-rate legal education, we can’t continue.

Another part of their role is helping to ensure that the School is not isolated from the practice of law. We’ve developed some ways to gain guidance through the Board of Visitors, alumni leadership conferences, and other activities. Celebration was a prime source of guidance because I and others on the faculty heard lots of ideas from alumni about what might go on at the School and how to improve what we are already doing. This aspect of alumni participation is very important.

Editor: What, do you feel, is the biggest threat to legal education?

Dean: Mediocrity. It may be a parochial view, but I think that on the whole private education in law has established the standards of quality for legal education generally. If there is a threat, it is a threat to those private law schools and their survival. If they don’t survive, inevitably the quality of legal education will be substantially diminished.

Editor: What’s going to be your advice to the new dean?

Dean: Good luck! It’s a terrific job. The great challenge to a new dean is finding ways to help those who are here to stretch out and to develop new methods and materials for teaching, and to produce the scholarship that has been our hallmark. Those are big challenges.

Finding financial support for the faculty, for student scholarships, for research, and particularly for the library—all these needs represent enormous challenges to my successor. Nevertheless, being dean of Stanford Law School is as rewarding and challenging an opportunity as any I can imagine.

The Lawyer's Role and Responsibility in Modern Society

Simon H. Rifkind, Herman Phleger
Visiting Professor of Law



I see the lawyer burdened with three responsibilities, each of which ordains a distinct role which he must play. These spring from three distinct duties which he owes respectively to his client, to his profession, to his community.

The order in which I have stated them does not represent their relative priorities. These depend on time, circumstances, and individual disposition. But while the place of each on the individual's totem pole may differ, no lawyer, in my opinion, is excused from an awareness of his obligation to give some measure of responsiveness to each of the three.

When I was first admitted to the bar, I was formally authorized to act as an attorney-at-law. The concept of attorneyship, of course, includes agency. An agent must have a principal; so must an attorney have a client. The lawyer's role and responsibility as attorney comes into being only when he is a member of a client-attorney, symbiotic team.

Once he becomes a member of such a team then, in the United States and in other countries having a common law tradition, he works in an environment called the adversary system and engages

in maneuvers called the adversary process.

Awareness of this fact is crucial to the understanding of the attorney's duty and responsibility. Failure to grasp the significance of the adversary system has given rise to much misunderstanding, both within and without the bar, and has, I suggest, led to some unproductive developments.

In an actual lawsuit, the operation of the adversary process becomes fully visible even to the uninitiated. As a matter of history and habit, we accept unquestioningly the bizarre arrangement by which the State hires one lawyer to prosecute a citizen for an alleged crime, another to defend him, and a third to decide between them. A visitor from Mars might inquire, "Why not hire one to ascertain the truth?"

But it is not only for litigated matters that the adversary system constitutes the living ambience. Consensual arrangements may become the subject of litigation; the draftsman must, to the best of his ability, anticipate the vicissitudes his

writing will experience during its voyage in the adversary process. Every will prepared in the privacy of a law office may be contested, every advice given may be challenged, every opinion offered must be formulated in the light of the possibility of attack upon its validity and its subjection to the adversary process and judicial arbitrament.

Both the prospect of litigation and its actuality impose great restraint upon the attorney and challenge his learning, his wisdom, and his capacity to prophesy. It also relieves him of much responsibility. In the course of his advocacy, he may urge propositions of which he is less than certain, because the lawyer is not the final arbiter. The final judgment will emerge from the contest. In the collision of the two opposing forces, out of the cross-exposure by each of his adversary's weakness and out of the need to discover and articulate one's own virtues and advantages, in the fire of that antagonism a more refined truth is smelted and a better judgment is filtered.

The adversary process is thus seen as a form of organized and institutionalized confrontation. Because organized confrontations also occur in many forms of

Excerpts from the 1975 Herman Phleger Lecture given by Mr. Rifkind at the Stanford Law School on April 10, 1975.

If only the public understood that if the outcasts, the rejected ones, the deviationists, the unpopular ones are to be unrepresented, the adversary system would fail for everyone.

sport, some have seized upon the superficial similarity to downgrade the adversary process as socially trivial. This condemnation would be appropriate if the object of the adversary process were to select the more skillful lawyer, as it is, for instance, to select the better boxer or tennis player. In the courtroom contest, the judge does not award prizes for skill. He uses the adversary process for illumination. And it is, I believe, the teaching of experience that the incentives generated by the adversary system do, indeed, tend to bring about a more thorough search for and evaluation of both the facts and the law.

So extensive is the pervasive effect of the adversary system in the resolution of controversies that, once grasped, it answers many questions frequently troubling the layman. It is like one of the great axioms of geometry from which flow many propositions and corollaries.

"How could you represent so-and-so?" is a question frequently put to me, sometimes by grey-haired ladies in sneakers and sometimes, more passionately, by campus revolutionaries. The tone of voice that accompanies the question sufficiently discloses that the questioner has consigned the client to some subhuman category of untouchables.

There are fashions in untouchability. One season it is a sharecropper in Mississippi, the next season it is a multi-million share corporation in Detroit. From the viewpoint of the adversary system, the applicable principle is the same.

If only the public understood that if the outcasts, the rejected ones, the deviationists, the unpopular ones are to be unrepresented, the adversary system would fail for everyone. If they comprehended how the engine of the adversary process is ignited and works, they would never ask why a lawyer took a particular case, but rather why he had rejected another.

Recently a group of law students picketed a prominent Washington lawyer to express their disapproval of his representation of a large corporation. Had they mastered the meaning of the adversary system they would have

known that their conduct was subversive of the central tenet of the profession they were about to enter.

Understanding the adversary process would also furnish the rebuttal to those lawyers who would represent only those they love. Who would look after the unloved ones if that were the governing principle? Most often it is the unloved ones who most sorely need professional help.

The foregoing considerations have led me to conclude that one of the roles of the lawyer is so to behave as to make the adversary process work. And one of his responsibilities is to teach each generation of laymen that, in so doing, the lawyer is fulfilling his assigned role.

What I have said thus far would have sounded orthodox twenty years ago. Today I think it is radical doctrine. It is radical because it rejects the notion that has gained considerable ground at the bar and very widespread allegiance on the campus that the lawyer should be not client-oriented but cause-oriented.

This change in the professional wind has caused to bloom a body of lawyers who call themselves public interest lawyers. Instead of advancing the cause of a client who has selected the lawyer as his advocate, the public interest lawyer selects the client and advances his own cause. He pretends to serve an invisible client, the public interest. Moreover, he pronounces judgment before the contest begins, for he announces in advance that he is the defender of the public interest, when the issue in contest is, where does the public interest reside? Inevitably the lawyer is driven to identify his predilections with the public interest. That is unctuous.

No flash of sinaitic lightning advertises what is the common good. The common good needs to be discovered by patient search and reflection. That search and that reflection are most efficiently pursued through the adversary process. That is the lesson of history.

It requires only modest sophistication to realize that in the environment of the complex relationships in which we now abide, the most baffling problem of sub-

stance is how to locate the public interest. It simply will not do to accept a set of simplistic labels and to decide, *a priori*, that in a contest between an employer and an employee the public interest demands that the employee shall always prevail; or that in a landlord-tenant controversy, the latter is always to be preferred. These presumptions have now been extended to the stockholder as against the corporation, to the consumer as against the producer. If only life were that simple!

The traditional relationship of lawyer to client does not contemplate that the lawyer will be a hired hand or a hired gun. He is a professional counselor and not a menial servant. He takes instruction only in those areas in which it is appropriate for the client to give them. In other respects the lawyer is in command. To the client he owes loyalty, undivided and undiluted, zeal and devotion and some additional obligations which I shall mention. His object is to achieve for his client the best which is available within the law by means compatible with the canons of ethics.

I use the phrase, "best available," to distinguish it from the most readily available. The lawyer who contents himself with the latter in his effort to advance his client's interest is not fully discharging his duty. When necessary, he must make an effort at inventiveness. The Anglo-American system of law possesses a unique quality: the ability of any of its principles to grow and contract by judicial interpretation and legislative action.

The mother of such innovation is the proverbial necessity.

The client's necessity stimulates imagination and promotes the exercise of the lawyer's skill to discover the rule of law which is capable of that muscular stretch that will enable it to encompass the client's objective.

The exercise of this talent has had enormous social consequences. But my present point is that these advances or regressions, depending on one's point of view, were in the first instance generated by a client-oriented lawyer, doing his

Instead of advancing the cause of a client who has selected the lawyer as his advocate, the public interest lawyer selects the client and advances his own cause.

best to achieve his client's objectives.

The role of inventor and innovator I regard as central for members of the profession and the exercise of that role fulfills a great responsibility of the lawyer. Our journalists who report the news generally attribute these innovations to the courts which give them legitimacy. True, it is only after the courts had spoken that we knew that the indigent accused had right to counsel or that a dual school system was a denial of equal protection or that persons in custody must be instructed concerning their rights before they are questioned.

But in each case the court's judgment was the non-monopolistic patent issued to the lawyer-inventor who presented the innovation for approval.

In a rapidly changing society such as the one in which we now live, the lawyer has an additional responsibility to his client. He must play the didactic role.

It is almost inevitable that the lawyer will discover among his clients those who are accustomed to and enamored of the old way of doing things; who have vested interests in the methods of the past now perceived as inequities. The lawyer has the opportunity, and I believe the obligation, to act as mediator and preceptor, instructing the client to understand and accept the change and guiding him to the methods by which he can accommodate to it.

Here, too, as in the discharge of the inventive responsibility, there is a large overflow of social consequence. Without the private lawyer acting as teacher, guide, and compliance officer, it would be impossible to enforce many of the great regulatory schemes like the anti-trust laws, the internal revenue laws, and the securities laws. Every practicing lawyer knows that for every single departure from these laws discovered by a policeman, hundreds are prevented by the exercise of the lawyer's function as teacher and compliance officer.

The lawyer owes a duty not only to his client but to his profession and to his community.

The duty to his profession must be sharply distinguished from his duty to

his co-professionals. The latter is a very modest burden. All he owes to his co-professionals is courtesy, avoidance of sharp practice, integrity in their dealings.

To the profession, the lawyer owes a great deal. This debt may be summarized in one sentence: It is so to behave as to enhance the regard in which the profession is held by the community. That, of course, presupposes a code of practice of impeccable rectitude. It goes further; it includes the duty of cleansing the bar of its shysters, its hucksters, its embezzlers. Within his capacity the lawyer should devote a measure of his talents to enlarge the ability of the profession to serve the community, to improve the legal processes to serve better the ends of justice, and finally, to bring legal services within the reach of all who need them.

To the community, the lawyer is indeed under a heavy burden of obligation. From the community, the lawyer derives his special status, special franchise, his unique intercessory role. The lawyer's training and experience make him especially sensitive to the role of the law in a free society. He should be among the first to sound the alarm when the law is subverted, when the Constitution is defied, when the liberties of the citizens are threatened.

The right and wrong identified by this proposition were very recently brought into sharp relief. On one side, we saw a group of lawyers who not only transgressed the criminal code but who violated their obligation to be the people's wardens and guardians of their liberties. On the other side, we saw the lawyer members of the House Judiciary Committee give the whole nation a lesson in responsible democracy.

Because we are passing through an epoch of extraordinarily rapid change in almost every department of life, I have asked myself whether that circumstance places upon the lawyer any enlarged responsibility. Here I am not confining my observations to the lawyer in his role as attorney in an attorney-client system.

I believe that the answer is in the affirmative.

The law is one of the great normative forces of society; and the lawyer is equipped by education, training, aptitude, and experience to operate the levers of that force. One of his roles is and should be to serve as midwife—to deliver the new from the womb of the old and to bring forth change without violence and without an avulsive rupture from the past.

If the lawyer is inventive, he will formulate the change in such a manner that it will proceed easily from the old to the new. Whether the line of growth is in civil rights or in the care of the environment or in the protection of consumers, the lawyer is best equipped to chart its progress. Here, too, his exposure to the adversary process prepares him for the contest between the competing values that are invariably at the heart of the problem. Lawyers should more readily recognize that in midwifing change, the resisters and obstructors also play a useful role. Out of the contest, a more considerate solution frequently emerges which grasps the benefits of the change but minimizes its costs and injustices.

