



MARQUETTE
UNIVERSITY

LAW SCHOOL

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Dear Future Marquette Lawyer:

I hope that this letter finds you well as we prepare to join together for a new year at Marquette Law School. That sentiment and phrasing might be apt for any fall semester, but they are especially heartfelt in this COVID-19 era—a passing time, we hope, but evidently not what we might call *fleeting*. It will be good to see you even if we must stand six feet away from one another and wear masks. In advance of classes next week, let me provide a bit of an update.

Welcomes and Farewells. Let us begin on the plus side of the ledger. It is a privilege and delight to welcome (back) Rev. Gregory J. O'Meara, S.J. Professor O'Meara was a full-time faculty member here for more than a decade, leaving his tenured position in 2013 when the superior general in Rome sent him to serve as the rector of the Jesuit community at Creighton University. Father O'Meara now returns to his native Wisconsin, to serve as the rector of Marquette University's Jesuit community—and to reassume his position with us. He will be in the classroom each semester, and he is scarcely out of practice: at Creighton, too, Professor O'Meara served on the full-time law faculty. His return is a most welcome development for Marquette Law School.

Hilary DeBlois joins us as program manager for our Lubar Center for Public Policy Research and Civic Education. Her past positions include work for the Wisconsin Procurement Institute and the Medical College of Wisconsin. The Lubar Center—which has a dual identity as a physical space in Eckstein Hall and as a center that especially helps us serve our community with respect to public policy topics—is an important part of our regional and national engagement. Even without the ability to host in-person gatherings, our colleagues such as Mike Gousha, distinguished fellow in law and public policy, and Charles Franklin, professor of law and public policy and director of the Marquette Law School Poll, look forward to a busy fall online, especially during this presidential election year. Please welcome our new colleague and take advantage of our virtual programs this fall.

We say a few farewells also. The Lubar Center program manager's position was made available by the departure of Rita Aleman, for whom an opportunity in Washington, D.C., became attractive, and this week also marks the departure of Erin Chuzles, the administrative assistant in the Office of Student Affairs, who similarly is

moving cities. I must relate as well that Nancy Rogers has elected to retire as administrative assistant to the dean. My predecessor, Howard B. Eisenberg, had the good judgment to hire Nancy in 1996, and I will miss not just her help generally but her tactful counsel more specifically. One in our profession should not think that only lawyers teach us. We will miss all of these colleagues and are grateful for their contributions to Marquette Law School.

Life Inside Eckstein Hall This Semester. This will be a semester like no other in our history. Most of our classes will meet in person, to be sure, but not all, and in any event the combination of social distancing, facemasks, and other safety measures and precautions—admittedly all impediments to routine activities—will challenge our individual and collective capacities. Let me acknowledge this upfront without trying to minimize the challenges. I could scarcely deny them, as visual evidence will abound from the moment you come into the building—whether it is the requirement of entering through the west-facing doors near the welcome desk, or the tape you will see on the floors indicating directions one may walk, or the limitations on seating capacity in places such as the Huiras Lounge and the Aitken Reading Room.

My purpose here is not to catalog each of the things that will be different or to detail all of the small considerations that we will require of one another as members of a community (e.g., not going up on a now down-only staircase). You will receive any amount of information and instructions from various of us at the Law School, whether in *Law News* or other emails (the amount of email itself may be good preparation for life in the legal profession), and you are responsible for sorting your way through the communications when they arrive. Rather, I make the general observation about the challenges in part because it may help you as you plan your logistics. To use the late Justice Antonin Scalia's favorite Latin saying: *praemonitus, praemunitus* (even if one should not overstate the point).

Primarily, though, I wish to state explicitly our commitment to serving you well as your primary guides or counselors in your legal education. As always, this will especially be through your courses, where our faculty, both full-time and part-time, whether in the classroom or online, have much they want to impart to you—much they want to help you learn. If you think that those of us in the administration of the school can help you in ways small or large, we will be much better positioned to do so if we *hear* from you about your concerns, whether general or personal. Please follow the policies that we or others at Marquette University have set for the safety and welfare of all in our community, but also let us know of challenges or problems that, for all our planning this summer, we may not have anticipated.

Diversity and Inclusion. This past winter, I had occasion to attend an event in Madison, where the Wisconsin Association of African-American Lawyers (WAAL) presented to the state law library a booklet capturing some of the history of African-American lawyers in the state. My guest (or perhaps I was hers) was Phoebe Weaver Williams, L'81, a member of the WAAL committee that had put together the booklet and now an emerita faculty member here at her alma mater. Professor Williams is an

historic figure at the Law School (indeed, we are moving forward on our plans, temporarily derailed by COVID-19, to add portraits of her and Professor Carolyn M. Edwards, another emerita faculty member, to our building). The master of ceremonies at the event was Judge Carl Ashley, L'83, and he spoke warmly of the contributions that both of the state's law schools have made—since before my time as dean—to helping ensure a more representative and diverse bar and bench in Wisconsin.

