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The Law School

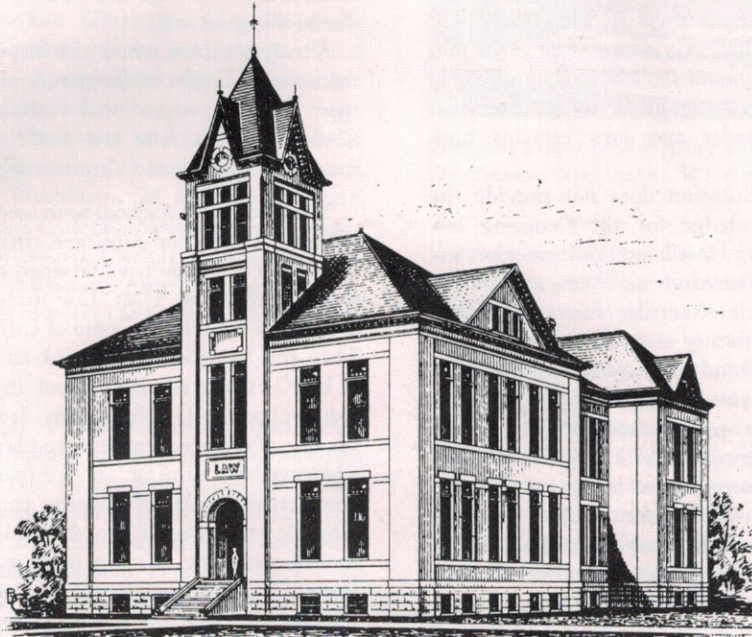
Transcript

University of Missouri-Columbia School of Law

Volume 2 - Number 1 - September/October 1978

THE LAW BARN:

A Brief History of the School of Law,
University of Missouri-Columbia



LAW BUILDING

by
WILLIAM F. FRATCHER

See inside for details!

The Dean's Corner

As the doors of the School of Law opened in late August this year the Law Faculty and Staff were met by 154 eager yet frightened young people who were entering the School for the first time. They joined our second-year students, newly sophisticated after completion of the first year and in many instances, after summer clerkships in law offices or in law-related jobs. They also joined the new third-year students, who returned with a sense of restlessness, produced by the light at the end of the tunnel.

The student body of any law school is a fairly anxious group of people. They are in a state of transition from layman to professional. Yet most students have had little actual experience with the profession they hope to join. Many have never met a practicing lawyer or judge.

Even the best students wonder if they will be able to get a good law job after graduation, or any job at all. The average-to-below-average student worries even more about his future law job, because he is afraid that his grades will disqualify him. He thinks that no one cares if he gets a job, and that the law school administration is actively promoting jobs for the best students at the expense of his own potential job. So anxiety about grades and jobs remains high throughout law school.

Moreover, law school education does not provide the seeming certainty of knowledge for the fledgling law professional that engineering, medicine, and other professional schools seem to give their students. A law student can know why knowledge of black letter rules is not enough, but it is hard to live with uncertainty as a student even if you know it is inevitable. This kind of uncertainty too creates anxiety, especially for first year students.

Most of our students have been in school for sixteen years without a break before entering law school. They are now mature young men and women but many are nevertheless forced to remain in a semi-adolescent status of financial dependency on others. For many law students this is a time of life when problems of self-understanding and other problems associated with maturation also contribute to high personal anxiety.

This is the psychological atmosphere in which we seek to attain excellence in legal education. If the anxiety levels are too great excellence in learning is impossible. Many students react by fleeing: they take outside jobs to relieve the anxiety and to rationalize failure to compete for grades and jobs; or they simply stop studying. Others fight: they expend energy in attacking the faculty and administration for the curriculum; grading practices; School traditions; the practices of the placement office; even (Heaven forbid!) the Dean!

One of the needs an excellent law school has is to maintain enough anxiety to avoid complacency (usually that is no problem), but not so much that the students spend their



energies fleeing or fighting, or in a state of paralysis.

This need can be satisfied in part by taking measures that offset anxiety with self-confidence. In my view law students at a great law school learn better because they are more self-confident and therefore less anxious. This is just as true of athletes on a great team.

The chief characteristic of a great law school is a law faculty in which the students can have complete confidence. The individual members of the faculty need not be brilliant, although that helps, but they must have the kind of intellects, technical competences, and communications skills that make them fully credible to their students. Elwood Thomas is a prime example of that characteristic on our faculty, as are many others.

More important than intellect, however, is the character of the faculty. The truly great law school has faculty members in whose honesty, fairness and integrity—as teachers and as lawyers—the students can rely.

In the great schools the students need not add to the unavoidable anxieties doubt about the honesty, mental ability, or professional competence of their teachers. We are fortunate at UMC that we have just such a faculty. This has not been wholly the result of good fortune, of course. Faculty members of character and intellect have themselves chosen their colleagues well.

A truly great law school also inspires self-confidence in the students by means of the nature of the support it provides them in their educational endeavors. This includes law library facilities, the law building and its furnishings, financial support, and alumni support.

The students at a school with second-rate support feel that the school is second-rate, and their ability to learn suffers because of it. They have lessened confidence in the School and in themselves. UMC Law students don't think they are as good as students at some of the better-financed schools. They are, but they don't think so.

UMC is a great law school in regard to its excellent student body and its fine faculty. It misses real greatness only because of the need for improved law library facilities; for an adequate law building; and for increased UMC law alumni involvement, both in financial contributions and in other tangible evidences of concern and support. If our alumni show our students in many small ways that they think it is a great enough school to merit their support, this instills self-confidence in the students, and they in turn learn the lessons of lawyering better. This is true of a great law school just as it is true of a great football team.