It has been said in jest that the lawyer's profession preceded in time the commonly accepted oldest profession. This chronological priority has been deduced from the reported fact that before creation, chaos prevailed, and lawyers have been credited with that.

The lawyer has not fared well in literature, nor in folklore. But in actual fact and in the pages of history, the lawyer's role has steadily expanded. His service has become indispensable and his responsibility for the maintenance of our liberties has been acknowledged in every democratic society. The Founding Fathers were sensitive to the peculiar and singular role of the lawyer. They imposed no obligation on the state to provide each mortal with an intercessor when meeting his or her Maker. They issued no command to the state to provide a physician for the citizen laid low by disease; but they held the furnishing of counsel for the citizen embroiled with his government to be an indispensable characteristic of a civilized society.

THE STANFORD LAW SCHOOL EXPERIENCE:

During the 1974–75 academic year, Jack Zusman, M.D., Clinical Professor of Psychiatry at USC and Medical Director of Gateways Hospital in Los Angeles, was a Graduate Fellow in Law and Psychology at the Stanford Law School. While at the School, Professor Zusman audited the principal first-year courses in order to enrich his background for the teaching of Law and Psychiatry.

Professor Zusman's experiences as a "first-year law student," combined with his background in medicine and teaching, gave him a unique perspective on both legal and medical education. In his Report of the Year's Activities to the sponsoring Josiah Macy, Jr. Foundation, he noted that some of the parallels and distinctions between the two professions startled him and forced him to revise many popular notions he previously held. Following are excerpts from Professor Zusman's Report.

My experiences as a "law student" have been the most vivid and perhaps the most meaningful of all that I encountered this year.

During the Fall and Spring semesters, I audited the following courses: Criminal Law (Professor Anthony Amsterdam), Contracts (Associate Professor Richard Danzig), Torts (Professor Marc Franklin), Constitutional Law (Professor Paul Brest), The Making of the Constitution (Associate Professor Richard Danzig), and Law and Psychology (Professor David Rosenhan).

I learned a good deal of legal vocabulary and technical law, but this was no more than I expected. What came as an absolute shock was my recognition, once

I began to consider the law as a system, of the magnitude of the problems that face judges and attorneys as they try to preserve some stability and predictability in a constantly changing world. Words and principles which seem perfectly clear guides for conduct when enunciated, can become, with the passage of a few years, meaningless or confusing concepts if strictly adhered to. The problem of who is to do reinterpretation and how it is to be done is a central one in the law and very relevant to law and psychiatry.

I was startled to see how arbitrary and subject to accidents and personal idiosyncracies the law can appear at first

It was somewhat amusing . . . to recognize that my layman's reaction to the law that 'the emperor has no clothes' was not always appreciated by those whose careers are dedicated to the law and who expend great efforts attempting to tease a thread of rationality out of what seemed to me to appear simply irrational.

glance to be. It was somewhat amusing (because as a physician I had often been on the other side of the professional fence, defending the irrationalities of medical practice) to recognize that my layman's reaction to the law that "the emperor has no clothes" was not always appreciated by those whose careers are dedicated to the law and who expend great efforts attempting to tease a thread of rationality out of what seemed to me to appear simply irrational.

I began reading as widely as time would allow in the philosophy of the law and was interested to discover that many of the issues that had unsettled my preconceptions have been matters of con-

sideration and dispute for centuries and are still unsettled. Though now much more secure in my knowledge of the basis of law, I am still occasionally puzzled and disturbed by examples of apparently arbitrary decisions and often think to myself in the words of the popular song, "Is That All There Is?" When I am in my naive layman's mood, it is hard for me to believe that men have erected such monuments of concrete and stone, paper and ink, guard towers and iron bars, to such flimsy cobwebs of tradition and prejudice. On the other hand, I have become more fully aware of the absolute chaos which the world would suffer if there were not some social conventions by which to predict and control behavior and some procedures for settling disputes peacefully. Our legal system may not be very good, but it is the best we've got. Even more than this, it contains within itself (by means of legal scholarship and the appellate system) the mechanisms for constant self-improvement. In that regard it goes far beyond most other areas of human endeavor.

There are few institutions outside of law where even the most senior practitioners are subject to constant scrutiny, complete accountability, and frequent public reversal. Certainly neither medicine nor science in general devote the same effort to systematic examination of their "products" but rely instead upon the random pressures of the "marketplace"—the intellectual and career interests of individual investigators.

Another result of my exposure to the law, one which is very important to me, is the recognition and acceptance (far beyond the superficial intellectual recognition which I previously had) of the fact that there really are two sides to every argument. Trained basically as a scientist, I had presumed that in any dispute there was always a right and wrong or a true and false and the problem was only to discover which side was which. This discovery could be accomplished by obtaining the necessary facts.

A DOCTOR'S IMPRESSIONS

Jack Zusman, M.D.

Through my exposure to classroom discussions and reading of legal cases, I came to see how in many instances there were strong arguments on both sides of the question and that additional facts, no matter how detailed, might not settle the issue. I came to appreciate also that peoples' opinions may differ for very good reason and not necessarily because one of them has inadequate or incorrect information or is simply being irrational.

During this year I had almost no experience as a teacher. Aside from occasional guest lectures, I was almost always in the role of student. Nevertheless, I feel that my skills as a teacher were improved in a number of ways.

From the first day of law school, students are told to begin thinking like lawyers and are exposed to large volumes of case materials. . . . At no point was a major attempt made to give the students an overview of the law as a system or even some idea of the course which their studies would take during succeeding years. Somehow they were expected to pick this up, perhaps by osmosis. (I assume that Stanford Law School, as one of the best "national" law schools, is typical or even better than average in this regard.) As a result it seems likely to me that many students graduate as highly skilled technicians in the law but profound ignoramuses in the social policy and philosophy of the law. (I recognize that there are a few elective courses in the Stanford Law School which by their titles, at least, suggest that they cover some of this overview material. Even if they do, the absence of this material from the "fundamental" required courses is bound to communicate to the student the low regard in which his teachers hold this material.)

Although in medicine we do slightly better in giving the students the broad picture than they seem to in law and we attempt to show the students how the broad picture should influence their work no matter what specialty they go into, I believe we do not do well enough.

No professional student these days should be permitted to complete his studies without being aware of how his work and his tradition fit into broader social concerns.

I was interested and pleased to experience the tone of collegiality and equality among faculty and students which prevailed in the Stanford classrooms compared to what I had experienced in medical school and even in graduate school. In both of these places, it was assumed that the professor had the facts and the students were in class to learn them. Occasionally, a student might make a contribution, but it was rare when a student could point out something of which the

Sitting in class listening to student-teacher interaction, I often had the feeling of watching a well-rehearsed acrobatic act where the professor would throw the trapeze to a student who unhesitatingly would leap into the air, catch it, and swing successfully to the platform.

professor was not aware. By contrast, in law classes students are often called upon to offer their opinions and it is not uncommon for the instructor to acknowledge that a student has a point which he himself had not thought about. Right from the start, students seemed to be encouraged to think of themselves as contributors to the system and as competent advocates. It was a pleasure for me to watch this in operation, particularly because of the outstanding quality of the students and faculty at Stanford. Sitting in class listening to student-teacher interaction, I often had the feeling of a well-rehearsed acrobatic act where the professor would throw the

trapeze to a student who unhesitatingly would leap into the air, catch it, and swing successfully to the platform. Yet, I knew that the act had not been rehearsed and was completely spontaneous.

The effort which the Stanford faculty made to learn the names of and get to know the students was impressive. In some cases faculty members had apparently even studied the students' pictures before the first day of class and before a week had passed in the semester knew every student in a class of close to one hundred by name.

After-class and casual student-faculty discussion was strongly encouraged by most faculty members and many students responded well to this. In fact, the dominant atmosphere of the School seemed to be that of a small group composed of faculty and students focusing almost exclusively on a single task—the instruction of students and production of competent attorneys. This was a most welcome change from the usual medical school situation where students share the stage with many other equally important faculty interests.

In the Law School I was impressed, as I had been from observation at the New York State University School of Medicine at Buffalo, with the unique role of a law school dean as first among equals and servant of the faculty, rather than as the powerful administrator, so common in medical schools. I saw—as I had seen in Buffalo—how difficult it can be for a law school to make and carry out some administrative plans, particularly when speed is important. On the other hand, I saw how seriously faculty members take their committee responsibilities, agonize over decisions, and, for example, exert extreme care before offering a faculty position or a tenure appointment. These are definite strengths to the law school approach to decision-making and ones which I would hope to utilize if I am ever in an administrative position in a medical school.

THE AMERICAN ASSEMBLY COMES TO STANFORD



Clifford Nelson, president of the American Assembly; Seth Hufstедler '49, chairman of the Planning Committee; and Murray Schwartz, editor and director of Drafting, preside over the final plenary session.

On June 26–29, the second American Assembly on Law and a Changing Society was held in Crown Quadrangle, the new Law School buildings. One hundred leaders in law, education, labor, business, government, and religion participated, focusing their attention on two themes: (1) the impact of present and future technical and social changes on the law, and (2) the role of the lawyer in the future.

James D. Fellers, president of the ABA, and Clifford Nelson, president of the American Assembly, co-chaired the Assembly. Seth Hufstedler '49, past president of the California Bar Association, was chairman of the Planning Committee of the Assembly. Participants included Warren Christopher '49, former deputy attorney general of the United States; Christopher Edley, executive director of the United Negro College Fund; Robert Finch, former secretary of Health, Education and Welfare; Jane Frank, chief counsel, Senate Judiciary Committee's Subcommittee on Constitutional Rights; Roderick Hills '55, counsel to the President of the United States; Philip Hauser, director of the Population Research Center at the University of Chicago; Shirley Hufstedler '49, judge, United States Court of Appeals, Ninth Circuit; Stuart Kadison '48, chairman of the ABA Committee on the Delivery of Legal Services; Charles Meyers, Stanford law professor and president of the Association of American Law Schools; Albert Sacks, dean of Harvard Law School; and Randolph Thrower, former commissioner of the Internal Revenue Service.

The Assembly was jointly sponsored by the American Assembly and the American Bar Association. The American Assembly was founded in 1950 by Dwight D. Eisenhower, when he was president of Columbia University. Over the past twenty-five years it has held numerous conferences dealing with a wide range of topical national and international issues. The first American Assembly on Law and the Changing Society was held at the University of Chicago in 1968. Out of that meeting came ideas and recommendations for increased minority representation in the legal profession, changes in legal education, utilization of expanding technology, and wider availability of legal services.

The second Assembly was conducted according to the Arden House format. In advance of the conference, participants received background papers written especially for the Assembly. The papers were then used as springboards for addresses, panel discussions, and small, informal discussion groups held throughout the conference.

One of the background papers, by Kenneth Boulding, professor of economics at the University of Colorado, suggested that there are unyielding limits on the growth of social systems. In analyzing the elements of these limits, Boulding hypothesized that knowledge, often thought to be limitless, must be considered in the class along with the commonly included components such as energy and materials. In a second background paper, Douglas Cater, director of the Program on Communications and Society at the Aspen Institute, explored the impact of the communications revolution on society. Noting that 1975 marked the cross-over point at which 50% of the United States labor force is engaged in information processing occupations, Cater concluded that "communications technology seems to be not merely driving but transforming mankind." In a third paper, Edward Halbach, Jr., dean of the University of California at Berkeley School of Law, suggested that it is the responsibility of the legal profession to try to work itself out of work. Using estate law as an example, Dean Halbach examined several categories of law reform and within each category made specific proposals, including a reformation of the probate law to eliminate estate administration completely for most estates, using courts only for dispute resolution.

Three major addresses highlighted the conference. In the opening address, Dean Thomas Ehrlich spoke on Public Justice. The second address was given by Harlan Cleveland, director of the Aspen Institute's Program in International Affairs, who spoke on the "Global Fairness Revolution." United States Attorney General Edward H. Levi commented on contemporary changes in attitudes toward authority and the law in the third address. Excerpts from the three addresses follow.



Warren Christopher '49, Seth Hufstedler '49, Mark Cannon, Professor Charles Meyers, and Murray Schwartz.

Thomas Ehrlich

"Increased attention must be devoted to finding procedural ways to assure that our citizenry as a whole has adequate access to the legal system and receives fair treatment from it."