At the same time as we are grateful for historic contributions, our focus—our constant interest—involves the experience of today's students and the future. So I certainly took notice when a group of law students presented me with a petition in the wake of the killing of George Floyd early this past summer, just as was done with my counterpart at the law school in Madison. The petition concerned the law schools and the extent to which, in the estimation of the signatories, we should reform ourselves. Suffice it to say here that the inescapable fact is that a number of our students have felt the Law School to be a less welcoming place than I should like to think.

This interest prompted a good amount of reflection this summer, some of it of course in meetings. Those meetings variously included a number of student leaders; Atiba Ellis, professor of law and chair of the faculty Diversity Committee; and William Welburn, the university's vice president for inclusive excellence, who is much familiar with our work at the Law School. These were good conversations: As Dr. Welburn [wrote this past May](#) (in a note that I highlighted in [a letter that I sent](#) returning students on June 1), there is no substitute—well, besides despair, so no affirmative or worthwhile substitute—for such conversations, such efforts to learn from one another.

Out of these exchanges, among the decisions that as dean I have made is to expand the administrative portfolio of my colleague, Vada Waters Lindsey. She is professor of law, specializing in tax and real estate law, and for the past six years has also overseen our admissions efforts. Her new administrative title is associate dean for enrollment and inclusion. This appointment is directly responsive to the interests of our students as expressed to me in early June and as elaborated upon in subsequent conversations.

Associate dean is, of course, the highest administrative title that I can bestow, and I am grateful to Dean Lindsey for accepting this additional area of leadership. We are in the process of sorting through and formalizing the new duties, but I can give a sense of them here. They will involve three spheres, as we get going: (1) inquiry and exploration, especially involving the Law School's diverse students and alumni and their impressions, beliefs, and understandings of the extent to which the Law School is a welcoming and inclusive place in all respects; (2) advisory responsibilities, providing counsel variously to me as dean about aspects of the Law School requiring attention, to colleagues on the faculty, and, perhaps especially, to diverse students as they navigate particular challenges of law school; and (3) the planning of projects or initiatives to help ensure that ours is a supportive and enriching learning environment.

My purpose here is not to provide a job description but rather to give information about an additional new resource and a new focus at the Law School for one of our senior colleagues. Dean Lindsey will help us make progress in these efforts, I am confident—not only because she is one of the most determined people whom I know but also because all of us at Marquette Law School, beginning with me as dean, recognize that, whatever the prevailing winds in society, we must make headway in these efforts. In other words, it may be Dean Lindsey's new focus, but it is a responsibility for everyone.

Outreach to Others (in Particular, Pro Bono Work). The volunteer ethic of Marquette law students is something remarkable to see. This work is naturally congruent with the Jesuit tradition of education, which seeks to develop men and women for others. More specifically in this regard, let me note that our Office of Public Service has risen to meet new challenges during the COVID-19 shutdown—and it has been able to do so in large part because of the work of law students.

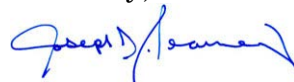
For the briefest update, please know that our pro bono clinics have been busy all summer, with more than 100 law students participating. The various Marquette Volunteer Legal Clinics are all operating remotely, a model that has worked surprisingly well for most clients, 70 percent of whom join by video and the other 30 percent by phone. One-third of their questions are related to the COVID-19 pandemic.

On behalf of Angela F. Schultz, our assistant dean for public service, and all associated with our efforts—so this includes the hundreds of lawyers who look forward to teaming up with students such as you in serving clients—let me warmly invite you to participate in these efforts this fall. They continue to operate remotely for now, but they afford you important opportunities to be a person for others in the context of your new profession. The human connection—among you, the lawyer with whom you are teamed, and the client—may be especially appreciated during this socially distant time.

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This letter discusses resources available to you at the Law School—people and opportunities. For any resource to provide value, you have to seek it out and work with it. This is so whether it means truly engaging with your reading, or forming a study group (easily done online), or volunteering for a shift at the MVLC. To put the matter more directly: Keep your (social) distance from one another, but not from your legal education. As I have said to new law students each year—and as remains good advice for those of us who have been long at it—*embrace law school*. No half-measures, please.

Sincerely,



Joseph D. Kearney
Dean and Professor of Law