The greatness of a law school is a function of its ability to produce excellent lawyers. We seek greatness not to feed our egos (although all of us are ego-satisfied when we are identified with a great institution) but because there is high educational value in greatness.

At UMC we are now well on our way, I believe, toward providing the physical facilities, law library, and alumni support that the attainment of real greatness requires. Whether we succeed in this third aspect of greatness or fail depends in large part on our alumni.

About the Cover: Professor William F. Fratcher has written a 152 page history of the School of Law from 1868 to 1978. Filled with interesting tales and scores of pictures, this book will be of interest to all law alumni.

Order your copy today by sending \$5.50 per book, check or money order, made payable to the University of Missouri, to:

The Law Barn, 114 Tate Hall, School of Law, University of Missouri-Columbia, Columbia, Missouri 65211

Don't delay—supplies are limited.

Law School's Trial Practice Program Nominated for Award

The UMC trial practice program, for several years under the leadership of Professors Robert L. Ross and Elwood Thomas has been nominated for the Emil Gumpert Award for excellence in the teaching of trial advocacy. Almost all of the UMC graduates have had the opportunity to take the trial practice course and can attest to its value.

The Law School has been notified that a representative from the Board of Regents of the American College of Trial Advocacy will be visiting the campus in the near future to assess the trial advocacy program and make a final recommendation to the board concerning the award.

Regardless of the outcome we are very pleased that our school is receiving this recognition.

The Law Library

Associate Professor Elizabeth Parrigin resigned as Head Law Librarian effective September 1, 1978, in order to devote full time to her duties as director of the new First Year Legal Research and Writing Program, and special assignments.

Professor Parrigin had been Head Law Librarian since 1969, and under her direction the Law Library had prospered.

Since September 1, the Law Library has been under the direction of Miss Ann Blair (B.S., Okla. State; M.A., U. of Tulsa; M.A.L.S. Missouri), Acting Head Law Librarian and since 1969 Assistant Law Librarian.

Miss Blair is assisted in the library by Jo Ann Humphreys (B.A., Missouri; MSLS, Illinois), Assistant Law Librarian; Annabelle Beach (B.A., Washburn, M.A., Kansas State; M.L.S., Emporia Kansas State College), Assistant Law Librarian; Linda Arledge (B.A., Missouri), Clerk II; Rita McConville (B.A., U. Nebr.) Library Assistant; Amy Inskeep, Clerk I. Professor Parrigin continues to select the books for acquisition.

Faculty Briefs

Edward H. Hunvald, Jr. Professor Hunvald continues to work on a project funded through the Missouri Supreme Court to prepare new criminal code training materials for police, courts, and corrections personnel. Thus far a manual for police trainers has been produced and a manual for law enforcement officers. A manual for Court Related Personnel should be completed in the very near future. Professor Hunvald participated in an extensive training session for criminal code trainers September 14 and 15 here in Columbia. He also spoke to the Public Defenders at their meeting in Kansas City on June 20, and to the Missouri Judicial Conference on June 22. He was a featured speaker at the Missouri College for Trial Judges held at the Rocklane Lodge August 13-17. Professor Hunvald is a member of the Supreme Court Committee on Criminal Instructions and Informations and Indictments. Professor Hunvald also spoke at a joint MOBar-UMC CLE program on the criminal code at the annual meeting of the Missouri Bar in St. Louis on September 22. He continues in his duties as Director of Admissions at the the law school and attended the Law School Admissions Council meeting June 2 and 3, 1978 in Snowbird, Utah.

Wayne D. Brazil. Professor Brazil, who just joined the Law Faculty this fall, has had two articles published "The Attorney as Victim," 3 *The Journal of the Legal Profession* 107, (1978) and "The Adversary Character of Civil Discovery", 33



Scenes from a recent Trial Practice evening trial. The circuit judge presiding is The Honorable Sam Semple ('36), Circuit 14, Moberly Missouri.

Vanderbilt Law Review #2 (November, 1978). Professor Brazil will also be participating in an upcoming UMC CLE Program on November 10, 1978.

Richard B. Tyler is currently preparing a section on Missouri's Antitrust Law for inclusion in a new edition of West's *Missouri Practice Series*.

Joe E. Covington met as a consultant with the judges of the New York Court of Appeals, members of the New York Board of Bar Examiners and representatives of thirteen New York Law Schools to advise them on Bar examinations.

William A. Knox continues to do research on Fourth Amendment standards applicable to searches and seizures of parolees and probationers. He has signed a contract with West Publishing Company to write "The Missouri Criminal Practice Books" for West's *Missouri Practice Series*. It will be written jointly with Mark Berger from the UMKC Law Faculty. He was a featured speaker at the Missouri College of Trial Judges, October 13-17 at Branson, Missouri. He also participated in the training program for criminal code trainers on September 14 and 15 and spoke at the annual meeting of the Missouri Bar in St. Louis on September 22, on the new Missouri Criminal Code. Professor Knox continues to work on the project with Professor Hunvald on preparing the criminal code training materials.

George Wallach has recently entered into a contract with Warren, Gorham and Lamont to write a book on "Contracts and The Uniform Commercial Code". Professor Wallach spoke at the October 6, UMC CLE Program in Columbia on the Uniform Commercial Code. His topic was "Contract Formation and Modification." He is also participating in a series of CLE programs sponsored by the UMC Law School held on Saturday mornings before football games.

