

The Law School and Marquette University

For the first sixteen years of formal legal education in Milwaukee, our law school stood apart. Begun as the Milwaukee Law Class in 1892, Milwaukee's law school did not become a part of Marquette University until 1908. As we approach the century mark as *Marquette University's law school*, our affiliation with the University is much on my mind.

To some extent, those thoughts concern the past. Although I have been part of the Law School only since joining the faculty in 1997, I have acquired, particularly over the course of the past four years as dean, some sense of the Law School's historical relationship with the University. There is no question that we have greatly benefited in a number of respects. Marquette is truly a university, and it nurtures research and learning in a remarkable variety of fields. Because of its excellence, Marquette has a national (indeed, international) reach, and our mere association with the University reflects well on us. There is also the important fact that the Catholic and Jesuit values that help comprise the University have informed, influenced, indeed, have helped to comprise Marquette Law School, as well.

There have been over time other, less happy aspects of the relationship with the University. It is generally acknowledged that for some decades the University underinvested in the Law School, returning for the Law School's use an unreasonably low proportion of the school's own tuition revenues and even alumni donations. This approach now can be found only in the history books here, for early during his now more than decade-long tenure Rev. Robert A. Wild, S.J., President of the University, agreed with my predecessor, Dean Howard B. Eisenberg, that law school tuition revenues must be expended on matters that benefit law students and that alumni donations intended for the Law School must remain entirely with the Law School. These principles have been confirmed in writing in my time as dean with other important members of the central administration, and they thus promise to last well beyond Father Wild's continuing tenure as president and my own as dean.



In these circumstances, our focus overwhelmingly is on the future—our second century with the University. This future is bright. As I suggested two years ago to the Board of Trustees, there is an *exquisite congruence* between the Law School's undertakings and the mission of the University, which is succinctly summarized as “Excellence, Faith, Leadership, and Service.”

One can get a sense of this from the contents of this and other issues of our magazine. The matter is rather explicit at times in the conversation with Father Wild that is our cover story (pp. 4–11). It is rather more an implicit fact in numerous other pieces—the interview with Professor Scott Idleman, a leading national scholar in religion-and-government matters (pp. 12–15), the undertakings of some of our future Marquette lawyers, as led by our Public Interest Law Society (pp. 16–19), the numerous undertakings of our alumni (pp. 24–41 and 50–53), and the remarks of Professor Michael O’Hear concerning “Faith, Justice, and the Teaching of Criminal Procedure” (pp. 45–49).

Our ability to contribute to the mission of the University is expressed even—or particularly—in our association with those not formally part of the Law School, as perhaps can be seen in the commencement remarks of the Honorable Paul Clement, Solicitor General of the United States, which we reprint here (pp. 42–44), and the remarks on the future of libraries by Dean Emeritus of Libraries Nicholas Burckel at a reception hosted by Marquette’s Helen Way Klingler College of Arts and Sciences (available here at pp. 54–59). Our daily undertakings, quite apart from these printed words, reflect this as well, as evidenced by a description (pp. 20–23 here) of some of our speakers and conferences last fall and the reference (on the back cover) to some of the speakers and guests whom Mike Gousha has brought to the Law School in his few months with us so far.

Truly it can be said that the Law School is positioning itself to serve as an intellectual commons within the University, the region, and beyond. This is most true in the sense that law is the profession in which ideas from other disciplines get adopted, synthesized, or rejected as public policy is fashioned. But it is true as well in numerous other senses, as these pages in our more-or-less semiannual *Marquette Lawyer* magazine reflect.

I wish to thank the many of you who already know this and whose support has advanced our efforts, and to invite others through these pages to come to know us a little better.

J.D.K.