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August 27, 2008

Dear Future Marquette Lawyer,

Welcome to a new year—and indeed, for a large number of you, a new school and form of education. I give this welcome on behalf of everyone who is part of the Law School: we consider it an honor that you have selected Marquette University as your training ground for the law. Ours is at once a helping profession and a learned profession. A life in the law thus can be a noble pursuit, and your law school experiences will affect your approach to it for decades to come. As I remark to graduates at commencement, borrowing the words from a Supreme Court Justice, “There is something about the law school from which you graduate that never leaves you.” Please therefore spend a few moments with me concerning this year at Marquette Law School—your law school.

New Students. There are some 237 new students with us this semester. This figure currently includes 186 full-time first-year law students, 37 part-time first-years, and 14 transfer students. It is an impressive group, culled from a record 2,224 applicants (up from last year’s 1,843, even though the national applicant pool decreased slightly this year) and possessing a median LSAT score as in recent years of 157 and a median undergraduate GPA of 3.41. To be sure, the range of experiences that this group of students embodies cannot be adequately encapsulated in statistics, and how much more interesting it would be if I could describe the backgrounds of each of our new students—variously as doctors (more than one), newspaper reporters (more than one), a private investigator, or star students at well-known colleges and universities (well more than one), merely to scratch the surface. The 2008 entering class is surely a group that possesses the intellect, values, and diversity to make substantial and lasting contributions to the community.

In all events, I begin with new students for a fundamental reason: Your fellow students, new and returning, are your—our—*colleagues*. They are individuals with whom you will share both the Law School this year and the profession for many more years thereafter. Indeed, much of what you will learn concerning the law and its practice, even while you are in law school, will come from conversations and experiences with one another. Please do not lose sight of this, in the midst of your laptops and other electronic devices. For example, form a study group, as for generations has been the norm among American law students; speak with an upper-level student about the nature of law school examinations; participate in moot court with a teammate; have a conversation with one another about the seemingly confusing statement that one of your professors made in class earlier that day. In all events, know this: the human capital of your fellow students is among your most valuable resources, and it is easily accessible and enjoyable to use.

New Faculty. Even as we have acted on plans for longer-term improvements to the Law School, we have moved, with diligence and even boldness, to expand the *faculty* resources available to you now. This was the great project of the faculty last year (as well as the year before), and it is a delight for me to introduce some new professors to you.

Three individuals join us as Associate Professors of Law. They are Janine Young Kim, Matthew J. Parlow, and Paul M. Secunda. Professor Kim joins us after several years of teaching in southern California. She is a Yale Law School graduate who commenced her career by serving as a law clerk to former Chief Judge James R. Browning of the United States Court of Appeals for the Ninth Circuit and then practicing in New York. Professor Kim's teaching and research interests include torts, criminal law, and crime and race.

Professor Parlow also joins us after teaching in his native southern California. Indeed, he, too, is a Yale Law School graduate who clerked on the Ninth Circuit (for Judge Pamela Ann Rymer) and practiced for several years, in Los Angeles. Professor Parlow is himself a product of Jesuit education, at both the secondary and college levels, receiving his B.A. from Loyola Marymount University in Los Angeles. His particular areas of interest include property and local government law.

Professor Secunda is a Harvard College and Georgetown University law graduate who arrives here after teaching for the past several years in Mississippi. He clerked for United States District Judge Murray M. Schwartz in Delaware and practiced law in Philadelphia. Professor Secunda has interest and expertise in labor and employment law, and his appointment will strengthen us especially in these areas.

It is a tremendous statement concerning, and contribution to, the future of Marquette Law School that these individuals would variously leave home regions, schools at which they have won teaching awards, and professional communities of which they have been an important part, to join us.

Please join me in welcoming as well two other faculty members. Robin Slocum joins us during the fall semester as our Boden Visiting Professor of Law. This visitorship stands in memory of the late Robert F. Boden, who served as our dean from 1965 to 1984. Professor Slocum teaches at Chapman University School of Law in California and is a nationally recognized leader in the area of legal writing. The Boden Visiting Professorship will also be held in fall 2009 and fall 2010 by a leading teacher/scholar of legal writing, and we are grateful to have Professor Slocum as the inaugural such visitor. Lisa J. Laplante joins us for the next two years as Visiting Assistant Professor of Law. Professor Laplante is a New York University School of Law graduate with a background in international human rights, much of which was gained while in Peru, and most recently was affiliated with the Institute for Advanced Studies at Princeton University.

Other New Colleagues. The foregoing is not an exhaustive list of those who this year will make their home in Sensenbrenner Hall for the first time. Others include Elana Olson, a reference librarian and legal research professor; Andrew Faltin, our new Director of Student Affairs; and Karin Werner, Director of the Milwaukee Legal Initiative for Nonprofit Corporations, a program for which we have received grant funding; all of these new colleagues hold law degrees. In addition, Maxine Keene, Jonathan Leininger, and Yvonna Rosa-Collins are now part of the library team. We hope soon to be able to announce a pro bono coordinator, another position supported by external funding, and a part-time writing specialist to complement our legal writing faculty.