Peter N. Davis has worked the past several months on the Missouri River Flood Plain Law Project and is in the process of writing a final report. His article entitled "State Ownership of Beds of Inland Waters—A Summary and Reexamination" 57 *Nebraska Law Review* 665-703 (1978, No. 3) has recently been published. Also published in the proceedings of the Conference on Land Use Issues Facing Missourians, sponsored by the Extension Division in March 1978 was his article "Some Observations on Water Law and Land Use: an Outline of Remarks". Mr. Davis was promoted to Professor of Law beginning of academic year of 1978-79. He attended the fourth annual Patent, Trade Mark and Copyright Workshop sponsored by the Michigan Institute of Continuing Legal Education at Bay City, Michigan on July 28 and 29, 1978.

Fred Davis. Professor Davis is presently working on two articles, one concerns the Federal Water Pollution Control Act and The Clean Air Act and the other the Veterans Administration Act. He gave a speech at the American Bar Association on August 9, 1978 before the Division of Judicial Administration entitled "Revival of Interest in an Administrative Court".

Terry Bethel. Professor Bethel is participating in several UMC continuing legal education programs this fall. He is speaking on Saturday mornings before the football games as part of an extended labor law course. He will also appear on the October 27, "1978 Labor—Management Relations Seminar" and a November 10, UMC CLE Program.

Joan M. Krauskopf has recently published an article entitled "Marital Property at Marriage Dissolution" 43 *Missouri Law Review* 157 (Spring 1978). She also will have published in a fall issue of the *Missouri Bar Journal* an article entitled "Uniform Child Custody Jurisdiction". She organized and chaired a program at the ABA annual meeting in New York City on August 9, on "Antenuptial Contracts", featuring nationally known family lawyer Stuart Walzer of Los Angeles and general civil litigator Guy Bailey III, of Miami. She is currently editing a publication based upon the program. She was selected by the new Missouri Bar President Bertram Tremayne, to serve as chairperson of the Missouri Bar Family Law Section. On April 28, 1978, she was a lead speaker on the UMC CLE Program entitled "Dissolution of Marriage: Developments of the Past Two Years".

William B. Fisch has recently published an article entitled "State Regulation of Alien Land Ownership" 43 *Missouri Law Review* 407 (Summer 1978).



Judge John E. Bardgett, Missouri Supreme Court, shares his thoughts and advice with UMC students and faculty at a recent session at the law school.

David A. Fischer, who is on leave for the fall semester of 1978 teaching at the University of Oklahoma, has written an article entitled "Products Liability—Applicability of Comparative Negligence" 43 *Mo. L. Rev.* 431 (Summer 1978).

Dean Allen E. Smith participated in the Annual Meeting of the Missouri Bar on September 21, on the program entitled "Good Attorney—Client Communications The Key to Client Satisfaction". Also appearing on the program with him were Harold W. Barrick, Dr. Linda Shipley and E.A. Richter, Director of Information for the Missouri Bar.

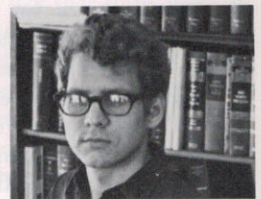
Dean Smith serves as a member of the Risk Management Policy Committee of the UMC Medical Center. The Committee tries to devise means of preventing incidents that will result in liability, now that the center is a self-insurer.

Dean Smith also serves as a member of the Legal Education Review and Planning Task Force, under the chairmanship of Ernest Fremont, working on the future of CLE in Missouri.

Dean Smith spoke to a gathering of Greene County lawyers on October 4 and to the Vernon County Bar on October 10.

Fischer on Leave-Fall 1978

David Fischer, '68, UMC Professor of Law is on leave for the fall semester 1978. He is visiting professor at the College of Law at the University of Oklahoma at Norman, where he is teaching torts and appellate advocacy.



A scene from the faculty conference room. Dean Smith discusses a fine legal point with (L to R) Ed Humvald, Fred Davis (standing) and Richard Tyler

UMC Bar Examination Success

Graduates of the UMC School of Law continue to have great success in passing the Missouri Bar Exam. The rate of passage for UMC law graduates during the past several years has been quite good. Only four people have failed the exam since 1976 out of over 360 graduates who took the exam. That is a passage rate of 99%, compared to an overall pass rate for non-UMC graduates of slightly less than 85%.

We've got to be doing something right!

A Summary of Law School Admissions

Applications

The total number of applications for admission to the School of Law has fluctuated only slightly in the past 5 years. There was a decrease in applications of about 10% in 1978. In 1974 there were 1,086 applications; in 1975 - 996; in 1976 - 985; in 1977 - 1,011 and in 1978 - 905. We expect the number of applicants to continue to decrease slightly.

Because many applicants apply to several law schools and some applicants really have not finally decided to attend law school, we cannot depend on having all applicants whom we accept actually in attendance when classes begin. In order to achieve an entering class of approximately 150 students, it has been necessary to offer admission to more students each year for the past five years. In 1974 we approved 313; in 1975 - 321; in 1976 - 330; in 1977 - 379 and in 1978 - 405.

However, there are still more applicants than spaces and we have to turn down many who are well qualified. We think we will always have more applicants than openings.

LSAT and GPA

In spite of the declining number of applicants, the academic quality of the entering classes has remained about constant or improved slightly over the past five years. The undergraduate GPA has steadily increased from an average of 3.29 in 1974 to 3.36 in 1978 with the average LSAT score ranging from a low of 611 to a high of 619. We project that the quality will remain at about this same high level.

