

Law School Provides Insights into Heated U.S. Senate Race

The U.S. Senate election in Wisconsin this fall will be closely followed across the country, as its outcome could be crucial to control of the Senate.

The race is a rematch of the 2010 election in which incumbent Democrat Russ Feingold was defeated by then-little-known Republican businessman Ron Johnson.

For two reasons, Marquette Law School has become an important nonpartisan source for insight into the race.

The first reason is the Marquette Law School Poll. Since mid-2015, the poll has been the primary source of information about public opinion on Johnson, Feingold, and the race itself. Early iterations of the poll found Feingold holding a lead of around 10 percentage points. The March 2016 poll showed a tightening race, with Feingold up five points among registered voters (and three points with likely voters).

In that March poll, 17 percent were unfamiliar with both Johnson and Feingold, with an additional 8 percent unfamiliar with Feingold only and 19 percent unfamiliar with Johnson only.

“That continues to leave a great deal of room for voters to learn about the candidates over the coming months,” said

Charles Franklin, poll director and professor of law and public policy.

The second reason is that Eckstein Hall has been a forum for the candidates to present their views in depth. Both Johnson and Feingold were guests recently for “On the Issues with Mike Gousha” programs at the Law School.

On January 26, Feingold told Gousha that he was motivated to run again for the Senate when he concluded that the people of Wisconsin are “hurting because they’ve been treated shabbily.” He wanted “to be part of a team that would bring us back together.”

And on February 5, Johnson told Gousha that in 2010, “I ran because I was panicked for this country. It was on the wrong path.” He continued: “I’ve been there five years. I’m more panicked.”

Polls and public policy programs from Marquette Law School will continue to provide insight into Wisconsin politics as the November elections approach. Poll results and video of the programs with Johnson and Feingold may be found at law.marquette.edu. ■

Rallying Behind the Importance of Public Libraries

The mission of American public libraries, which for many decades was to provide “the best reading for the greatest number at the least cost,” has morphed in recent years to a mission dominated by providing access to information, a leading expert said at a conference at Eckstein Hall in October.

But that hasn’t changed the great value or slowed the use of libraries, said Wayne Wiegand, the F. William Summers Professor Emeritus of Library and Information Studies at Florida State University. Wiegand, the author of an Oxford University Press book published in 2015, *Part of Our Lives: A People’s History of the American Public Library*, said research showed libraries “are much more important than we previously thought they were.”

Wiegand said the process of change is continuing. “People make libraries, and they should make them

to meet community needs,” he said. The half-day conference had some of the feeling of a rally for libraries. Milwaukee Mayor Tom Barrett and Paula Kiely, director of the Milwaukee Public Library, described how creative ideas, such as putting libraries in mixed-use buildings to replace declining standalone libraries, were turning around declining trends. They emphasized the value of libraries to neighborhoods. Miguel Figueroa, director of the American Library Association’s Center for the Future of Libraries, provided a glimpse into what may be to come.

The text of remarks at the conference from Milwaukee historian John Gurda, who is president of the city’s library board, may be found on page 47 of this issue. The conference was cosponsored by the *Milwaukee Journal Sentinel* and received support for the Law School’s Sheldon B. Lubar Fund for Public Policy Research. ■

Fast Start for Entrepreneurship Clinic Boosts Students and Businesses

Melissa Tashjian runs Compost Crusader, a small start-up business providing services to Milwaukee-area businesses that want to put their organic waste to environmentally constructive use. Tarty the Compost Truck plays a major role in the Crusader effort, and Bruno the Compost Beagle plays a support role.

Andrew Hampel is a 2015 Marquette University electrical engineering graduate who is CEO and cofounder of Seiva Technologies, which aims to build a business around sensor-embedded compression garments providing high-tech input that athletes could use to improve performance.

What do the two undertakings have in common? Both are getting help from Marquette Law School's new Law and Entrepreneurship Clinic.