Finally, some longtime colleagues hold new positions: I have appointed Michael M. O'Hear, Professor of Law, as our first Associate Dean for Research. He will work with me, Associate Dean for Academic Affairs Peter K. Rofes, and others, as we seek to expand the contributions that Marquette Law School makes through scholarship and research. I am especially looking forward to a faculty blog, the creation of which Dean O'Hear is leading; please be on the lookout for a more formal announcement. Jane Eddy Casper, formerly Assistant Director of Part-Time Legal Education and Assistant to the Dean for Special Projects, is now our Assistant Dean for Students. This is a both simpler and more expansive title and will enable Dean Casper to continue to assist part-time students—as evidenced by the fact that her ordinary time in the office will continue to include evenings—and also to provide and oversee additional service to all of our students. Finally, Megan O'Brien in the library has been promoted to a reference librarian (she also teaches legal research).

Programs at the Law School. I remarked in an introductory note to my students in Advanced Civil Procedure the other day that developing one's knowledge of legal doctrine has long struck me as the most important purpose of law school. To be sure, there are other aspects of formal legal education, else we would not speak (as we frequently do) of your developing your *knowledge, skills, and values* during your time with us. But my purpose here is not to prompt a debate with my faculty colleagues (or you) concerning the various purposes of legal education and their relative importance. Rather, it is to note that there is so much to learn *outside* the classroom as well. I have previously noted this in regard to your interactions with your classmates; now I refer to the wide variety of programs available at the Law School.

Mike Gousha's "On the Issues" series is a leading example. The already scheduled events include visits by Mayor Tom Barrett and County Executive Scott Walker, in a joint appearance to discuss transportation policy (September 9); the CEO of the Alliance for the Great Lakes (September 10); the Wisconsin Democratic and Republican Party chairs (September 25); Milwaukee County District Attorney John Chisholm together with Yale Law School Professor Dan Kahan (October 7); and Manpower Chairman and CEO Jeff Joerres (October 15). I myself would consider a semester incomplete if I did not make time to attend several "On the Issues" programs, where those of us in the audience are welcome to ask questions as well.

The semester includes numerous other examples of programs that I am anticipating and through which you can enjoyably advance your education. I would especially point to Professor J. Gordon Hylton's series of Centennial Symposia examining the history of legal education through the lens of Marquette Law School, i.e., by reference to both our predecessor institution (Milwaukee Law School) in the late 19th and early 20th centuries and our undertakings since we became part of Marquette University 100 years ago. There will be six entries in the series, all on Tuesdays at 4:30 p.m. (September 9 and 23, October 14 and 28, and November 11 and 18) in Eisenberg Hall. Whether or not you regard the past as prologue, come and learn a little more about the rich history of this great institution.

I hope that you will join us as well for the Boden Lecture on October 6, where Dan M. Kahan, Elizabeth K. Dollard Professor of Law at Yale Law School, will discuss his original empirical research examining whether and how the tendency of individuals at times to perceive facts in ways that reinforce their own desires and preferred results affects legal decisionmaking. It may sound more theoretical than some inquiries, but the topic is as well intensely practical and important, and Professor Kahan is a legal scholar of enormous talent and acclaim.

Status of the Diploma Privilege. I have noted in my two most recent welcome letters (last August and this past January) that litigation is pending in federal court challenging the constitutionality of the diploma privilege. The case is now pending before the United States Court of Appeals for the Seventh Circuit, with the defendants being the members of the Wisconsin Supreme Court and its Board of Bar Examiners. Marquette University regards this as an especially important matter and is monitoring the litigation, although as a nonparty our role is limited. I can report only that we will keep you informed.

University Resources. Like most law schools that are part of a university (and all that are not), we sometimes overlook much of what the University has to offer. This is appropriate in many respects, given the nature of our activities, but I encourage you to note—and use to your advantage—that you are part of a great university. You Are Marquette, and the larger University's resources are available to you as well. This includes everything from food to prayer to art to fitness to speakers. I will not purport to catalogue all of these resources, but even outside Sensenbrenner Hall this campus offers much that will help foster your development in important respects.

Indeed, let me close by encouraging you to pause and reflect on what it means to be part of Marquette, by reference to the opening words of the University's mission statement: "Marquette is a Catholic, Jesuit university dedicated to serving God by serving our students and contributing to the advancement of knowledge. Our mission, therefore, is the search for truth, the discovery and sharing of knowledge, the fostering of personal and professional excellence, the promotion of a life of faith, and the development of leadership expressed in service to others. All this we pursue for the greater glory of God and the common benefit of the human community."

There is, to be sure, much that could be mined from that statement—much that should be explored as part of this mission—but my emphasis to you today, at the beginning of this new academic year, is on *excellence*. Marquette University self-consciously places this first in its succinct version of the foregoing mission statement: *Excellence, Faith, Leadership, and Service*. You must seek after excellence, you must want it to be reflected in all that you do. This is not to deny that you, like all of us, will sometimes fall short. But excellence is part of our *mission*, and so it seems to me that excellence must be *our constant pursuit*. No past accomplishments will excuse any of us from the obligation to seek it in the next activity; conversely, no past unsuccess should be mistaken as foretelling inevitable disappointment in the next undertaking. The only certainty is this: if you do not pursue excellence, it will never be yours.

I look forward to our year together.

Sincerely,

A handwritten signature in blue ink that reads "Joseph D. Kearney". The signature is written in a cursive style with a large, sweeping flourish at the end.

Joseph D. Kearney
Dean and Professor of Law