Minority Students

The number of Black students enrolled rose sharply this year with a total of 9 in the entering class. This is almost equal to the total number of Black students entering in the preceding four years. In 1974 we registered 1 Black student; in 1975 - 4; in 1976 - 3 and in 1977 - 2. We hope to raise the Black students next year to about 12. Additionally three (3) other minority students were enrolled in 1978.

Non-residents

There was an increase in the number of non-resident students in 1978 over previous years, but non-residents still comprise less than 8% of the entering class (and a number of these are former Missourians). In 1975 there were 3 registered; in 1976 - 3; in 1977 - 6 and in 1978 - 12. We project that the number of non-residents will be about the same or slightly higher than this year's class.

Gender

The number of women law students is about the same as in the previous two years with approximately 25% of the class being female. Prior to that, in 1974 approximately 18% were female and 21% in 1975. We project that the number of females will remain about one-fourth of the entering class.

Age

The average of the 1978 entering class is 24.5 years, the median age 23 and ranges from 21 to 47 years of age. The majority of our students come directly from college and we expect this to continue to be true but that the number who have worked or attended graduate school between college and law school will increase.

Multiple Solicitations

It seems that everyone is asking for money these days. The University and the School of Law are not exceptions.

You may even get several solicitations from the University, the Athletic Department, a specific department at the University and the Library. The School of Law may even solicit you more than once.

This can be irritating. We hope you understand that we know that you have to make choices, that you can't respond to every plea.

If you decide that you can only give to one or two of those who ask you for help, we respect your decision.

As for the School of Law, we expect only one contribution per year. If you want to give more than once, and many do, we welcome the help. But that is not what solicitation after you have already given seeks. A second solicitation is simply a mistake—one that we regret.

We want you as a partner—we don't want to offend you.

Admission at UMC and the *Bakke* Case

The U.S. Supreme Court's decision in *Regents of the University of California v. Bakke* will have little effect on admissions to the UMC School of Law. The UMC School of Law never excludes anyone on the basis of race from consideration for any of the available seats in the first year entering class. No set number of Black people or other minorities is admitted each year. All applicants are handled through the same committee process and are evaluated on the same basis. No legitimate claim of exclusion based on race can be made against UMC.

As Mr. Justice Powell has recognized for the Court, an important educational value is served by diversity in the student body. A law school is an organized opportunity for interacting with and learning from other students, as well as from the faculty, and from participation in various student organizations and activities. A first-quality institution such as UMC law school will have a good mixture in its student body.

From the viewpoint of a professional school such as ours, the mixture in lawyers who graduate from our great School provides an important ingredient in making legal services more widely available to all citizens of Missouri and our Nation.

The whole admissions process in all law schools is awkward. We continue to get about six times more qualified applicants that we have seats in our entering class. Selecting those to be admitted is a difficult and arduous process. The established procedure at UMC is to have these decisions made by an independent committee of the faculty.

The process is difficult and arduous because the committee does not admit simply on the basis of test scores and undergraduate grades, except for those whose qualifications are so high as to make other factors irrelevant. For almost all applicants the committee examines a complete file.

Occasionally we are urged to give special consideration to a particular applicant. Although the dean has no direct control over the admissions process, he does ensure that every applicant has had a full and fair review by the committee. In some cases if he had been a member of the committee he would have voted otherwise. When this happens he sometimes finds himself wishing he could make the decisions alone. But if he did this it would soon become known that the dean has that option, and then all hell would break loose when he decided in favor of some and against others. In any event, giving the dean that type of

arbitrary authority is not the policy of this law school, and there is no indication that we wish to change past practice.

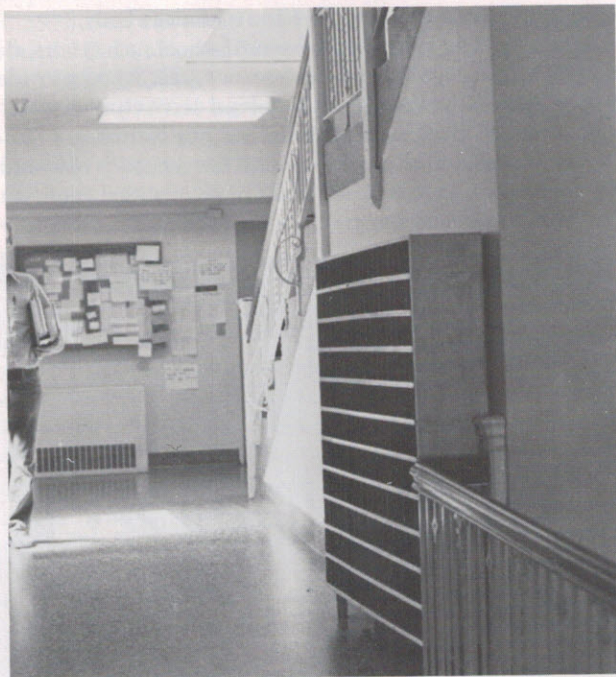
The decision in *Bakke* will not necessitate any significant change in our admissions practices. In carrying out its functions the admissions committee has looked at a wide range of factors.

The Law School is committed to a policy of admitting only qualified applicants, and within that policy admitting persons of various backgrounds and interests in order to provide the best possible education for our students and the best possible future members of the Bar.