The single, over-arching conclusion I derive from the Assembly papers is the need to plan how to achieve what I will call the goal of public justice. By public justice I mean a legal system in which citizens en masse believe that they are fairly treated in their contacts with the law and in which they have full opportunity to utilize the law through qualified advisors. My thesis is that the processes



of our legal system have been shaped primarily to deal with individual issues and individual controversies. Increased attention must be devoted to finding procedural ways to assure that our citizenry as a whole has adequate access to the legal system and receives fair treatment from it.

Significant progress toward the goal of public justice requires restructuring some machinery of our legal system to handle effectively large numbers of persons and their routine legal problems. It calls for a systemic approach to common legal concerns: Aggregating those concerns and establishing ways to deal with the aggregates.

Individual handling is still essential for high-impact legal issues. Problems that are complex, that occur only infrequently, that are of major consequence will always require a handcrafted ap-

proach. But that approach is now a bottleneck to making legal care available for the general public faced with relatively routine concerns. Public justice requires new procedures to ensure that individual justice is writ large.

Public justice involves both the government and the private sectors of the legal system. The government sector is the courts, the legislatures, and the executive agencies—and the legal rules they develop and apply. The private sector is the legal profession. It dominates the means of access to government institutions and rules. In my view, the lawyering profession's ability to maintain its independence from government regulation depends in major measure on its willingness to lead in the design of new arrangements toward the goal of public justice.

If we do not, it seems reasonably likely that the public will ultimately act through government intervention. The impetus for the public health movement was governmental—that same impetus may prove necessary in the realm of public justice as well. But we in the legal profession have the opportunity to take the lead ourselves.

All of us have heard and read, said and written, a good deal about lawyers' ethics and professional responsibility over the past year. Most of that discussion has been directed to the conduct of individual lawyers in handling the problems of individual clients. In my own view, the most important of our profession's ethical responsibilities is to sponsor steps toward public justice. That is a collective responsibility, apart from the individual obligations of individual lawyering.

Harlan Cleveland

"If we don't accommodate to the global fairness revolution, and soon, we will see the tides of expectation and resentment rise up around us . . ."

Present trends in population growth, urban immigration, inflation, unemployment, food production and distribution, energy demand and supply, pollution of the air, land, and sea, military technology, restrictive ideologies and inward-looking nationalisms, all taken together, are obviously adverse to the self-fulfillment of nearly every human being, and to the survival of a very large minority of the human race. Even if commenced now or soon, the reversal or control of



Participants tackle specific issues in the law in small group discussions.



Participants review the draft report of the Assembly's findings and recommendations during the final plenary session.



these trends will require giant cooperative enterprises, enormous changes in attitudes and styles of living, and a generation of time.

Can human requirements be met, on a world scale, over time? The work we have recently sponsored at the Aspen Institute . . . suggests that we the people of the biosphere can lay our hands on more than enough of the relevant resources to enable all members of a growing but manageable world population to maintain a minimum standard of life without threatening the "outer limits" of an astonishingly rich and adaptable environment.

We *can*. Whether we *will* in fact use our imagination for the humanistic man-



Edward H. Levi

"We have come through a crisis of legitimacy."

Even though the concept of legitimacy has not been in much favor in recent years, as though it were solely the protector of the power which corrupts, the concept of legitimacy is one upon which law depends. So do our civil liberties protected by law. We have come through a crisis of legitimacy. It is no doubt difficult for us to characterize objectively the nation's response to these events. We are left with uneven and see-sawing relationships among the branches of government, with basic questions asked concerning parliamentary forms, the role of



agement of interdependence, whether new styles of cooperative leadership will develop fast enough to govern a post-exploitative, post-trickle-down, post-patronizing world, are the central issues of survival and beyond. But at least they are riddles for the human race, not for Nature or the gods, to decipher.

If we don't accommodate to the global fairness revolution, and soon, we will see the tides of expectation and resentment rise up around us as more and more educated, self-reliant, non-affluent non-whites insist on the kind of law that brings international justice in the wake of national liberation.

And then, we who presume to be law-givers and are called leaders in our own neighborhoods would thoroughly deserve that devastatingly snide comment of Giraudoux: "The privilege of the great is to watch catastrophe from the terrace."

the executive and the courts, the nature of federalism. Of course, we have much to think about. My guess is that history will not see our difficulties as great as we imagine them to be, that it will look with special favor, if not upon us, then upon the founders who created a hope for mankind, and that indeed it will probably add a word of approval as that hope is renewed in our day.

Following the final plenary session of the Assembly, a consensus statement was developed from the principal matters considered and conclusions reached. Recommendations were made in five broad areas: legal institutions and change, law and the public interest, legal representation of the citizenry, the role and responsibility of the legal profession, and legal education. Copies of the Assembly's Final Report are available, free of charge, from the Publications Office of the Law School.

Law Society Highlights

On May 14 the Law Society of San Francisco and Marin hosted a dinner in honor of California Supreme Court Justice Frank K. Richardson '38 at the Sheraton Palace Hotel, San Francisco. Paul Speegle '31 was master of ceremonies.

Reflecting on his life in the law, Justice Richardson offered the following thoughts to his friends and classmates:



Sidney DeGoff '38 and Justice Richardson



On April 18 Simon Rifkind, 1975 Herman Phleger Visiting Professor of Law, spoke to members of the Law Societies of the Peninsula and Santa Clara County at a cocktail reception and dinner at the Stanford Faculty Club.

Our generation has spanned the worlds of the Model T and the lunar module. Beset with problems in an era of fast change, some have predicted that our system of justice through law is about to collapse or self-destruct because we haven't been able to make it work. I suggest, however, that such prophets of doom overlook a very important factor, the enormous untapped and immeasurable resources of the human mind... the gloomy predictors tend to ignore the decisive role of human ingenuity. They have forgotten the human equation, for man is adaptable within limits and he can cope.

Humans adapt best when they do it in concert—practitioners, judges, the law school and the entire family of the law together. Those intellectual treasure houses, our law schools, are the necessary seedbeds of change and as such they need the warm sun of experience and practicality. Lawyers and judges on their part function best with the continued infusion and cross-fertilization from the independent thought and innovative study of faculty and students in law schools.

We do not live separately in social isolation wards. There is an interdependence between us and we will do well to remember that our work, though individually performed within the several ambits of our responsibilities, is likely to be common, joint and single in its public impact. The solutions, if any, to our problems are likely to come from many sources and the credit or blame is likely to be widely shared.

Meanwhile, you and I in the law pursue our daily chores in daily combat with those two age-old enemies, the acid of cynicism which quietly eats away at our sense of values and dilutes our resolve, and the suffocation of apathy and inertia, sensing all the while that in our better moments there is a certain nobility in what we do—helping people in their times of greatest need. In it all you and I sense that we are the historical fiduciaries of a free people and the special custodians of the rule of law—that richest jewel in the crown of our citizenship.



Members of the Society of Superior California gathered in Stockton on May 15 for lunch with Dean Thomas Ehrlich, Professor Lowell Turrentine, and Placement Director Julie Wehrman.

Faculty News

Anthony Amsterdam, professor of law, is spending the 1975-76 academic year designing a plan for clinical instruction, which will include the training and use of advanced students as instructors. Professor Amsterdam's project is part of the University's new tenured faculty development program. The program is made possible by a three-year grant from the Lilly Endowment, Inc. It is in part designed to help schools meet curricular needs without hiring new faculty.

Barbara Babcock, associate professor of law, spoke on "The Current Status of the Struggle for Sex Role Equality" on February 21 at Western New England College of Law and on May 7 at Stanford. The lecture at Stanford was one in the spring series sponsored by the Center for Research on Women (CROW). She also spoke at the dedication ceremonies for the University of Nebraska Law School on April 16. The topic of her talk was "Personal and Professional Ethics-Disparities and Similarities in the Post-Watergate Era." At a criminal defense seminar for Washington State Lawyers on June 14, Professor Babcock spoke on "Opening Statements and Closing Arguments." The seminar was sponsored by the Washington State Bar Association's Young Lawyer Section of the ABA Criminal Justice Section.

John H. Barton, professor of law, organized a meeting on the impact of nuclear safeguards on civil liberties at the School on October 17 and 18. The meeting was supported by the Nuclear Regulatory Commission, which is interested in examining these impacts before making its final plutonium recycle decision. Among the participants were experts on safeguards, NRC staff, industry representatives, and constitutional lawyers. Law students Gail Block and Robert Bartkus were rapporteurs for the meeting.

Paul Brest, professor of law, published his new casebook, *Processes of Constitutional Decisionmaking: Cases and Materials* (Little, Brown), in July.

Richard Danzig, associate professor of law, wrote an article entitled, "*Hadley v. Baxendale*: A Study in the Industrialization of the Law" for the June 1975

issue of *The Journal of Legal Studies*. He has received a Research Initiation Grant from the Center for Interdisciplinary Research to study "The Federal Judiciary and Reform of Municipal Police Departments." Professor Danzig is spending the 1975-76 academic year at Harvard on a Prize Fellowship from The Harvard Society of Fellows.

Thomas Ehrlich, dean and professor of law, is co-editor of a new book entitled, *Going to Law School?*, published by Little, Brown & Company. The book is designed for prospective law students and includes articles and excerpts on law and the legal profession. Dean Ehrlich spoke recently at the National College of the State Judiciary in Reno, to the National Conference of State Bar Presidents in Montreal, and to other bar and civic organizations. He was also Conference Editor for "Law in the Future: What Are the Choices," a conference sponsored by the State Bar of California's Long-Range Planning Committee on September 12-14 in San Diego.

Jack Friedenthal, professor of law, co-authored a book with Harvard Professor Arthur Miller entitled, *The Sum and Substance of Civil Procedure*, which was published in April. Professor Friedenthal is currently serving as president of the Stanford Bookstore and is involved in planning a new addition to the building. He recently completed a review of former Stanford Professor H. Bruce Franklin's book, *Back Where You Came From*, for *Civil Liberties Review*.

Lawrence Friedman, professor of law, has received a grant from the Law Enforcement Assistance Administration of the Department of Justice to study the historical patterns of serious crime rates, victimless crimes, and the criminal justice process.

Thomas Grey, associate professor of law, is one of fourteen junior faculty members chosen to receive Mellon Foundation grants to complete research work in progress. Professor Grey is on leave during the autumn term to pursue research in American constitutional history involving the judicial protection of rights not specified in the written Constitution.

John Kaplan, professor of law, was a featured speaker in the Dickinson Symposia, "The Expert and the Public Interest," on February 6, when he lectured on "The Expert in Litigation and Law Making." The Symposia are designed to further undergraduate education by attempting to strengthen the link between public policy and the social and behavioral sciences.

John Henry Merryman, Sweitzer professor of law, spoke on "Law for the Art Collector" on March 4. The lecture, which was part of the Art Plus series, Collecting for Pleasure and Profit, focused on the legal aspects that most concern the individual collector: fraud, the illegal international traffic in works of art, and gifts of works of art and tax benefits. On March 20-22 he was a member of the faculty for the American Law Institute and the American Bar Association's conference on Legal Problems of Museum Administration III, held at the Joseph Hirshhorn Museum in Washington, D.C. Professor Merryman was the speaker at the annual banquet of the Tulane Law Review Association in New Orleans on April 17. His talk, entitled "The Refrigerator of Bernard Buffet," dealt with the moral right of the artist in civil law countries other than the United States. On June 2 Professor Merryman gave a faculty seminar at the University of Paris Faculty of Law on Stanford's five-year, six-nation study of law and development project (SLADE) of which he is director.

Charles J. Meyers, Beardsley professor of law, attended the American Law Institute meeting in Washington, D.C. in May, where he also presided at the meeting of the Executive Committee of the Association of American Law Schools. In June he attended the annual meeting of the Canadian Association of Law Teachers in Edmonton, Alberta, and on June 19 he gave the banquet address to the National Association of Law Placement in San Francisco. Professor Meyers was a participant in the American Assembly held at Stanford on June 26-29. He wrote a paper for the Assembly dealing with prospective curricular changes in the last quarter of the twentieth cen-

Visiting Faculty 1975-76



Stephen B. Cohen



William Drayton, Jr.



