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Burke optimistic after first year

Law School made strides in student-faculty achievement, funding

By J. Martin Burke, dean of the UM School of Law in Missoula.

It seems almost impossible that an entire year has passed since I assumed the responsibilities of Dean of the UM School of Law. There is never a dull moment in the Dean's office and there are not enough hours in a day to complete all of the work that ought to be done.

Overall, the last academic year was a very good one for the UM School of Law.

- It was a year of student achievements. Our Moot Court team was victorious in regional competition for the seventh time in the last nine months, and earned the right to compete with 27 other law schools in the National Moot court finals in New York City. Our Negotiations team won first place in the Northwest and placed eighth nationally. Our ATLA Trial team won its first regional championship (defeating teams from California, Oregon, Washington, Idaho, and Wyoming) and placed second at the national finals in Chicago.

- It was a year of new programming efforts. The UM School of Law commenced a scholar-in-residence program with Judge Gordon Bennett serving as our first scholar in residence. During his stay with us, Bennett participated in a variety of classes and provided students an invaluable perspective of the law, its interpretation, and its application.

The UM School of Law and the School of Journalism combined forces to present a successful Journalism/Law conference focusing on the legal rights and responsibilities of the press. The Law School and the Pharmacy School presented a symposium on the duty of the pharmacist to warn; this conference was the first of its kind in the nation. In addition, the Law School sponsored its 36th Annual Tax Institute and the law faculty presented its

annual CLE during Law Week in early April.

- It was a year when significant progress was made on our ongoing curriculum project. At last year's Law School breakfast, I discussed our efforts to



Dean Burke makes a point during a recent presentation at the Law School.

define exit competencies. During the year, thanks to the input of many members of the State Bar, the faculty completed its work on our business/property exit competency. During the year, we also conducted a nationwide search for a Director of Professional Skills. We recently concluded that search by hiring Greg Munro, an able practitioner from Billings who served during the last year as a visiting professor at the UM School of Law. With this new position, the Law School can commence the next stage of its effort to intergrate theory and practice. Professor Munro will be responsible for designing and coordinating activities and exercises across the curriculum that will assist students in developing and honing their professional skills.

- The year was a banner year for student recruitment. I personally made recruitment visits to Carroll College, MSU and Eastern Montana College. Brenda Desmond of our faculty visited with students at the College of Great Falls. In addition, our faculty conducted a well-attended session for UM undergraduate students interested in law school. Some of you may wonder why

the UM School of Law has to undertake any recruitment efforts. The answer is simple; we want to ensure that the best and brightest Montana students know that UM is a quality school.

Our good friends at Gonzaga, Willamette, Lewis & Clark, and University of Puget Sound law schools all send recruiters to Montana each year to inform Montana students about the merit of their programs. Needless to say, it is important that our Law School also have the opportunity to talk to prospective law students. I am pleased to report that our applications went up about 47 percent last year. With that increase, we have been able to select a strong entering class for the coming academic year.

- It was a year of significant faculty accomplishments. Associate Dean Ed Eck, together with members of the Tax and Probate Section of the State Bar, successfully completed work on trust law and probate code revision, and shepherded those bills through the 1989 Legislature. Prof. Scott Burnham won the National Preventive Law Award for his book *Drafting Contracts*. Prof. John McDonald completed his work on the Montana Real Estate Forms manual. Prof. William F. Crowley completed the update on his manual, *Montana Pleading and Practice Forms*. Prof. Rob Natelson's treatise on the Law of Property Owners Associations was published by Little, Brown and Company. Prof. Margery Brown was given the Missoula YWCA's highest award for her involvement in the community, and last week she also was the recipient of one of the Centennial Equity awards. The list of accomplishments goes on with each member of our law faculty making substantial contributions to the profession, the state, and the nation.

- The year was one when the UM School of Law made some modest headway on the funding front. I asked the regents to support a legislative request for an additional \$430,000 over

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At the end of 1988, there were still one hundred and seven (107) complaints under investigation by the Commission, and eleven disciplinary proceedings instituted and pending.

If you are the subject of an investigation by the Commission on Practice or if formal charges are brought against you by the Commission, seek competent advice.

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the next biennium. I regarded this as a very modest request considering the needs of the school. The regents essentially cut the request in half, as they did with all special budget modifications requests from every unit in the University System, and the Legislature in turn cut that amount even further — to \$75,000 over the biennium. The Legislature did, however, appropriate money for modest faculty salary increases. Thus, overall we are in a position to report to the ABA Accreditation Committee that some progress has been made. It is, however, a far cry from the actual additional assistance that the Law School needs. What becomes very apparent to me is that the Law School will have to rely more heavily than ever before on private support to sustain the quality of its operation. In that regard, I want you to know that the Law School will be moving its annual fund drive in the fall, and each of you will be hearing from us sometime in October or November. I hope that you will each respond with a generous gift. Your financial support is critical!

- It was a year when the UM School of Law lost a number of former faculty who played significant roles in the development of the school.

Prof. David Mason and his wife Helen, Prof. Edwin Briggs Kendrick Smith (who taught at the Law School in the 1930s) and Mrs. Mary Leaphart, wife of Dean Leaphart, all died during the year. With the deaths of these remarkable people I think each of us on the law faculty found ourselves reflecting on the rich heritage of our Law School. The school has indeed been blessed during its history with strong and dedicated faculty and leaders. Thanks to people like David Mason, Edwin Briggs, Kendrick Smith, and Dean and Mrs. Leaphart, our school has enjoyed a strong national reputation. We are deeply indebted to these special people.

In conclusion, the past academic year was a productive one. The faculty survived a new dean and a new dean survived his first year on the job. As we look forward to the coming year, I should alert you to a number of changes:

√ Associate Dean Ed Eck, who served as Acting Dean following the resignation of Dean Jack Mudd, and who graciously agreed to serve as associate dean during the past year, will return to full-time teaching on the law faculty. He will be replaced in the associate dean's position by Prof. Bari Burke.

√ Prof. Carl Tobias, who taught as a visiting professor at Temple Law School last year, has returned to the law faculty as has Prof. Scott Burnham, who served as a visiting professor last year at Santa Clara Law School.

√ The annual Tax Institute is Nov. 10-11.

√ The UM School of Law will co-sponsor with the Montana Law Review a symposium on the Montana Constitution Nov. 16-18. — ML