"The clinic has been extremely helpful," said Tashjian. "With the clinic's help, I now have a customer contract that is presented to all customers contemplating our service."

Hampel said, "We have received customer/sales contracts, thorough review of all legal documents that have been presented to us, guidance on protecting our intellectual property, and now, during this spring semester, the clinic is helping us complete our operating agreement and file for trademarks."

Professor Nathaniel Hammons, director of the clinic, said that the two enterprises help demonstrate the range of the 14 businesses that have become clients of the clinic, which is finishing its first full academic year. Generally, Hammons said, the clients are either enterprises that serve community needs and involve a handful of employees or start-ups with high-tech orientations that want to grow into sizeable operations.

"Our clients lack access to the traditional legal marketplace," Hammons said, which is to say they can't afford legal bills starting out. But they have the potential to create new jobs and serve Milwaukee's needs, which makes them a good fit for both the entrepreneurship clinic and for Marquette University's broader economic development initiatives under President Michael R. Lovell.

Hammons's use of the term *clients* is intentional. The eight third-year law students involved in the clinic do



Left to right, Compost Crusader employee Matt Scannella; owner Melissa Tashjian; Professor Nathaniel Hammons; and law students Aleksa Sanders and Adam Marshall.

coursework in related legal issues, with Hammons as their teacher, and both semesters they provide at least 120 hours of help to the businesses involved with the clinic. The students receive academic credit, but "we operate as a law office," Hammons said. He said he treats the students as associates at the firm.

While the clinic is providing legal help to new ventures, "our primary mission is to train law students," Hammons observed. The goal is for them to be "practice-ready" when they graduate.

Hammons said that lawyers, including people associated with several major law firms, have been eager to help with the clinic's work and that the clinic also has developed active and good relationships with several "incubators" for new business ideas.

Milwaukee and Wisconsin in the past have not been rated well as places to launch businesses. Hammons is convinced that this is changing. The entrepreneurial ecosystem "has been steadily improving over the last few years, and I think it will continue to do so," he said. And the Law School's Law and Entrepreneurship Clinic? "The forecast is excellent."

Support for the clinic comes entirely from alumni through donations to the Law School's Annual Fund. ■

Mayors Debate Merits of Waukesha Water Plan

Regional cooperation on important issues is a good thing in the view of both Waukesha Mayor Shawn Reilly and Racine Mayor John Dickert.

But the two disagree firmly on one major regional issue: whether Waukesha should be allowed to draw on Lake Michigan for its water supply. The issue was their topic in an “On the Issues with Mike Gousha” session at Eckstein Hall in February.

The program provided insight and an opportunity for public education as governors of every state bordering the Great Lakes consider Waukesha’s request. If no governor casts a veto, water will be diverted from one of the Great Lakes to a community completely outside of the lakes’ watersheds for the first time since the Great Lakes Compact was signed in 2005.

Reilly said that drawing on Lake Michigan water is “the only reasonable” solution to problems with a declining and contaminated aquifer that supplies Waukesha now. The plan calls for Waukesha to treat and return the water to Lake Michigan.

Dickert said that the diversion would increase risks of flooding and pollution and could harm recreational opportunities in Racine. The mayors disagreed on whether approval would open the door to diversion requests from other places.

A Marquette Law School Poll in January found that 73 percent of people statewide had not read or heard anything about the Waukesha water issue. In the same poll, 34 percent said they would support such a plan, and just over 50 percent said they would oppose it.

“The battle over water has just begun,” Dickert told the Eckstein Hall audience. ■



Waukesha Mayor Shawn Reilly (center) and Racine Mayor John Dickert (right) discuss Waukesha’s water plan with Mike Gousha during a recent “On the Issues” at Eckstein Hall.

Acclaimed Book on Impact of Evictions Launched at Law School Program

“Without stable shelter, everything falls apart.” A new and provocative book from Harvard Professor Matthew Desmond uses that as a starting point to describe in stunning detail the lives of many low-income Milwaukeeans as they try—but frequently fail—to stay in low-cost housing.