Julius G. Getman



Edward C. Halbach, Jr.

ture. Professor Meyers accepted appointment to the Committee on Energy and the Environment of the Commission on Natural Resources for the National Academy of Sciences and National Research Council in May and worked on the Committee's report in Woods Hole, Massachusetts, in August.

Kenneth Scott, professor of law, completed a study and report last winter for the Administrative Conference of the United States on the way the federal banking agencies approve branches and new charters; on June 5 the Conference adopted recommendations based on that study and report.

Byron Sher, professor of law, was one of twenty-six professors from across the nation who participated in the Economic Institute for Law Professors in Key Biscayne, Florida, from May 20 through June 10. The Institute was sponsored by the Center for Studies in Law and Economics at the University of Miami School of Law. The Institute is designed to provide law professors with a background in economics, which they can then incorporate in their teaching.

Howard Williams, Lillick professor of law, delivered a paper at the ABA National Institute on Fiduciary Responsibilities Under the Pension Reform Act of 1974 in New York on May 30-31. He participated in the Southwestern Legal Foundation's short course on Oil and Gas on June 9-12 in Dallas.

Paul Goldstein Joins Faculty



Paul Goldstein joined the Stanford Law School faculty as a full professor on September 1, 1975. Mr. Goldstein received an A.B. (1964) from Brandeis and an LL.B. (1967) from Columbia. He joined the law faculty of the State University of New York at Buffalo in 1967 as an assistant professor, where he has remained until coming to Stanford. An expert in Property Law, Professor Goldstein was a visiting associate professor at Stanford in 1972-73. He is the author of a leading book on copyright, patent, trademark and related doctrines, and has published major articles relating to copyright. Since 1973 he has also been a senior staff consultant with Cabledata Associates, Inc. He is a member of the New York Bar.

Professor Goldstein will offer introductory and advanced courses in property, as well as a course in copyright and patent law.

Visiting Faculty for 1975-76

Nine visiting faculty members are teaching at the School during the 1975-76 academic year.

Autumn and Spring Terms:

Stephen B. Cohen, assistant professor at the University of Wisconsin School of Law since 1972, received an A.B. (1967) from Amherst and a J.D. (1971) from Yale. He was a graduate student in economics at Harvard from 1967 to 1968 and an assistant professor of law at Rutgers University from 1971 to 1972.

While at Stanford, Professor Cohen is teaching in the tax and corporate fields.

Julius G. Getman of Indiana University School of Law received a B.A. (1953) from City College of New York; an LL.B. (1958) and an LL.M. (1963) from Harvard. From 1958 to 1959 he was an attorney for the Department of the Navy and from 1959 to 1961 an attorney for the National Labor Relations Board. He

was a teaching fellow at Harvard from 1961 to 1963, when he joined the law faculty at Indiana. Professor Getman has been a visiting professor at Banaras Hindu University, the Indian Law Institute, and the University of Chicago. He is a member of the National Academy of Arbitrators. For the past six years he has been co-principal investigator of a field study on union representation elections. Some of the results of this study will be published in a forthcoming issue of the *Stanford Law Review*.

Professor Getman teaches in the field of labor law and the first-year course in contracts.

John A. C. Hetherington received a B.A. (1950) from Dartmouth; an LL.B. (1953) from Cornell, where he was managing editor of the *Cornell Law Review*; and an LL.M. (1956) from the University of California at Berkeley. He was a member of the law faculty of the University of Wisconsin from 1960 to 1971. He joined the faculty of the University of Virginia School of Law in 1971.

Professor Hetherington is offering courses in the corporate and commercial law fields.

John C. McCoid, Armistead M. Dobie Professor of Law at the University of Virginia School of Law, received a B.A. (1950) and an LL.B. (1953) from Vanderbilt University, where he was editor-in-chief of the *Vanderbilt Law Review*. He was a teaching fellow at Harvard from 1956 to 1957, when he joined the University of Virginia law faculty. He is a member of the Order of the Coif and both the Iowa and Virginia Bars.

Professor McCoid is teaching civil procedure and debtor-creditor relations.

Colin F. H. Tapper, Fellow and Tutor in Law at Magdalen College, Oxford, received a B.A. in law (1958) and a B.C.L. (1959) from Oxford University. He was Vinerian Scholar in 1959. From 1959 to 1965 he was a professor of law at the London School of Economics. Since 1965



John A. C. Hetherington



Donald C. Knutson



James E. Krier



John C. McCoid



Colin F. H. Tapper

he has been at Magdalen College. In 1970 he was a visiting professor of law at the University of Alabama School of Law and New York University School of Law.

Mr. Tapper is a member of the editorial committees of *Modern Law Review*, *Rutgers Journal of Computers and Law*, and *Datenverarbeitung im Recht*. He is also a consultant for the Council of Europe Computer and Law Committees.

While a visiting professor at Stanford, Mr. Tapper is teaching courses in jurisprudence and in law and computers.

Autumn Term:

William Drayton, Jr., received a B.A. (1965) from Harvard, an M.A. with First Class Honors (1967) from Oxford, and a J.D. (1970) from Yale. He is a consultant at McKinsey & Company, Inc., New York, an international firm of management consultants. His consulting work has included analysis of energy options for a state government and its largest utility; redesign of a state government's environmental law enforcement system; and design of a series of new taxes for a major municipal government.

Mr. Drayton is a member of the Committee on Science and Public Policy of the American Association for the Advancement of Science, a member of The Council on Foreign Relations, and a member of the Executive Committee of the Lawyers' Committee on Tax Reform. He is a member of the New York Bar.

At Stanford Mr. Drayton is offering a seminar entitled Regulatory Alternatives.

Donald C. Knutson received a B.B.A. (1956) and a J.D. (1958), magna cum laude, from the University of Minnesota, where he was articles editor of the *University of Minnesota Law Review*. In 1958-59 he served as law clerk to Chief Justice Roger J. Traynor, California Supreme Court. From 1959 to 1964 he was an associate with the San Francisco firm

of Pillsbury, Madison and Sutro. In 1964 he joined the University of Southern California Law Center as an associate professor and became a full professor in 1968. At Stanford, Professor Knutson is teaching criminal procedure.

James E. Krier of UCLA Law School received a B.S. (1961) and a J.D. (1966) from the University of Wisconsin, where he was articles editor of the *Wisconsin Law Review*. He served as law clerk to Chief Justice Roger J. Traynor of the California Supreme Court from 1966 to 1967. He was an associate with the Washington, D.C. firm of Arnold and Porter from 1967 to 1969, when he joined the law faculty of UCLA.

Mr. Krier's teaching and research interests have focused on property, environmental law, and law and economics. In addition to articles in these fields, he has authored a coursebook, *Environmental Law and Policy* (Bobbs-Merrill, 1971), and is completing a book manuscript examining primarily in historical perspective the legal, institutional, technological, and environmental factors involved in California's discovery of the response to the problems of automotive emissions. The book approaches the California experience as a case study and attempts to generalize from it.

Professor Krier has been a member of the editorial panel of *Environmental Law Reporter* since 1970 and a consultant with Environmental Quality Laboratory, California Institute of Technology, since 1971. He is also a member of the National Academy of Sciences Executive Committee for the Study of Problems of Pest Control and a member of its Committee on Energy and the Environment. He is a member of the Wisconsin Bar.

At Stanford Professor Krier teaches in the areas of property rights and environmental law.

Spring Term:

Edward C. Halbach, Jr., of the University

of California School of Law at Berkeley, received a B.A. (1953) and a J.D. (1958) from the University of Iowa, where he was comment editor of the *Iowa Law Review*. He received an LL.M. (1959) from Harvard. He was a Ford Fellow at Harvard from 1958 to 1959. He has been a member of the law faculty of the University of California at Berkeley since 1959 and served as Dean from 1966 to 1975. He is a member of the Order of the Coif, American Law Institute, American Academy of Political and Social Sciences, and American College of Probate Counsel. He was also a Reporter for the Uniform Probate Code, National Conference of Commissioners for Uniform State Laws.

Professor Halbach will offer a course in estate planning.

Scholar in Residence

Murray L. Schwartz of UCLA Law School received a B.S. (1942) from Penn State College and an LL.B. (1949) from the University of Pennsylvania, where he was managing editor of the *University of Pennsylvania Law Review*. He served as law clerk to the Honorable Fred M. Vinson, Chief Justice of the United States, from 1949 to 1951. He was special assistant to the United States Attorney General, Office of the Solicitor General, from 1951 to 1952, when he entered private practice. From 1954 to 1956 he was First Deputy City Solicitor for the City of Philadelphia. In 1956 he again entered private practice until 1958 when he joined the law faculty at UCLA, serving as Dean from 1969 to 1975.

Professor Schwartz is spending the fall semester as a visiting professor at the University of Pennsylvania School of Law and will spend the spring semester at Stanford as Scholar in Residence. While at Stanford, Professor Schwartz intends to continue his research on the problems of the legal profession of the United States.

SCHOOL NEWS

Search Committee for New Dean Appointed

On November 12, Stanford University President Richard W. Lyman appointed a committee to advise him in selecting a successor to Dean Ehrlich. The committee includes Law Professors Barbara Babcock, Paul Brest, Gerald Gunther, Robert Rabin, Kenneth Scott, and Marc Franklin, who is chairman of the committee; Emalie Ortega '76, president of the Law Association; Jay Spears '76, president of the *Stanford Law Review*; and Arthur Bienenstock, vice-provost of the University.

On November 22, the chairman met with members of the Executive Committee of the Board of Visitors, including Justin Roach, Jr. '55, chairman, James Baker '47, Donald Crocker '58, Conrad Gullixson '51, James Hutter '50, J. Dan Olincy '53, Charles Purnell '49, Waller Taylor II '50, and Hon. Miriam Wolff '39, to hear their views about the Deanship.

Commencement 1975

The School's eighty-second commencement exercises took place on June 15 in the Arthur E. Cooley Courtyard in front of Crown Quadrangle, the new Law School buildings. It was the first event to be held in the new facilities—an auspicious occasion for both the Law School and the Class of 1975, who started as first-year law students in September 1972, one month after Groundbreaking.

Professor Anthony Amsterdam, recipient of the 1975 John Bingham Hurlbut Award for Excellence in Teaching, addressed the graduates. The class response was given by Tyler Baker, president of the Class of 1975.

Dexter Lehtinen was awarded the Nathan Abbott Prize for highest cumulative grade point average in the class. The Urban Sontheimer Prize for second highest grade point average went to Laurence Hutt. Stephen Berke received the Frank Baker Belcher Evidence Award. The Lawrence S. Fletcher Alumni Association Prize for outstanding contributions to the life of the School was awarded to Edmond Connor and Michael Miller. Nicholas Havranek and Gary Roberts shared honors for the Carl Mason Franklin Prize for outstanding papers in International Law.

Students elected to the Order of the Coif, the national law school honor society, were: Tyler Baker, Stuart Baskin, Stephen Berke, Melinda Collins, Craig Dauchy, Michael Duncheon, Bryant Garth, Laurence Hutt, Jon Jensen, Richard Klobucher, Dexter Lehtinen, James O'Malley, Gary Roberts, David Stern, Stan Todd, and Jay Varon.

Following the ceremony, the graduates and their families and friends attended a luncheon reception at the School and toured the new buildings.

The Class of 1978: A Statistical Profile

The Class of 1978, the largest entering class in the last five years, was selected from 2,844 applicants. Of 487 applicants admitted, 166 chose to attend, resulting in an increase of fourteen over last year's entering class.

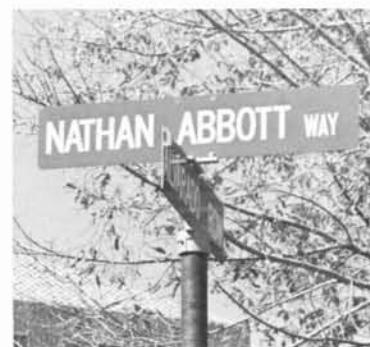
Though applications dropped about 11% from last year, the class strongly resembles its recent predecessors. The average LSAT score for the class is 691 (median 698) and the average GPA is 3.66 (median 3.74). Last year's entering class had the same LSAT and an average GPA of 3.64. With seventeen applications for each place in the class, competition remains extremely keen.

Seventy-seven undergraduate colleges are represented with Stanford contributing the largest number—thirty-seven; followed by Yale, thirteen; and Dartmouth, six. Students are from thirty-one states, Canada and England.