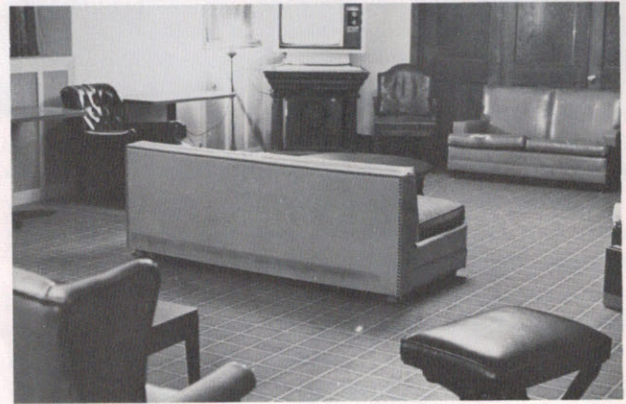
Sorely needed repairs made



Weathered windows receive new paint



A message mailbox for each student



New flooring for the student lounge



New guttering being installed

Dean Smith's Speech Wins National Award

Dean Allen E. Smith was recently notified by William B. Spann, Jr., Immediate Past President of the American Bar Association, that his May 1, 1978 Law Day Speech to the Greene County Bar Association entitled "Some Heretical Thoughts About the Rule of Law and Access to Justice" has received the Third Place Honorable Mention Award in the 1978 "Judge Edward Finch Law Day U.S.A. Speech Award" competition. Dean Smith, who is quite proud of his modesty, asserts that the award is richly deserved.

Formal presentation of the plaque and certificate was made in October, in Columbia.

Law School Alumni Association Officers and Directors Meet in St. Louis

The directors of the Law School Alumni Association met September 22, 1978 in St. Louis at the St. Louis Sheraton Hotel. Present at the meeting were President Rich Ward, Assistant Dean Kenneth Dean, Kenneth Suelthaus, Joyce Otten, Judge Fred Schoenlaub, Jerry McBeth, Dale Doerhoff, Dean Allen Smith, Mr. William Dalzell from the Alumni Association and Jim McConnell a third year law student.

The extensive agenda included the discussion of plans for Law Day 1979, a report on the progress of the plans for a new law building, a discussion of the annual fund raising program, a report on the Continuing Legal Education Program, and placement activities at the law school. Also discussed was development of regional meetings of the Alumni Association and the fact that faculty from the law school might be available as resources in planning these meetings.

In the discussion of the long and short range goals of the Alumni Association, Mr. Suelthaus suggested that perhaps the Alumni Association should pick one or two projects each year on which to concentrate. He asked Dean Smith to review the proposal and make suggestions to the Alumni Association.

The Law Alumni Association in the last two years has become much more active than in the past. Your support is needed to make it an active and effective group.

Law School Receives Title XI Grant

The UMC School of Law was the only law school in the state and one of only twenty-nine in the country approved in 1978 to receive an HEW grant to support clinical legal education programs. The UMC received \$27,270 under the program. The funds will be used to hire a secretary and to pay the salaries of adjunct faculty who will temporarily replace regular faculty members who participate in clinical legal educational programs. The law school received the grant monies primarily due to the efforts of Associate Professor William A. Knox who developed the grant proposal. Professor Knox is Director of Clinical Programs.

Use of Missouri Law Review

You will be interested and heartened to learn that in a survey done in the University of Illinois Law Library over a three month period in Spring 1977 to obtain a listing of legal periodical use, the *Missouri Law Review* ranked 34th out of 195 in rank order of use of law reviews. In the bar association journal category, the *Journal of the Missouri Bar* ranked third out of 24 in terms of

number of times used. (Results of the survey appeared in the last issue of the *Law Library Journal*).

While some regional influence may be present that affects use in Champagne-Urbana, these figures certainly speak well for the quality and usefulness of legal periodical publishing in Central Missouri.

UMC Women's Law Caucus

by Georgette Parker

The UMC Women's Law Caucus is attempting to contact all women graduates of the law school in order to keep them posted on WLC activities, ensure that all women are receiving a copy of the "Transcript," and to provide a central source of current addresses so that UMC women can keep in touch with one another. It seems that many women "just disappear" when they graduate. Please send your current address, a short description of what you're doing, the year you graduated, and whether or not you've been regularly receiving a copy of the "Transcript" to:

Women's Law Caucus
Tate Hall
University of Missouri-Columbia
Columbia, Missouri 65211

If you know or think you might know of women graduates who have not been receiving a copy of the "Transcript," include their names and as much of the information above as you can provide. We'll do our very best to see that you are all on the mailing list and to keep in touch with you throughout the year.

The Women's Law Caucus is currently receiving *no* funding beyond membership dues, so if you would like to help the WLC so that it can help you, please feel free to send as little (or much!) as you care to, to help out.

If you have any additional thoughts on what we might be able to do for UMC women law graduates, please do let the WLC know. It is developing a few ideas right now that you will be hearing about soon, but feedback from you will ensure that WLC is fulfilling alumnae needs.

Rape Trial Technique Lecture Scheduled at Law School, November 1, 1978

Mr. Pat Williams, of Tulsa, Oklahoma, will speak on The Prosecution and Defense of Rape Cases on Wednesday, November 1st at 7:30 in the courtroom of Tate Hall. Mr. Williams will emphasize trial techniques involved in such litigation. Mr. Williams is the former Chief Prosecutor in the Tulsa District Attorney's Office and is currently in private practice. As a member of the Lecture Staff of the National District Attorneys Association, he has appeared as a lecturer on trial tactics at numerous seminars throughout the United States. He has lectured at the Short Course for Prosecuting Attorneys at Northwestern University and has served as a member of the Faculty of the National College of District Attorneys, Houston, Texas.

