



August 14, 2023

Dear Future Marquette Lawyer:

My custom is to write a beginning-of-semester letter to Marquette law students, welcoming those who are new and providing an update to all. I try not to repeat information from previous letters—as I note in order that, for example, the absence of a reference here to Professor Tom Hammer’s having taken emeritus status or to Associate Dean Bonnie Thomson’s retirement will not be mistaken. So, to begin, greetings—all of us at the Law School look forward to our work with you. Let us turn to the updates.

We are pleased to welcome new full-time faculty members to Marquette University Law School this year. Chistine Kexel Chabot, associate professor of law, is an experienced law professor, with interests and expertise in administrative law, constitutional law, and sales, among other areas. She spent the past decade on the law faculty at Loyola University Chicago as Distinguished Professor in Residence, and she also has other substantial experience in our profession, teaching, practicing, and clerking. Her academic work has been relied upon by fellow law professors, practicing lawyers, and justices. We are proud to have attracted Professor Chabot to the Milwaukee area and Marquette.

Jason Reinecke, a native of Verona, Wis., and a Stanford University law graduate, joins us as assistant professor of law. He practiced at Covington & Burling in Washington, D.C., served as a law clerk to the Hon. Sharon Prost, then-chief judge of the U.S. Court of Appeals for the Federal Circuit, and recently returned to Stanford as a Fellow in the Program in Law, Science and Technology. As you may have inferred from his clerkship and fellowship, Professor Reinecke’s great interest involves patent law, although of course he will teach more generally. Please join me in welcoming him as well.

Mary E. Triggiano joins us our faculty as director of the Andrew Center for Restorative Justice. For this position, Professor Triggiano stepped down from the bench, where she served as chief judge of the Milwaukee County Circuit Court, the largest trial court in Wisconsin. No one would do this lightly, I imagine, but Professor Triggiano—like many of us—is an admirer of the Hon. Janine P. Geske, L’75, former justice of the Wisconsin Supreme Court. The latter is retiring from the faculty after service as the Andrew Center’s inaugural director. That last phrase is necessary to my effort not to repeat information from past letters: i.e., to distinguish this from Justice Geske’s previous “retirements.” (It seems the one thing at which she is not very successful, I will tell you confidentially.) I am grateful that this Marquette lawyer will now resume her service as a member of the Marquette University Board of Trustees.

As for Professor Triggiano, her decision to join our Andrew Center says a good deal about the reach of our profession beyond its traditional spheres—and about her confidence in the contributions to come of future Marquette lawyers such as you.

We have a changing of the guard in the Law School's career planning center. Our longtime assistant dean for career planning, Paul D. Katzman, elected to retire this past month. Dean Katzman worked with Marquette law students and alumni for a quarter-century, having arrived here from the East Coast in 1998. He served admirably and indefatigably—would that he could have gone on far into the future. His successor is Erin Binns, who, as director for career planning, formed an indispensable partnership with Dean Katzman over the past two decades. In these circumstances, now-Dean Binns is well known to our community and is herself sure to lead the office with integrity and dedication. Please join me in extending sincere thanks to Dean Katzman and congratulations to Dean Binns.

The Law School community will notice some other administrative changes. Nicole Toerpe Mason joined us last month as the Law School's new registrar. She has extensive experience in academic services, most recently at the University of Wisconsin–Milwaukee, and her work will include being part of the team engaging with students who wish to discuss their course schedules and other registration and graduation matters. We bade farewell to Rich Archer and have welcomed Emma Geiser as the office associate in student affairs (Room 238). In a similar position in our alumni relations office (Room 244), Clara Huerta succeeds Emily Rodecap, whom we wish well in her new position in University Advancement.

Permit me to note various other promotions or the like within our community. Alex Lemann is now associate professor of law, and Nathan Hammons is clinical professor of law. Palma Strand, formerly of Creighton University and with us last fall, returns as a visiting professor this academic year. Wendy Smith's service in the law library (and on our adjunct faculty) is now a full-time position. To conclude with respect to personnel, Jenny Radi Chick, our manager of building operations, has taken a new position at Marquette University in Facilities Planning and Management. I am most grateful to Ms. Chick for her extraordinary work superintending Eckstein Hall's facilities operations since 2014.

The connections with the larger Marquette University are worth mentioning even beyond the reference to the new work locations of some of these longtime colleagues. I recently received an email from a retired colleague, whose work during his years at Marquette extended throughout the entire university and was especially influential on the Law School. Having moved across the country, he described a recent conversation with a new acquaintance: "He asked some good questions, and I found myself explaining how Marquette University succeeds because one way or another the students feel they have *joined the university community* as opposed to simply *attending the university*." (Emphasis added.) In each case, the "feeling" will depend especially on individual choices: If you never read *Marquette Today*, for a small but important example, you will learn far less about your university than is so easily available to you, just on your screen.