Desmond chose an “On the Issues with Mike Gousha” session at Eckstein Hall in March to release his book, *Evicted: Poverty and Profit in the American City*, and to kick off a national book tour. Documenting both the high frequency and impact of evictions, Desmond’s book has attracted major national attention. A *New York Times* review said that, because of the book, “it will no longer be possible to have a serious discussion about poverty without having a serious discussion about housing.”

Desmond told Gousha that about one in eight low-income renters in Milwaukee was evicted in the two years that he studied (and that there is reason to think Milwaukee to be representative of many cities). The resulting instability affected every aspect of these individuals’ lives and, in a large number of cases, their children’s lives. He said the issue is especially concentrated among low-income African-American women. Evictions, in many ways, have an impact on black women that parallels the impact that high rates of incarceration have on black men, he said.

While Desmond was a graduate student at the University of Wisconsin-Madison, he spent more than a year living in low-income settings in Milwaukee and getting to know both tenants and landlords. While the book does not judge either group harshly, Desmond came away from the experience outraged at what housing issues did to people’s lives.

“Do we think that decent, affordable housing is part of what it means to live in this country?” he asked. “We have to answer ‘Yes’ to the longer question.” A big part of that answer, in Desmond’s estimation, would be to make vouchers more widely available to help pay for housing for those in need. ■

Students Take Groundbreaking Trip to Cuba

Amid easing tensions between Cuba and the United States, 25 Marquette Law School students and three professors visited the island country to see aspects of a nation that was long off limits to Americans. The weeklong trip was among the first of its kind for a group of American law students.

“If we can realize that people—whether it’s across the world or across the table—are more than the very skewed and limited narrative that we have, I think that makes us better lawyers,” said Professor Andrea Schneider, one of three faculty members who took part. Schneider has organized previous trips by law students to Israel and Europe.

Molly Madonia, a third-year law student, listed skills underscored by the trip: “Keep communication open. Develop empathy and listening skills, no matter where you are.”

The group visited with Cuban experts on the law, economy, government, and culture, including Celeste Pino Canales, a professor at the University of Havana.



Participants in the Law School trip stand at the entrance to the Law College at Havana University.

And the students got glimpses of the island nation that has been the subject of an American economic embargo since 1960.

While major differences remain between Cuban and American policies on matters such as human rights, the door is opening wider for Americans to visit Cuba—and among the first to go through it were the Marquette law students. ■

Marquette Law School and NCAA Partner for Student Externship

During her externship this past semester with the enforcement division of the National Collegiate Athletic Association (NCAA), Jill Halverson, a second-year law student, was in high-level hearings that weren’t open to the public or the media. So don’t ask her what she worked on.

“It’s definitely an introduction to the world of confidentiality,” she said. “And it’s very much a great experience. I’m glad the NCAA and Marquette Law School decided to partner.”

Marquette Law School’s sports law program has been sending student interns to the NCAA in Indianapolis during the summer since the early 2000s. Aaron Hernandez, L’13, interned with the NCAA after graduation and became its assistant director of enforcement. Hernandez recently approached Professor Paul Anderson, associate director of the National Sports Law Institute, about establishing Marquette as a feeder school for the enforcement division’s externship program even during the regular academic year. The program is open to sports law certificate candidates.

“This can be—based on the skills the students can get—one of the best experiences possible,” Anderson said. “It’s a fast transition, but what you can get involved in is amazing.”

Fast transition, indeed. Halverson moved to Indianapolis and took classes at Indiana University’s Robert H. McKinney School of Law for a semester. Yet she remained part of Marquette, working remotely on the *Marquette Sports Law Review*, doing research for a professor, and even clerking for a Milwaukee firm. The experience was worth the effort.

“I’ll be able to take that with me wherever I go,” she said. “A lot of people competing for the same jobs with me won’t have that experience.” ■