The average age of the class is twenty-three; seven members are over thirty. Twenty-eight members of the class have advanced degrees, including nineteen Masters, six PhDs, two MBAs, and one MD.

Forty women registered this year—the same number as last year. Minority enrollment, however, declined from twenty-five to twenty. There are eleven Chicanos, eight blacks, and one Native American in the class.

Nathan Abbott Paves the Way . . . Again!



Nathan Abbott Way has been chosen as the name of the new street bordering the south side of the new Law School buildings. The busy thoroughfare is named in honor of the School's first dean, Nathan Abbott, who served in that post from 1894 to 1906.



Professor Glick Takes State Post

Associate Professor Martin Glick has taken a two-year leave of absence from the School to become director of California's Employment Development Department. Professor Glick, who taught clinical courses to develop litigative skills, was appointed by Governor Edmund Brown, Jr. to replace James Lorenz on July 19.

While visiting the School during Celebration, Professor Glick was interviewed by editors of the *Law School Journal*. When asked to assess his new job, Mr. Glick said, "It's different, but it's not hard, in the sense that you do what you think is right."

Stanford Lawyers To Clerk for U.S. Supreme Court

Three Stanford lawyers have been chosen to fill U.S. Supreme Court clerkships for the October Term 1976. They are Tyler A. Baker '75 of Cleburne, Texas; Stuart J. Baskin '75 of Whittier, California; and Michael Quinn Eagan '74 of New Orleans, Louisiana.

Tyler A. Baker received a B.A. with highest honors in 1969 from Southern Methodist University, where he was student body president. From 1969 to 1972 he was a Rhodes Scholar at Oxford University, during which time he completed a year of graduate study in political theory and received a B.A. in Jurisprudence (First Class). His Law School activities included membership on the *Stanford Law Review*. He is also a member of the Order of the Coif. At present, Mr. Baker is clerking for U.S. District Court Judge Charles B. Renfrew in San Francisco. He will clerk for Justice Lewis F. Powell, Jr. on the Supreme Court. Carl Schenker, a graduate of the Class of 1974, is currently serving as law clerk to Justice Powell.

Stuart Baskin was awarded his A.B. in political science with great distinction from Stanford University in 1972. During his first year of Law School, Mr. Baskin competed in the annual Marion Rice Kirkwood Moot Court Competition and received the award for Best Written Brief and the runner-up citation for Best Overall Argument. He was president of the *Stanford Law Review* for Volume 27 and was elected to the Order of the Coif upon graduation. Since graduation, Mr. Baskin has been clerking for Judge Walter R. Mansfield of the U.S. Court of Appeals, Second Circuit, in New York City. His Supreme Court clerkship will be with Justice William J. Brennan.

Michael Quinn Eagan received a B.B.A. (1967) and a M.B.A. (1968) from Tulane University. From 1968 to 1971 he served as a lieutenant in the United States Navy. In 1971 he was licensed as a Certified Public Accountant. At Stanford, Mr. Eagan was a member of the *Law Review* and upon graduation, he was elected to the Order of the Coif.

Following graduation in 1974, he spent a year as an associate with the New Orleans firm of Stone, Pigman, Walther, Wittmann & Hutchinson. He is currently clerking for Judge Joseph T. Sneed, U.S. Court of Appeals, Ninth Circuit, in San Francisco. Mr. Eagan's Supreme Court clerkship will be with Justice William H. Rehnquist, who graduated from the Law School in 1952.

These three appointments bring the total of Stanford law clerks to the Supreme Court to thirty. It is the third time in the School's history that three graduates will hold these highly competitive and prestigious positions simultaneously.

Stanford-Organized Legal Aid Program Receives Federal Grant

A \$47,322 federal grant was awarded in July to the two-year-old Senior Adults Legal Assistance (SALA) program of northern Santa Clara County. The program, which was described in a previous issue of *Stanford Lawyer* (Summer 1974, p. 24), was organized in late 1973 by Michael Gilfix, a 1973 graduate of the Law School and currently with Gilfix and Morse in Palo Alto.

Since its inception, the program has assisted more than two hundred persons with a wide range of legal problems, including administrative law, consumer and domestic relations problems, and wills.

The Palo Alto program, which is run in cooperation with the Palo Alto senior adult services program, receives no city funding. Michael Gilfix, Stanford law student, and Murray Halwer, a retired attorney who is field director of SALA, provide free legal assistance every Friday afternoon in the SALA office in the Downtown Library of Palo Alto. In February of this year the program was expanded to include senior citizens in Mountain View. Both programs will be expanded under the grant and SALA will establish a third office in the city of Santa Clara.

The grant was one of only eleven awarded this year from some 500 proposals by the Department of Health, Education, and Welfare's Administration on Aging. It will be used primarily to establish a model legal services program that intricately involves the Stanford and Santa Clara Schools of Law. The grant will also enable Mr. Gilfix to function as Director and Directing Attorney of SALA, to hire a staff that will include a staff attorney and para-legal aides, and to extend its activities into such areas as consumer education.



Bill Baer '75 (left) meets with Menlo Park Police Chief Victor Cizancas (right) and Officer Joe Ochoa.

Law School Course Is Catalyst for New Police Program

"While on patrol I would ask questions of the policemen and I quickly realized that they knew virtually nothing about what other police departments on the Peninsula did." This observation by William Baer '75 led to the formulation of an innovative and to date highly successful program that is likely to become the prototype for similar programs across the nation.

As a student in Professor Danzig's course in Police Innovations, Mr. Baer was attached to a police department in Fremont. One of the first things he observed was that the Fremont Police Department seemed to work virtually independently of neighboring police departments and with little knowledge of how the other departments operated. With Professor Danzig's encouragement and guidance, Mr. Baer drafted a four-page proposal suggesting a program which would promote idea sharing

and increase cooperation among local departments. The two then submitted the proposal to the Police Foundation, a nonprofit institution dedicated to innovation and improvement in policing.

Through an \$8,000 grant from the Police Foundation, Professor Danzig and Mr. Baer developed and implemented a six-month exchange program involving middle management police officers from the cities of Fremont, Hayward, Menlo Park, Oakland, Palo Alto, and San Jose. Mr. Baer handled the day-to-day program coordination, while working jointly with Professor Danzig on the major policy decisions. Seven police officers, ranging in rank from patrol officer to lieutenant, were assigned to neighboring departments with the special rank of staff assistant to the chief. The officers were given a broad mandate by the chiefs to involve themselves in two types of activities: (1) using their experiences in their home departments to suggest improvements and economies in the operation of the hosting police agency; (2) acquiring information on successful programs and good ideas that might be brought back to the home department at the end of the exchange. The visiting officers and hosting police chiefs met frequently to encourage sharing of information and views on departmental operations.

The officers also met regularly in group sessions with Professor Danzig and Mr. Baer to discuss problems they encountered in the program, such as gaining acceptance in their host departments and the best ways to offer suggestions for changes within those departments. An important objective in Professor Danzig's course—as well as in the program—is to show people how they can effect change in a bureaucracy.

As the program came to an end, reactions from the participating police chiefs were most enthusiastic. Oakland Police Chief George Hart noted, "A key benefit of the exchange program is the different perspective a police officer from another police agency can bring to bear on important problems within the host department." Hayward Police Chief Claude Marchand added, "The low cost of the program is one reason we find it attractive. The one-for-one exchange means that my total manpower remains constant."

The chiefs also felt that the program is an effective way of fostering the career development of young officers. "We have selected top young officers to participate in the exchange program," said San Jose Police Chief Robert Murphy. "We feel that the experience of working closely with the chief and officers of an outstanding department in the Bay Area is valuable training for a promising officer. His experience will make him more effective within our department upon his return."

The success of the program surpassed the expectations of most participants. John Fabbri, Fremont's police chief, spoke for all of the chiefs in giving this assessment: "We are delighted to see how worthwhile it is to bring an outsider into the department and to give him the opportunity to challenge what we are doing, to suggest improvements, and to exchange information in a wide variety of areas. The success of the program convinces us that we each have a lot to offer and a lot to learn. The program helps us do both."

Mr. Baer, who is now working for the Bureau of Consumer Protection of the Federal Trade Commission, expressed his satisfaction with the program: "At its inception, Professor Danzig and I viewed the middle management exchange concept as a simple and inexpensive means of breaking down the parochialism surrounding much of policing today. But even we were surprised at how effective a concept it has proved to be. The exchange of seven middle management officers has opened the way for these six progressive but independent minded police departments to begin sharing information and ideas to an unprecedented degree. It cannot help but foster improvements in the delivery of police services to the citizens of these six communities."

State Bar Luncheon

On September 23, Stanford law alumni attended a luncheon in Beverly Hills, during the California State Bar Convention. The Honorable Frank K. Richardson '38, Associate Justice of the California Supreme Court, addressed the gathering. His topic was "Is There Life After Law School?" The luncheon was hosted by The Stanford Law Society of Southern California and coordinated by John A. Sturgeon '62.



Justice Frank Richardson '38, Hon. Shirley M. Hufstедler '49, and Seth Hufstедler '49



Lon Allan '68, Steve Harbison '68, and Charles Armstrong '67



David Elson '70 and Laurence Gould '71



Inez and Russ Meyer '53

Available to alumni... Celebration works to stimulate the eye and the mind



In Celebration

In honor of the new Stanford Law School buildings, Richard Lang, J.D. 1929, commissioned the distinguished American artist, Robert Motherwell, to execute a work of art. The oil and collage, which measures 6' x 3', is entitled by the artist "*In Celebration*."

The work now hangs in the main entrance of Robert Crown Library. It is a superb example of the artist's work, and both in color and imagery, highly evocative of Stanford.

A nine-color offset lithograph, based on the original work, is available to Stanford Law School alumni and friends. The edition is limited to two hundred examples on 38" x 25" Rives BFK paper, numbered and signed by the artist. The price of the print is \$250.

A nine-color poster (38" x 25") based on the work, with the words, "*In Celebration, Stanford Law School, September 26-27, 1975*," is also available for \$25.

Orders for both the print and the poster should be sent directly to Celebration Art, Stanford Law School, Stanford, California 94305. Each order should be accompanied with a check or money order made payable to Stanford University. (California residents please add 6% sales tax to the price of each print and poster.) The print and/or poster will be sent in a sturdy mailing tube; please add \$3.00 for postage and packing.



Stanford Legal Essays

To celebrate the new buildings, the Stanford law faculty has joined in writing *Stanford Legal Essays*, a collection of twenty-four essays on critical areas of the law, edited by Professor John Henry Merryman.

Each of the authors has written on the topic of his or her choice and the result is an impressive 467-page volume that covers a wide diversity of subjects.

A glance at the table of contents reveals a range of topics that are as provocative as they are illuminating: Anthony Amsterdam's discussion of the right to a speedy trial; Lawrence Friedman's delightful study of law in California's San Benito County in 1890; a look at the complex relations between law, politics, and health care in contemporary China by Victor Li; John Kaplan's "Primer" on the legal aspects of heroin control; and Howard Williams' analysis of the need for a national oil and gas policy are just a few of the fascinating subjects included.

Stanford Legal Essays contains a wealth of material to interest the law-oriented reader, as well as the educated general reader. Individually, these essays are incisive and timely investigations of vital areas of law by some of the nation's leading scholars. Taken together, they provide a representative expression of the minds, styles, and interests of the faculty of Stanford Law School. Alumni—old and new—will find them stimulating, entertaining, and above all, a clear affirmation of the pre-eminence of Stanford Law School as a center of legal research and education.