This program is sponsored by the Women's Law Caucus and is funded by the Student Bar Association and the Law Student Division of the American Bar Association. Mr. Williams is well known as an excellent speaker and we anticipate a very worthwhile evening. WLC and SBA hope that many practicing attorneys will take advantage of this opportunity.

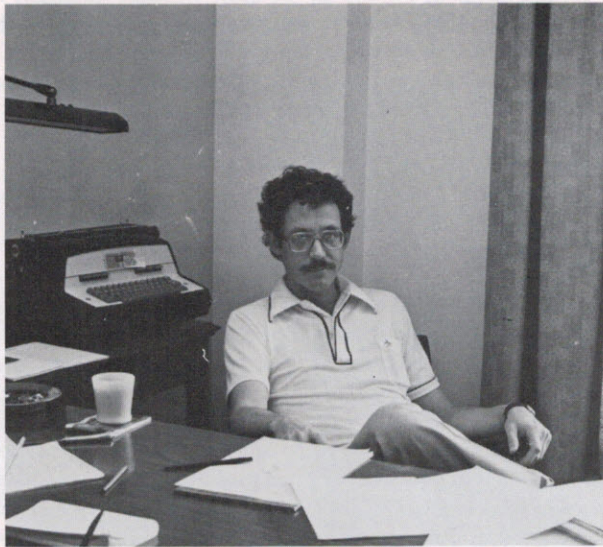
NEW FACES



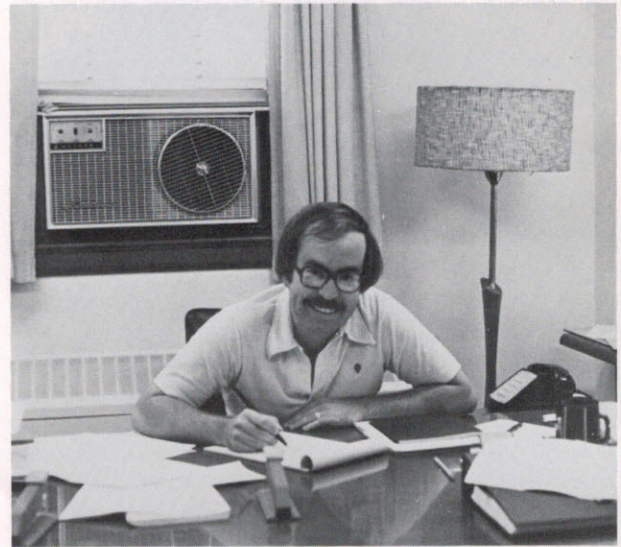
Wayne A. Brazil is Associate Professor of Law. He has a Ph.D. in History from Harvard and a J.D. from the University of California-Berkeley. He practiced in San Francisco and taught at the University of Kentucky prior to joining the UMC Faculty this fall. He teaches Constitutional Law and Trial Practice.



Betty Wilson has been appointed Assistant Dean, replacing Jim Hicks who relocated to St. Louis. She is a 1975 graduate of UMC and practiced law in Columbia with the firm of Welliver, Atkinson and Eng prior to joining the law school administration. She holds a B.A. from Wellesley College and an M.S.W. from the University of Michigan. Her duties will include placement, scheduling and student counseling.



David Roberts, a 1967 UMC graduate, is visiting Professor for 1978-79. He teaches law at the University of Puget Sound School of Law. Before starting his teaching career in 1974 he served three years in the Navy Judge Advocate General and practiced three years with the Kansas City firm of Shook, Hardy & Bacon.



Terry Brummer, a 1973 UMC graduate is serving as Director of the Criminal Code Training Materials Project in the Office of Continuing Legal Education. The one year project is directed at preparing a set of comprehensive training materials for policemen, judges, prosecutors, public defenders and corrections personnel. So far two manuals have been printed and two more will be finished by December. Terry practiced law in St. Louis and was an Assistant Public Defender in Columbia prior to joining the project.

John Hulston Establishes Fund For Law School

Springfield attorney John D. Hulston has recently given over \$4500 to the University to establish the John D. Hulston Fund, which will be used for scholarships for students in the School of Law. Mr. Hulston, '41, is a prominent practicing attorney in Springfield.

A distinguished teacher as well as a lawyer, Mr. Hulston has lectured in real estate law at Drury College in Springfield and in corporate law at the E.R. Breech School of Business Administration. He has served as secretary and director of Ozark Airlines since 1971 and is currently president of two banks and director of several business corporations.

He is a member of the Law School Foundation, and has been a member of the Jefferson Club since 1976.

John has been president of the Springfield Chamber of Commerce and was a member of the Commission which wrote the home rule charter for the City of Springfield in 1952. He is the author of two books: "An Ozark Boy's Story—1915-1945" and "An Ozark Lawyers Story—1946-1976".

Judge Floyd R. Gibson, '33, and former Dean Willard L. Eckhardt receive Spurgeon Smithson Awards

UMC Law alumnus Eighth Circuit Court of Appeals Chief Judge Floyd R. Gibson, '33, and a 40-year veteran of law teaching at UMC, former Dean Willard L. Eckhardt, were recipients of two of the three Spurgeon Smithson Awards presented September 22 at the Annual Meeting of The Missouri Bar in St. Louis.

Three awards are made each year to a Missouri Judge, law teacher and lawyer deemed "to have rendered outstanding service toward the increase and diffusion of justice among men." Each award carried with it a \$2,000 stipend.

UMC Grads Rasch and McQuie Capture Both Missouri Bar President's Awards

W. Oliver Rasch, '36, and Walter D. McQuie, '53 were recipients of the President's Awards presented September 22, 1978, at the 99th Annual Meeting of The Missouri Bar in St. Louis.

