

DEAN JOSEPH M. LIVERMORE: ON STEPPING DOWN

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Joe Livermore is about to join what was formerly an almost miniscule group but is now virtually a "growth industry"—former deans of law schools. In times past, the Erwin Griswolds, the Bill Lockharts, and the John Lyons took the dean's job with the expectation that they would keep it for almost as long as they remained in legal education. Now the average tenure for law deans is probably less than 5 years. No doubt they were giants in those earlier days, but that is not enough to explain the sharp reduction in the life expectancy of deanships and the real difficulty some schools experience in persuading good people to take on the responsibility.

The apparent tranquility of pre-World War II days in law schools is long gone. Faculties have grown in size and diversity and have tended to assert their policymaking roles more vigorously. Students have expressed openly the dissatisfactions with legal education that in an earlier day they only muttered about. They have brought organized pressure to bear on the schools to accomplish the changes they sought. Outside of school the dean must also cope with the ever-present tension between the practicing profession and the law school, a tension manifested nationally at the moment by proposals for bar admission standards that will force law schools to require certain courses of all students. The difficult task of providing graduate education and research and, at the same time, high quality professional training, is a constant source of controversy and friction, particularly in a period of rapid social and legal change. Necessary changes have frequently generated opposition among some alumni who naturally feel that what was good enough for them yesterday is good enough for anyone today, and that change must mean a lessening of the rigor they knew as students.

Not the least of the pressures felt by a dean comes from the tremendous increase in applicants for admission to law school at one end

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of the process and from the current, and I think temporary, scarcity of jobs at the other. Certainly the job of fulfilling the material needs of a vigorous law school in a time of economic retrenchment and tight budgets presents a law dean with real challenges in his relations with the university administration, boards of regents, and legislators.

We want and expect law deans to be accomplished teachers and scholars, and yet we give them a job that in most of its aspects requires the talent and training of a high-powered political executive. It really is not surprising that the tenure of deans is growing shorter and that some schools have adopted a system of fixed terms. But it does seem clear that we have for too long neglected the development of a workable system of giving due consideration to the needs and views of the several constituencies to whom the dean is answerable, while still making it possible for him or her to provide leadership without burning out or being overwhelmed by administrative detail.

Joe Livermore brought to the dean's office at the University of Arizona College of Law a solid educational background, including college at Dartmouth and law school at Stanford. He knew the demands of law practice from his personal experience in the Judge Advocate's Corps, from practice in a large San Francisco firm and, perhaps his most rewarding experience, from a period as a federal prosecutor in the United States Attorney's office in Minneapolis. He was a member of the faculty of one of the best state law schools in the country, the University of Minnesota, and had taught at Stanford, which is by common agreement in the front rank of American law schools. He had already established a reputation as a careful and insightful scholar.¹ He came to Arizona at an interesting moment in the law college's history. Along with other law schools, this one had experienced rapid and fundamental changes. Higher admission standards had been established, the faculty and administration had been expanded, and the library was beginning to overflow the building. The curriculum had been altered substantially. Many courses had been added to the program and new seminars had been created. Clinical studies had been established in which students spend a part of their time practicing law in a variety of public and private law offices. As one who played some role in many of the changes that had been made, I speak with some authority when I say that the time had come for close scrutiny of the validity of some of the innovations, and for a tightening of some of the loose joints.

Joe Livermore was admirably suited to the situation as he found it in 1973. He brought to the dean's office a powerful and piercing

1. See, for example, Livermore, Malmquist & Meehl, *On the Justification for Civil Commitment*, 117 U. PA. L. REV. 75 (1968).

intellect which he delights in using to strip away the confusion and sham sometimes found in human institutions. He insisted that every program in the law school be reexamined, and abandoned or altered if its value could not be demonstrated in fairly concrete terms. The administration of the school was streamlined to reflect his vigorous sense of efficiency, and to the greatest degree possible he sought to establish rules for administrative and faculty decisionmaking where a large degree of discretion had existed before. In a very short time, the advances of the past few years have been consolidated and the school is now tightly and efficiently run. Excellent recruiting has added superb new members to the faculty and the school is beginning to establish a reputation for scholarly production. Perhaps the one event of which Dean Livermore is, and should be, most proud, is the development of a rigorous and demanding student writing program. It is safe to say that the "starred seminar" program at Arizona is the equal of any third-year program in the country, and is better than all but a very small handful.

In short, the law school has arrived at a point at which a distinguished committee of law teachers and lawyers, here on an inspection on behalf of the American Bar Association and the Association of American Law Schools, could observe that in the class of schools of comparable size and resources, Arizona ranks at the top. Dean Livermore is responsible for much of that quality.

It is unfortunate that Joe finds administrative work less satisfying than he had thought it would be. The constituencies to which a law dean must answer have multiplied to such an extent that the political tasks of the position, together with the nagging administrative routines, begin to submerge the more satisfying aspects of creating and improving educational and professional programs. One hopes, with some basis in fact, that we are entering something of a new era where faculty, students, university administrators, legislators, and alumni have a greater awareness of the difficulty of leading a first-rate law school, and of the need to make effective leadership possible.

On a personal level, I am going to miss Joe's presence in the dean's office. We sometimes approach issues from different angles and for me some of the most enjoyable times of the last 3 years have come when we locked horns in mental combat. I have relished those sessions and learned much from them. Fortunately, they will continue as Joe is now promoted to full-time faculty status. He is a rigorous and demanding teacher and his influence on the academic standards of the school will, to the good of all of us, continue to be felt. Best of all, we have gained a first-rate scholar who will now have the time to pursue his research

interests. He has the thanks of the faculty for his contributions to the law school. He will contribute even more as we all work together toward moving this law school even higher on the scale of quality in legal education.