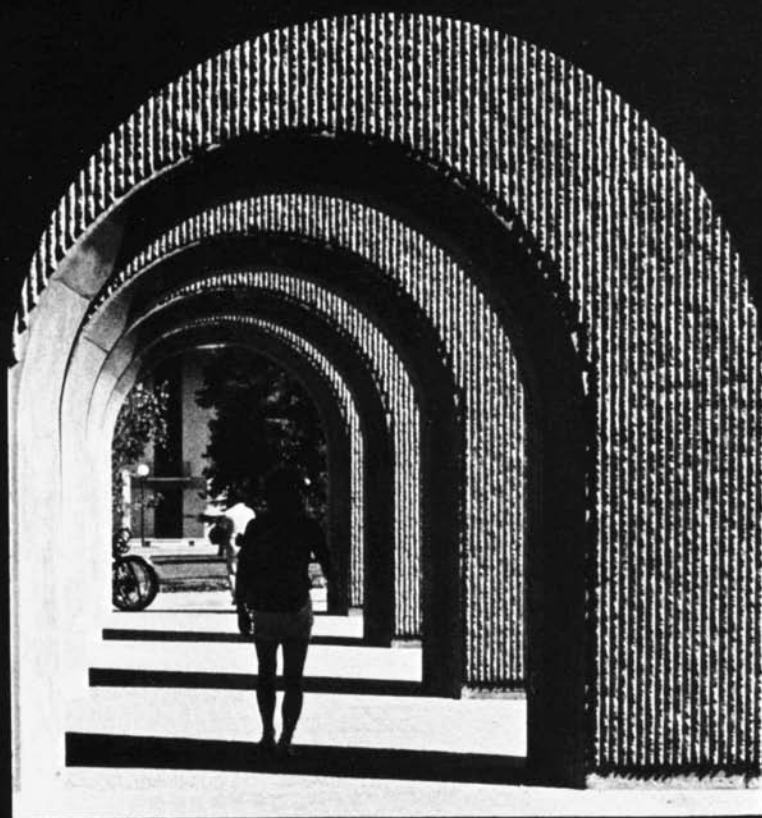
Stanford Legal Essays is an eloquent tribute to an important era in the history of the School. It is also a significant contribution to legal scholarship and the legal profession.

Stanford Legal Essays is available to alumni and friends of the School for \$15.00 per copy. To order your copy, send a check or money order, made payable to Stanford University Press, to Stanford University Press, Stanford, California 94305. (California residents please add 6% sales tax to the price of each book.) Note: These essays were also printed in Volume 27, Number 3 of the *Stanford Law Review*.

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CROWN QUADRANGLE



"A new building, designed for the special needs of the School, is a necessity."

Marion Rice Kirkwood, 1924

Crown Quadrangle is the first facility built specifically for legal education at Stanford. When the Stanford Law Department opened its doors to a class of forty-six students in 1893, it occupied rooms in various buildings on the campus, including Encina Hall, Room 10 on the Inner Quad (now the President's Office), the Chapel, and the Engineering Building. In 1900 the School was assigned three rooms in the northeast corner of the Inner Quad, where it remained for forty-nine years.

In 1928 plans were initiated by Dean Marion Rice Kirkwood to build facilities "designed to meet the needs of the School for many academic generations to come." A fund-raising campaign was organized, but plans were shelved when the financial disaster of 1929 and the ensuing war years made expansion impossible.

In 1950 the Law School moved to the remodeled Administration Building on the Outer Quad. As the size of the student body and the library continued to grow, the need for more space became acute. In December 1965 the University's Board of Trustees approved schematic plans for a new Law School complex. The plans were prepared by the San Francisco office of Skidmore, Owings & Merrill in consultation with a

committee of Law School faculty, students, and alumni. Interestingly, the site selected for the new buildings by the Trustees was approximately the same area chosen for the School by Dean Kirkwood in 1928.

In 1968 the School initiated Agenda for Legal Education, its first major capital funding effort. By 1972 the School had received more than \$11 million, and ground was broken in August of that year. Nearly three years later, in June 1975, Crown Quadrangle was completed.

Crown Quadrangle was built by the contributions of more than five hundred alumni and friends, including magnificent gifts from the Lucie Stern Estate, Frederick I. Richman '28, Mrs. Lilian Nichols, the James Irvine Foundation, the Kresge Foundation, and the Henry Crown Family. Stanford Law School has moved to its new home with gratitude and renewed commitment to providing the best in legal education.



Crown Quadrangle

Crown Quadrangle is designed to meet the unique needs and objectives of the Stanford Law School.

During three years of preliminary planning, the architects met frequently with Law School faculty, students, and alumni to explore the nature and philosophy of the School. They examined the special requirements of the students and faculty. They saw that law students spend their full academic day in the Law School and require surroundings that serve their needs from early morning to late evening; that classroom sizes and designs should encourage extensive interaction between students and faculty; that faculty offices must provide privacy for study while remaining convenient to the library and accessible to students seeking counsel; that the library must provide easy access to the large number of volumes used by law students and faculty members.

As a result of their painstaking attention to the unique function and structure of the Law School, the architects created out of cement, wood, and glass the most modern and carefully conceived law school in the United States, and one that will serve as a model for other law schools for many years to come.

Crown Quadrangle occupies a central location on the University campus, bounded on the north by Meyer Library, on the east by Galvez Street and the Center for Research and Development in Education, on the south by Nathan Abbott Way, and on the west by the Bookstore and Post Office.

Though conceived as an entity, Crown

Quadrangle is actually four buildings carefully integrated with each other to provide a system of separated but coordinated student and faculty activities and a productive and stimulating environment for legal study and scholarship.

The largest of the four buildings is the Robert Crown Library, a four-story structure that includes complete library and research facilities and offices for faculty, administrative personnel, and student organizations. The library forms the core of the building, with space for 450,000 volumes; offices surround it on each of the floors.

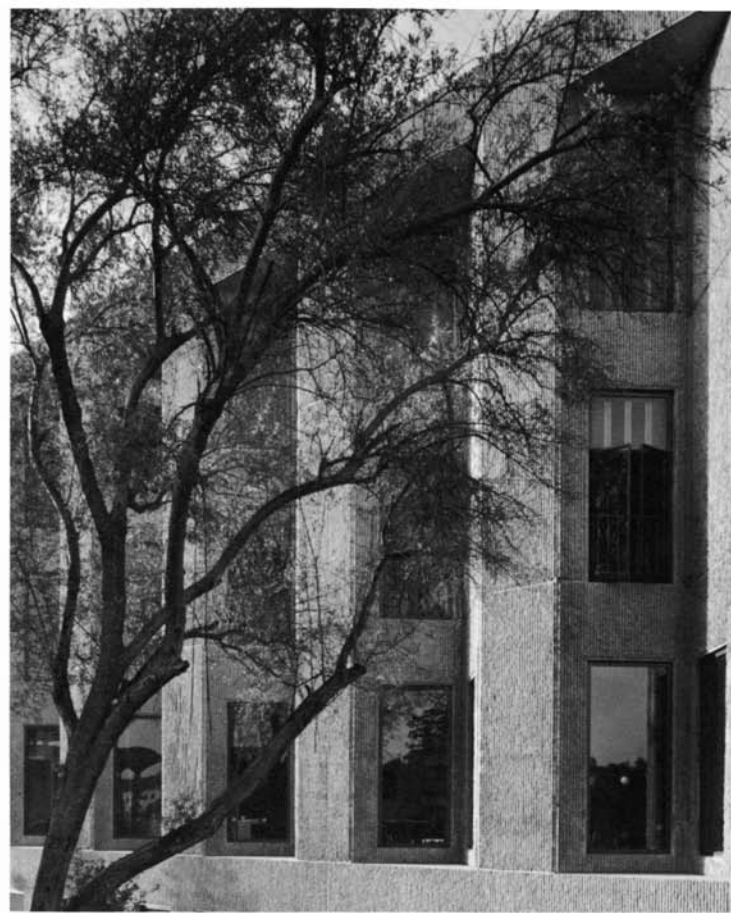
Opposite Crown Library is F.I.R. Hall, which contains the classrooms, seminar rooms, and the School's courtroom for trial practice and appellate arguments. Though equal in height to the library/office building, F.I.R. Hall has three



rather than four levels to accommodate the higher ceilings required in the classrooms.

Connecting Crown Library with F.I.R. Hall is the James Irvine Gallery. In this two-story building are housed the School's common rooms, including the faculty and student lounges and meeting rooms. Student lockers are located in the basement. The Gallery serves as the School's main thoroughfare as students and faculty move back and forth from the library to the classrooms.

Kresge Auditorium, the fourth component of the complex, is a one-story building with a seating capacity of 580. The Auditorium will be used for Law School programs, as well as some



general University events. A dual access system was designed to ensure that non-Law School traffic will not disrupt the conduct of normal Law School activities.

The buildings surround two courtyards. The Arthur E. Cooley Courtyard serves as the primary access to the School. The Benjamin Scott Crocker Garden is an inner courtyard adjacent to the student lounge where students and faculty can relax in a quiet setting. Occupying a prominent position in the Cooley Courtyard is the bronze sculpture, *Four-Square*, by the late Dame Barbara Hepworth. The sculpture, on loan to the School from the Norton Simon Inc. Foundation, provides a dramatic entrance to Crown Quadrangle and underscores the School's concern for creating a total environment that meets both the practical and the aesthetic needs of those using the buildings.

In scale, shape, and height Crown Quadrangle reflects a contemporary interpretation of the early California motif of the Stanford campus. The principal design elements of the older University buildings—the sandstone color, covered arcades, courtyards, and red tiled roofs—have been incorporated to ensure the complete integration of the new facilities with the overall campus.

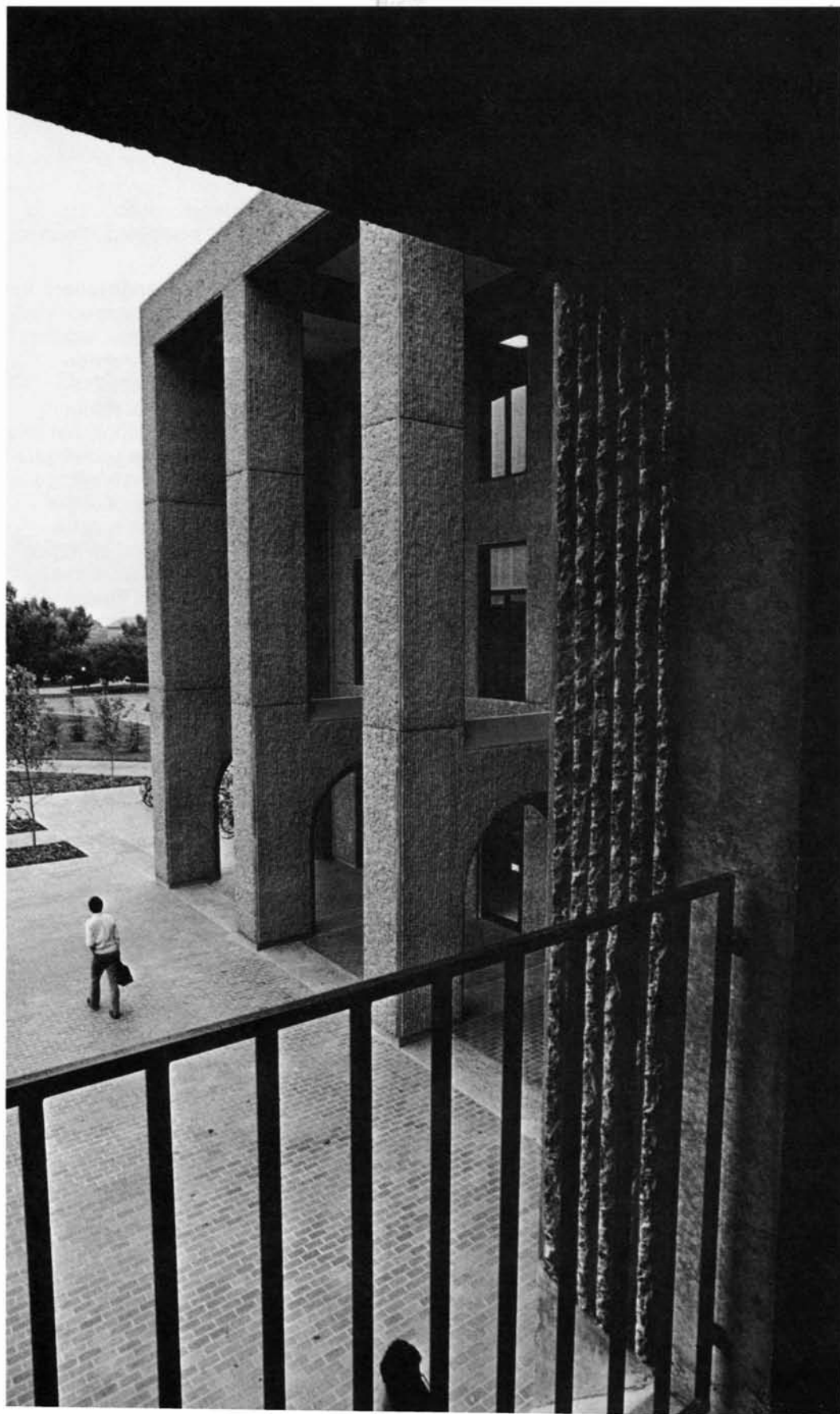
The structural framework of the buildings is reinforced concrete with a "fractured fin" exterior finish, accomplished with a pneumatic hammer specially developed for this design. A similar process was used on the interior concrete in the lobbies of both

the library and classroom buildings to give a textured or "scrabbled" finish to the walls.