Mr. Rasch served as Counsel and General Attorney for St. Joseph Lead Company from 1946 until 1975 when he retired. He has been active in The Missouri Bar, serving on the Board of Governors and currently serves as Chairman of the Editorial Board of the Bar Journal.

Mr. McQuie, a Phi Beta Kappa and Coif graduate of UMC, practices law in Montgomery City. He served on the Board of Bar Examiners from 1959-1972, the last 3 years as president. He is a fellow in the American College of Trial Lawyers.

Our congratulations to these outstanding representatives of our law school.

Alumni Luncheon Held - September 22, 1978

About 215 UMC Law Alumni had a pleasant meeting at the annual luncheon held in conjunction with the annual meeting of The Missouri Bar at the St. Louis Sheraton, September 22, 1978.

Professor Henry Lowe gave an interesting talk on athletic activities at UMC and in the Big Eight. Hank is Missouri's representative to the Big Eight Conference. Dean Smith reported on the state of the law school.

A good time was had by all. We hope to see *you* there next year.

You Should Participate in Your Law School

The 1978 Law School Loyalty Fund is well under way. You may be working in it. If not you will soon be contacted and asked to contribute.

Contributing to the Loyalty Fund means money, but it means much more than money. It means real and valuable participation *by you* in the very worthwhile organization that your School of Law is.

It is true that the School has real needs for money. Even more important than your money is you and your participation. We would like to have a substantial contribution from everyone. But we would rather have some contribution, *no matter how small*, than no participation at all.

Send in your contribution today or when you are contacted by a fellow law alumnus. **WE WANT YOU AND YOUR PARTICIPATION.**

Regional Chairmen Loyalty Fund - 1978-79

CHAIRMAN	John R. Gibson, Kansas City
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Videotape CLE Programs Show Promise

Kenneth Dean, Assistant Dean and Director of Continuing Legal Education, reports that the recent videotape CLE programs held in Kansas City and St. Louis received an enthusiastic reception. The two programs "Handling the Purchase or Sale of a Small Business" and "Dissolution of Marriage: Developments in the Past Two Years" were each six hours in length and featured several speakers who had appeared on the live presentations earlier in the year. The tapes were high quality color tapes made at the time of the live presentation. Those in attendance at the videotape seminars therefore received the same

lectures and the same materials that were presented at the earlier programs. There was a total enrollment of 94 lawyers at the four showings of the tape.

The St. Louis showing was co-sponsored by the Bar Association of Metropolitan St. Louis and there was a good attendance in St. Louis with 35 attorneys paid at each session.

At least two additional programs will be taped this fall and shown at various locations throughout the state.

Law Firm Establishes Faculty Support Fund

The Nevada Law Firm of Ewing, Ewing, Carter, McBeth & Smith has given \$500 to the School of Law to establish a yearly faculty support fund. The firm decided that its former annual contribution to a scholarship for law students might be more effectively utilized to meet a wide variety of faculty needs, whether they be travel expenses, secretarial expenses, or other expenses.

We greatly appreciate the continuing support of many law firms in Missouri and particularly thank Lynn M. Ewing, Jr., for his strong and continued support of the law school.

Marathon Runner at UMC

"If the sun starts to set and I haven't run yet, I start getting shaky," first year student Jeff Mittelhauser says.

The skinny Sedalian, who placed second in Labor Day's Heart of American Marathon at Columbia, says for him running is "like an addiction . . . I can't see quitting, ever."

While he doesn't sermonize about the benefits of running, he is willing to extoll its virtues when asked.

"If I start getting up an extra 45 minutes early and jog four to five miles, it helps me get through the first half of the day," he said.

He offers an easy approach to those who are thinking about starting to jog.

"Just keep moving about 12 minutes the first day," walking when you get too tired to jog, he suggests. Working up to jogging 20 minutes a day "is going to help you immensely." A month of that regimen and a person should be hooked, he indicated.

Jeff's example has led his father to take time from his farming for running three miles several times a week and encouraged his sister to run (as the only girl) on her high school cross country team.

"Some people use it to solve problems," Jeff says of the miles of running, "but I can't do that." While he runs he thinks of "everything except one thing—how far I have to go," he said. But so far he hasn't used his hour or two of running every day to work through law problems.

His simple answer to the question of why he entered law school reflects the same spirit needed to run a 26 mile race: "It seems a challenge."

A speech communication major from Central Missouri State University, Jeff has been impressed with the helpful attitude of the law school's students and faculty.

In a soft tone of understatement, he allowed that, "the thing that upsets me most is the uncertainty. I'll sit at home, read the material, think I got a good grasp, then get in class and . . ."

(Dean Allen Smith finished 36th in the marathon, and first year student Roger Reinsch of Columbia was 39th).

Educational Assistance

Ollie Mack, '73 has joined the group of alumni practicing in the Columbia area who have brought their special talents back to the School in support of some aspect of the instructional program.

Early in the '78-79 academic year, the School began to implement an educational assistance program for students predicted to experience academic difficulty in their first year of law school. The first consideration was how to staff the program. Somebody was needed to coordinate the work of educational assistance and the work of the faculty who were to donate time for special instruction in writing skills, practice exams, note taking and so on.

Ollie Mack fit the bill. He is himself Black and thus has a special insight into the needs and problems of minority group students. His Columbia law practice—established with law school classmates—gave him the practical lawyering skills on which first year students could draw. His own student experience was still fresh, giving him a clear understanding of the kinds of instruction that students would find helpful. These factors, combined with his previous experience as a teacher and his maturity, made him a good choice.