The point is true in other senses also. No one doubts that the bulk of your engagement with the Law School will involve your studies—your Torts, Contracts, Criminal Law, and Legal Writing and Research courses in the case of full-time first-year students this semester. Even there, though, the law school community has much to *offer* that, unlike the courses themselves, is not *required* of you. Consider, most notably, the Academic Success Program (ASP), in which, appropriately directed and supported, upper-level students convene regular sessions to review the material with students in first-year doctrinal courses. We urge you to avail yourself of these sessions, yet no one will force you to do so.

Joining the Marquette Law School community—as opposed to just attending the school—also can include participating in student-run organizations. With over thirty organizations hosting more than 100 events a year, there really is something for everyone. This could mean exploring a practice area that is new to you by joining, for example, the Environmental Law Society or Real Estate Law Society. It could mean finding fellowship through organizations such as the Black Law Students Association, the First-Generation Professionals, the Out and Allies Legal Society, the St. Thomas More Society, or the Asian Law Student Association. Perhaps you are interested, beyond the curriculum, in challenging your understanding of the law by joining, or simply attending events hosted by, the American Constitution Society or the Federalist Society. Or, for you, it may be one of myriad other experiences and communities formed *by* our students *for* our students. Whatever your background or interest, if you are open to them, both comfort and growth await you among your peers.

The number and range of programs and opportunities in Eckstein Hall are impressive. Our annual distinguished lectures (two each semester) are opportunities for us to welcome to Milwaukee visitors whose expertise is especially noteworthy. This coming semester, Prof. Ann M. Lipton, of Tulane University, will deliver the Boden Lecture on Thursday, September 21: “Of Chameleons and ESG.” (ESG, as you may know, refers to environmental, social, and corporate governance principles.) The Hon. Paul G. Cassell, of the University of Utah, and Prof. Edna Erez, of the criminology, law, and justice faculty at the University of Illinois Chicago, will deliver this year’s Barrock Lecture on Criminal Law, speaking on victim impact statements, on Monday, November 6. These events tend to “sell out,” and registration information is available (already concerning the Boden Lecture) in *Law News*. That twice-weekly (email) publication is also the best source for information about programs of our Lubar Center for Public Policy Research and Civic Education, at which you are *most* welcome.

All of these matters, beyond courses, bring me to the community outside Eckstein Hall, with which we so freely engage. For upper-level students, this can involve curricular opportunities in various clinical offerings and supervised field placements—“Hammerships,” we all seem to have agreed informally to call them. This external engagement also includes—for upper-level and first-year students alike, as well as for faculty, alumni, and bar members more generally—programs administered by our office of public service (OPS), located in the Howard B. Eisenberg Suite on the first floor. I encourage you to be on the lookout for invitations via *Law News* and the

like—or simply to go to the OPS webpages for information. Our OPS colleagues will welcome you.

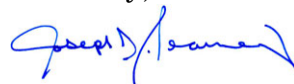
So, too, will the members of the legal community more generally. They are available to you in any number of contexts. Law is a helping profession, and electing to assist a practicing attorney in a volunteer shift at one of the Marquette Volunteer Legal Clinics, for example, will help you not only to “do good” but, over the long term, to “do well,” to borrow the words of my predecessor, the late Dean Eisenberg.

I think of my predecessors as dean from time to time, partly because I find inspiration in their examples. I recently was given a copy of the welcome letter from Dean Robert F. Boden to entering law students in the summer of 1972. His exhortations included the importance of developing good habits—a matter of cardinal importance in my estimation as well. They also included a reference to Clifton Williams, “a distinguished lawyer who served as Dean of this Law School some forty years ago” (1927–1933, to be specific). My focus here is not the particular point that Dean Boden made by quoting Dean Williams (it involved the lawyer’s oath in Wisconsin) but rather that Dean Boden, like me, found something to learn in his predecessor’s writing of four decades earlier.

So it is more generally in our profession. “Out of the ould fields must spring and grow the new Corne,” wrote Lord Edward Coke in 1600 (himself paraphrasing Chaucer’s *Parlement of Foules* and thus being neither the first nor last lawyer to be inspired by literature). Indeed, insofar as we are reading cases, even, say, *Marbury v. Madison* (1803) or *Erie R. Co. v. Tompkins* (1938), the fields are, in an important sense, not old at all. (Those cases are on my mind often, given my areas of teaching, but I also had occasion, in my non-Marquette capacity, to draw on them in a Supreme Court brief this summer concerning the future of the *Chevron* doctrine in federal administrative law. If one is lucky, he or she never gets beyond first-year law school, in a sense.) For in addition to being a helping profession, as already noted, the law is a learned profession. In that regard, how are we to learn things without a *habit* of reading? So if you have made it to this point in this letter, that is a good sign.

To be sure, this letter’s primary theme has been the community or communities of which, by virtue of your studying law at Marquette University, you are now a part. These include professors, staff, fellow students, the university generally, the legal profession in this region, and even our forebears in the law. In the words of my old Marquette friend, I encourage you to do more than *attend* this law school. I exhort you truly to join the communities that your enrollment makes available to you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joseph D. Kearney".

Joseph D. Kearney
Dean and Professor of Law