The interiors of the buildings reflect concern for how the various spaces will be used. A faculty committee, working in close harmony with the interior designer, Michael Bolton of Bolles Associates, San Francisco, selected color schemes and furnishings that give a fresh, contemporary look and emphasize the *human* scale of the buildings. A particularly exciting aspect of the interior design is the use of graphic designs in the corridors and on important walls in the library, classrooms, and student lounge. These designs provide visual interest and act to "deinstitutionalize" the look of large one-color wall spaces. They add warmth and vitality to these public areas, while providing a pleasing backdrop to a rich variety of contemporary works of art that are on loan to the School.

Like the graphics and art works, the furnishings were chosen to enhance a *living* environment and are arranged to accommodate a diversity of work and study requirements. Carpeting is used throughout the library and in classrooms and administrative areas to keep noise disturbances to a minimum. The entire complex is climate controlled for year-round comfort.

The gross square footage of Crown Quadrangle is 221,161 square feet, nearly three times that of the former Law School building. In every detail, Crown Quadrangle is uniquely suited to the educational aims of the Stanford Law School.



Robert Crown Library

The Robert Crown Library is a gift from the Henry Crown Family of Chicago in memory of Robert Crown. On its four floors are housed the School's current collection of 230,000 volumes with additional space available for a total of 450,000 volumes.

Conceived both as a law library and a research center, the library includes individual reading carrels and open stacks to provide students with individual study space and easy access to books and periodicals. Three hundred and fifty carrels are located among the open stacks on all floors. In addition, there are several reading areas featuring attractive upholstered furniture for a total seating capacity in the library of 600.

For students seeking temporary escape from law study, the Vrooman Room offers a comfortable and relaxed area where students can enjoy magazines and books on a wide variety of non-law subjects. Floor to ceiling windows and lounge chairs make this room a popular retreat.

A separate area, conveniently located near the circulation desk, contains the card catalogue, index and search books, enabling students and visitors to locate books quickly and with a minimum of effort. Other special features, including an open reserve area for frequently used books, a rare book and manuscript room, small soundproof rooms for joint student work and conferences, a microform room, and typing carrels, make this library one of the nation's most complete and efficient legal research centers.



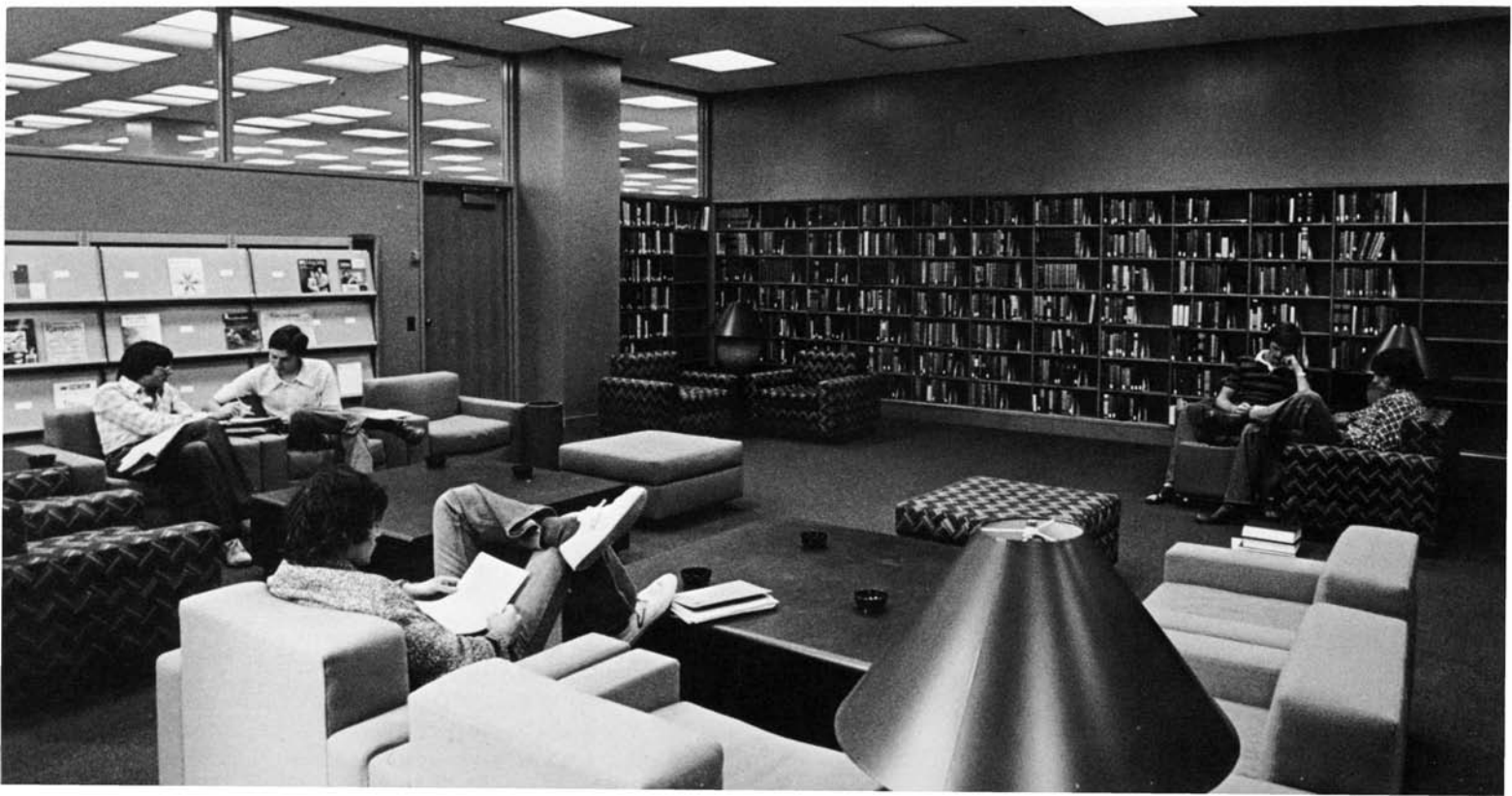
Encircling the library on each floor are offices for faculty, administration, and student organizations. The offices of the faculty, teaching fellows, and secretarial staff are located on the second and third floors for maximum access to students and library facilities. Each of the 43 faculty offices is designed to function both as an office and as a small, informal seminar space. To allow for individual tastes and needs, six basic interior designs were available, allowing each professor a wide range of choices.

Staff Office

The faculty reading room, with access to both the office corridor and the library, is located on the third floor. The Dean's offices are centrally situated on the second floor—above the lobby of the building and near the main entrance to the library facilities.

On the ground floor are administrative offices, including admissions, student services, and placement, and the reception/information center. The large walls in the reception area encourage the hanging of paintings and other works of art; seating has been provided to ensure maximum use and enjoyment of this important public space.

Offices for the student-run organizations are located in the basement to provide students with easy access to their lockers and mailboxes and the School's duplicating services.





Student carrels and stacks



Lobby and reception area

Corridor encircling the second floor of the library



F.I.R. Hall

F.I.R. Hall, donated by Frederick I. Richman '28 of Laguna Beach, houses the School's six classrooms, seven seminar and conference rooms, and the moot court room. The dominant design of the classrooms is that of a tiered horseshoe to maximize discussion and interaction between professor and students. Swivel chairs enable students to see and hear each other clearly and continuous desk tops permit simultaneous note-taking and use of textbooks.

The classrooms vary in seating capacity from 50 to 175. The two largest rooms are equipped with movable partitions that can divide each room in half, when need dictates. Each room is designed to provide a comfortable, informal atmosphere. Carpeting is used to enhance the acoustics and the furnishings are primarily in muted shades of blue, brown, and gray. Visual interest is

provided on key walls by directional graphics that reflect the colors, movements, and shapes of the classrooms themselves. Each room is wired for audio-visual equipment.

A particularly interesting innovation is the addition of "after class" rooms immediately outside the classrooms. These small areas permit discussions between students and faculty to continue after one class without interfering with the start of the next class.

The classrooms and seminar rooms are grouped around a large central staircase to minimize traffic congestion and enable students to move quickly from class to class. A large skylight over the staircase introduces a flood of light throughout the day, keeping the area bright and airy.

A highlight of F.I.R. Hall is the moot

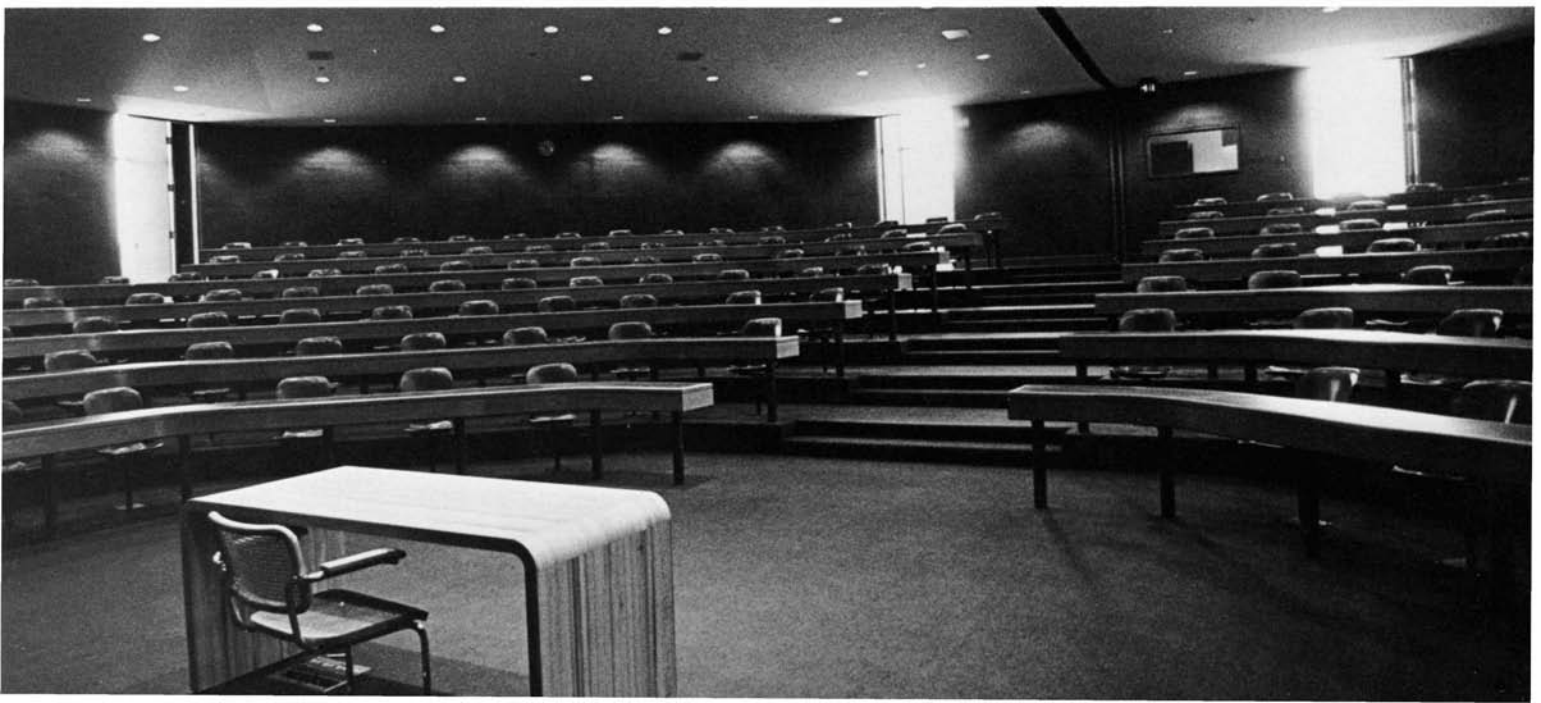
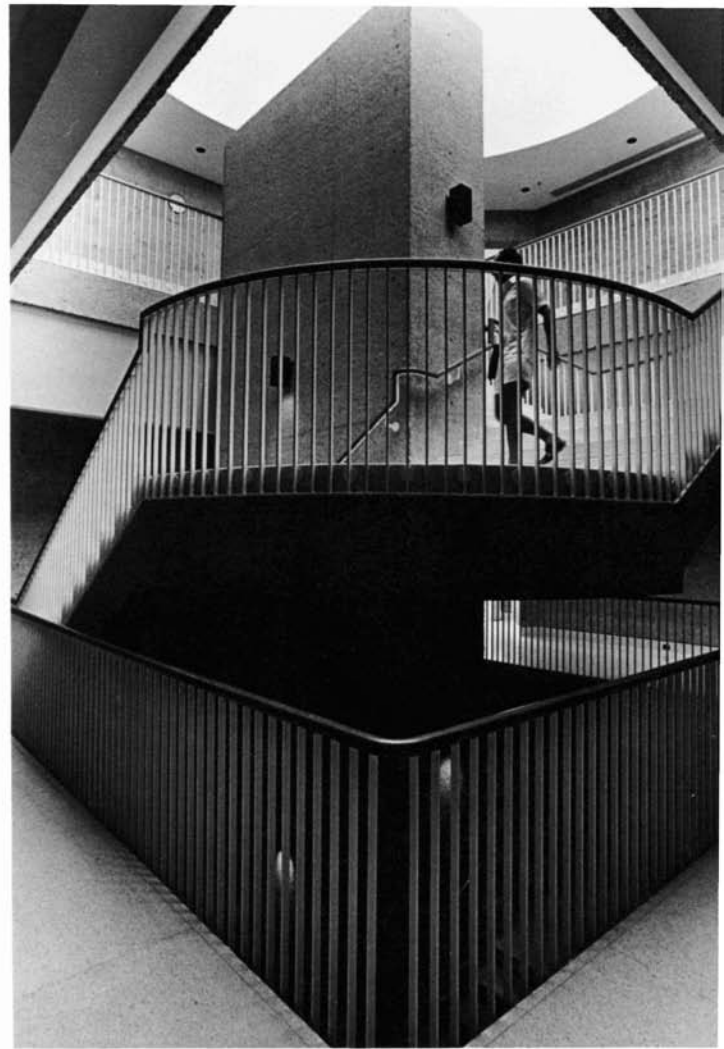