The program has been operating only since August 1978. We do not yet know how successful it will be. That will be hard to judge. It probably will be several years before the numbers of participants are large enough to yield results we can analyze.

In the meantime less objective measures of success can be noted. Most important, participation has been a good confidence builder for the students. The program has also provided a useful teaching tool and feedback mechanism for the faculty involved.

The program will continue at least for several years and Ollie will continue to shape and coordinate its many aspects.

Nelson and Skelton Receive Awards

Professor Grant Nelson, who is on leave this year as a visiting professor at Brigham Young University, was honored on October 6, by presentation of the Alumni Association Faculty-Alumni Award. Also honored at the awards dinner was Congressman Ike Skelton ('56) who was one of the eight alumni receiving the award. Present at the banquet honoring Professor Nelson and Congressman Skelton were former Dean Willard Eckhardt, and Professors Henry Lowe and Elwood Thomas, all of whom had previously received the award. In addition Elwood Thomas had previously received the Distinguished Faculty Award.

Dean Allen E. Smith served as host to Congressman Skelton and to Professor Nelson during their stay here in Columbia.

Our congratulations to Grant and Ike for a well deserved honor.

Student Recruitment for UMC

The vigorous recruitment of top students to the UMC School of Law has been a high priority of the law faculty.

It may seem odd that the School bothers to recruit students at all when without much effort it receives applications from about six times the 150 students who make up the first year class. There are good reasons, however. Just as the School wants

to have the finest faculty, the soundest curriculum and the most effective administration possible, it also wants the brightest, best, and most highly motivated students possible to be in its classrooms. A second reason for intensive recruitment is that there are real differences among fine law schools and similar differences among the goals of students. We want potential law students to know about the differences between our great school and the others. The education of a potential student to these differences takes place at the point of face-to-face recruitment, and it is an important factor in helping students make the best choice.

A special project this next year for UMC will be the "reclamation of Missourians," a seeking out of Missouri natives who have indicated an interest in law but who, for various reasons, have gone to out-of-state undergraduate institutions. We hope to attract them back to UMC for law study. We also want to keep Missourians who might be tempted to go elsewhere here at the UMC School of Law.

A recruitment technique we hope to experiment with next year is the use of alumni recruiters. Alumni who would like to participate in this project next year, especially those who live near major undergraduate institutions, should contact Dean Ken Dean. He will appreciate all the help he can get on this ambitious project.

Lost Alum Found

In the third issue of the Transcript published last winter we listed Mel Kammerlorh '49 as missing from our alumni listing. Mel brought his new address to our attention and told us that he has been firmly established in Nebraska as an Assistant Attorney General for the past seventeen years. A recent article in the Omaha newspaper by Marj Marlette spoke highly of Mel's activities. On behalf of the Nebraska Attorney General he has appeared five times before the United States Supreme Court. The last of his appearances was in 1976 just shortly after he had had open-heart surgery performed in Houston by Surgeon Denton Cooley where an artificial heart valve was implanted.

We're glad to have discovered Mel's whereabouts. He writes to us telling us that he looks forward to his upcoming class reunion on Law Day 1980.

CLE Programs Held — Handbooks Available

The Office of Continuing Legal Education sponsored two recent programs. On September 15, 1978 a program entitled "Your Real Estate Practice and The Interstate Land Sales Full Disclosure Act" was presented to about 50 attorneys. The program featured James D. Young of Kansas City as the teacher. An extensive set of written materials were prepared by Mr. Young and these are available in a notebook binder for the price of \$40.00. If your practice includes interstate land sales this book will be a valuable addition to your library.

On October 6, 1978 a seminar on "UCC Practice: Articles 2 and 9" was attended by 48 attorneys. Two faculty members, George Wallach and Lary Lawrence, participated in the program. The morning session was devoted to Article 2 and the afternoon session to Article 9 of the Uniform Commercial Code. A 135 page handbook of materials prepared by the speakers is available for \$20.00.

To receive either or both of these handbooks enclose your check payable to the University of Missouri and send it to Kenneth Dean, Director of Continuing Legal Education, 110 Tate Hall, UMC School of Law, Columbia, Missouri 65211.

Law School Hosts UMC Bar Members and Law Alumni

The Law School hosted a hospitality suite for the UMC September enrollees in the Bar at the Ramada Inn in Jefferson City on September 9, 1978. Between 80 and 100 new graduates took advantage of the hospitality after their enrollment ceremonies at the Supreme Court. Also in attendance were several law faculty members, judges, and parents and friends of the new admittees to the Bar.

On September 21, 1978 at the St. Louis Sheraton, in conjunction with the Missouri Bar Annual Meeting, the Law School hosted a hospitality for UMC Alums from 3 p.m. to 6 p.m. in the afternoon. Several alumni came by and met with old acquaintances. We believe this is useful to the school and to our alumni and we plan to continue to have such functions in the future.

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Join the Alumni Association of the University of Missouri-Columbia. Be an active member. Your \$10 annual dues make you a member of the Law Alumni Association as well. And, you will receive a subscription to the colorful Missouri Alumnus, judged one of the top ten alumni magazines in the nation; priority in ordering athletic tickets; University Library privileges; first chance on exciting travel tours sponsored by the Alumni Association; a locater service to find fellow alumni; association with a great group of former students; and on payment of an additional \$5, 20 issues of the Tiger Sports Bulletin. Send your payment to:

Alumni Association, 132 Alumni Center, Columbia, Missouri 65211



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