court room, located in the lower level. Designed with the advice and counsel of a special committee of state and federal judges who are alumni of the School, the moot court room is a handsome, oak paneled room with theatre-type seating for 125. The waffle pattern of the oak ceilings adds visual excitement while providing soft, pleasing light.

The focal point of the room is the judges' bench which accommodates three judges. The judges' chambers are adjacent to the court room, with direct access to the bench.

The moot court room is used primarily by members of the Moot Court Board and Serjeants at Law, two student-run organizations devoted to practice in appellate argument and trial advocacy.

The spaciousness of the room, the dramatic simplicity of the wall and ceiling treatment, the central focus upon the bench evoke a sense of respect for the law and emphasize the dignity of the court.

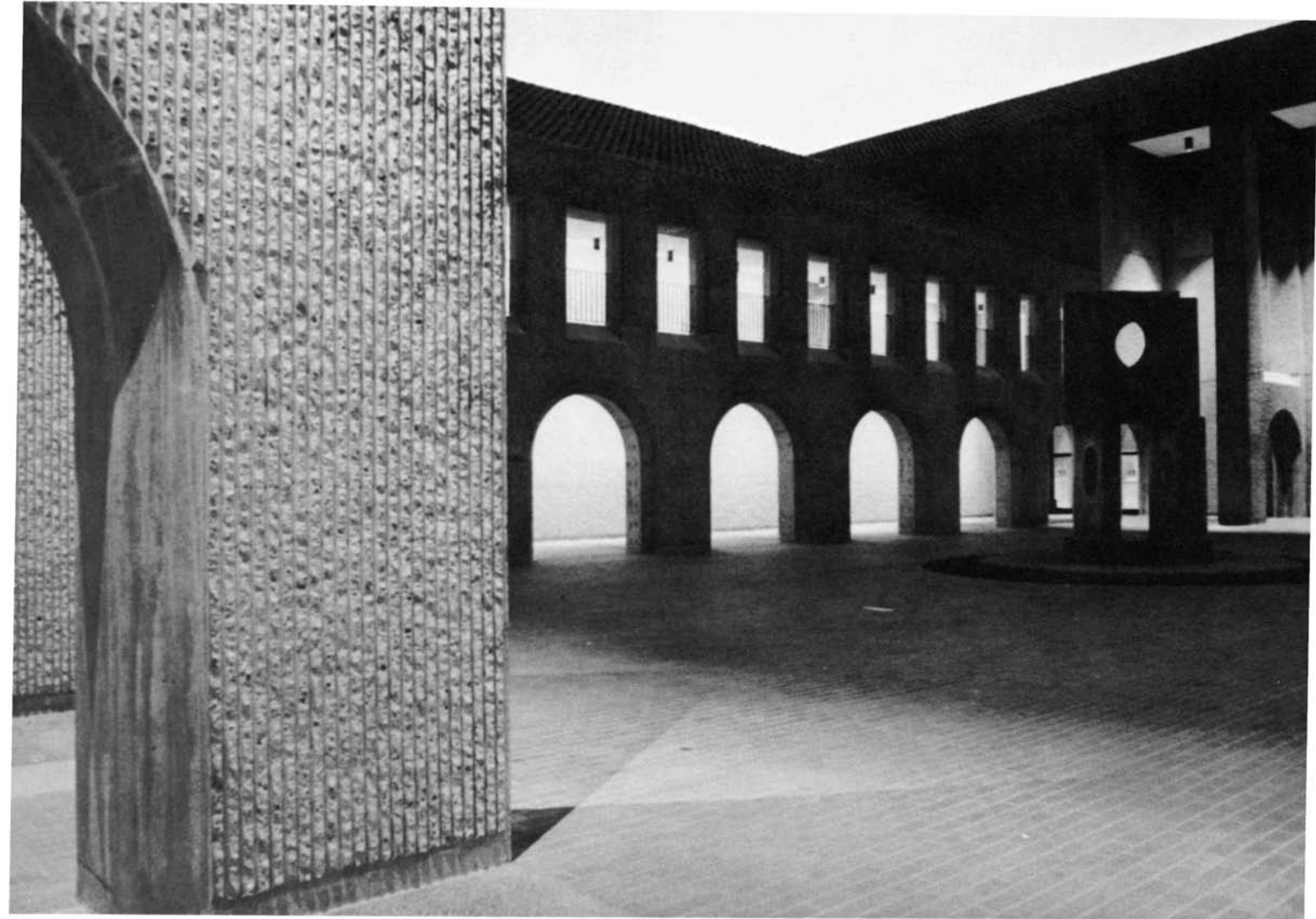


View of main staircase
from first floor



Moot Court Room

The second largest classroom,
seating 150



Forty-Niner Room, the student lounge

James Irvine Gallery

Connecting F.I.R. Hall with Crown Library is the James Irvine Gallery, a gift of The James Irvine Foundation of San Francisco. This two-story structure is the "main street" of the School, serving as both the primary access route between the library and classrooms and as the social center for faculty and students. On the second floor are the faculty lounge with kitchenette, two seminar rooms, and the Dean's conference room.

The first floor houses the student lounge and meeting room. Attractively decorated with butcherblock tables, soft leatherette chairs, and upholstered lounge furniture, the student lounge is an inviting and spacious area for relaxing between classes or during study breaks. The lounge offers a wide range of food and beverages, which are served cafeteria style. Designed to accommodate up to 200 persons for sit-down dinners, the lounge can also be used for alumni functions, conferences, and other special events. On the lower level of the Gallery are the student lockers.

The south side of the lounge opens on to the Benjamin Scott Crocker Garden, a beautifully landscaped enclosed courtyard furnished with tables, chairs and benches, where students and faculty gather for sunshine and informal conversation.

On the north side of the lounge is the Arthur E. Cooley Courtyard. The centerpiece of this beautiful, open space is *Four-Square*, a sculpture by the late Dame Barbara Hepworth, on loan from the Norton Simon, Inc. Foundation.



Kresge Auditorium

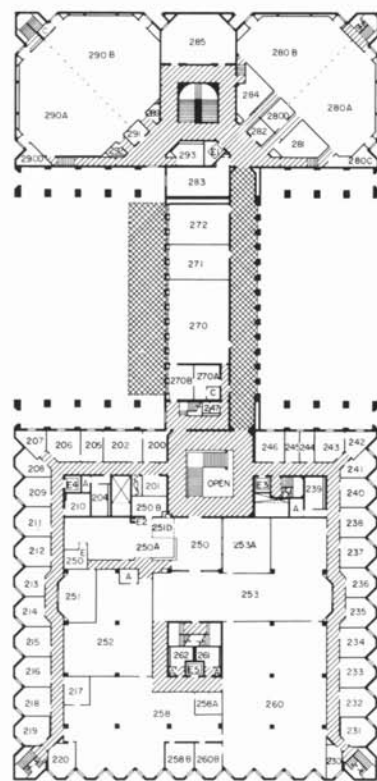
Kresge Auditorium, funded by the Kresge Foundation of Detroit, is the fourth component of the Quadrangle. With a seating capacity of 580 and a platform of 520 square feet, the Auditorium will accommodate the total population of the Law School and will be used for a wide variety of events.

The interior is oak paneled with large tinted glass windows lending an air of spaciousness without glare or distraction. A particularly notable aspect of the interior design is the arrangement of the seats, variously colored in beige, orange, red, and purple. The resulting pattern is a unique adaptation of the painted wall graphics found in the other buildings of the Quadrangle. The auditorium is also equipped with a public address system, a projection room and screen, and a conduit for audio-visual equipment and closed circuit television. Since the auditorium will not be used on a full-time basis by the Law School, it will also fill an important University need for a fully equipped medium-sized auditorium. A dual access system will ensure that non-Law School traffic will not interfere with Law School activities.

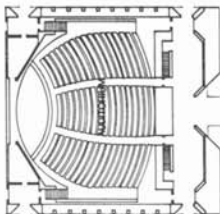
Basement



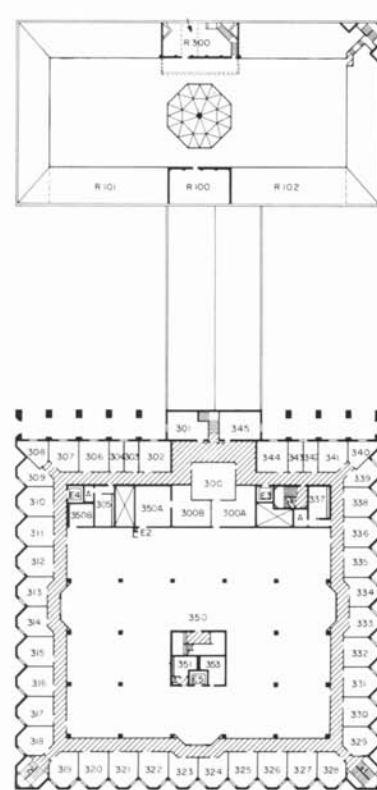
Second Floor



First Floor



Third Floor



Crown Quadrangle

Groundbreaking: August 11, 1972

Dedication: September 26, 1975

Architect: Skidmore, Owings & Merrill, San Francisco

Interior Designer: Michael Bolton, Bolles Associates, San Francisco

Contractor: Carl W. Olson & Sons Company, Menlo Park

Landscape Consultant: Thomas D. Church

University Planner: Roger Cairns

Building Coordinator: Elmer Sandy

Cost: \$11,900,000

Area: 221,161 gross square feet; 198,779 net square feet

Photographs: Richard Hixson, Jose Mercado, Charles Painter, Cheryl Ritchie, Tim Scott.

Text: Cheryl Ritchie Design: Carol Hilk

