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Dean Plager Responds to Questions

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Dean Plager responds to questions

Your editorial in the last issue, entitled "Unanswered Questions" and addressed to me, raised questions involving: (1) my open door policy; (2) IUSTITIA; (3) the course "Women and the Law"; (4) the reassignment of a secretary; and (5) the merger of the placement and bar relations positions. I will respond to each.

(1) My "open door." Your editorial indicated that because you could not see me on the day you chose, I no longer had an open door to students. The day you came to see me to ask your questions happened to be in the week in which my secretary went to the hospital for an operation and my administrative assistant was home under doctor's care. Since you had not made an appointment in advance, and since I was completely booked with appointments for the remainder of that day, the secretary who was filling in did not let you see me right then.

Your publishing schedule apparently did not allow you to accept an appointment for a following day. I certainly understand the problem of running out of time and needing to see someone in your schedule rather than on his. While I believe the secretary acted reasonably, I have given instructions that, in the future, the press hall go through (within reason).

Your frustration at not seeing me when you wanted to raises a broader question that I find very troubling. During times I am in the office, I want people who want to see me — whether students, faculty, staff, or visitors — to be able to do so on little or no notice. The trouble is that I then get almost nothing else done since I have no uninterrupted time set aside to deal with the constant flow of mail, reports, phone calls, and other matters that need daily tending, nor do I have time to think or plan. I do not mind working weekends and nights because I enjoy my work, but I do mind not getting the work done at all.

This year I am trying a schedule in which I have set aside blocks of time for appointments, and blocks of time for desk work. The problem is aggravated by the fact that I am not in the office all the time. Since school started this fall, I have been involved in the Law Alumni Weekend for three days, and I have spent two days in Washington at an invitational conference concerning the Bakke case and its implications for law school admissions.

As I write this, I am on a plane to Boston where I will spend several days on faculty recruiting. In return, I go to Indianapolis for the bar admissions ceremony, to French Lick for the three-day State Bar Association meeting. The next week, the Board of Visitors will be here for two days. So goes. As a result, I find I have less contact with students individually and collectively than I want.

If students want good faculty, we must recruit them. If students want good placement opportunities, our relations with the bar must be good. If students want . . . All of these things take time — time away from the school — to accomplish. The faculty understands this. My staff helps to fill in while I am gone. I feel that students, looking at all that a dean needs to do to keep the School among the top in the country, will understand also.

Last year we tried among other things occasional "brown bag" lunches with members of the

staff and faculty, and whatever students were interested. I cannot say these were overwhelming successes. We also tried get-togethers with student leaders and groups. If you or others can suggest ways of furthering the "open door" concept, I would be pleased.

(2) IUSTITIA. IUSTITIA began in 1973 to serve as an alternative outlet for creative work to complement the work of the Law Journal. In 1975, then-Dean Boshkoff wrote, ". . . Perhaps it would be a good idea for me to appoint a committee charged with the responsibility of studying and evaluating IUSTITIA's achievements and making recommendations for future support of the journal." Due to the subsequent transition in deans, this review was not conducted.

Upon my arrival last year, when confronted with the question of what should be done with IUSTITIA, I chose to wait a year to gain some personal experience with it. The past year persuaded me that the problems of inadequate personnel and staffing, quality of material, and budgeting and fiscal matters clearly dictated a comprehensive assessment of where IUSTITIA is and where it is going.

By way of illustration, subscriptions to IUSTITIA have hovered around 100 for the first four volumes; the record shows only six paid Volume V (1977-78) subscribers, and one paid Volume VI subscriber. At the same time, the Law School has underwritten publication of IUSTITIA in an amount in excess of \$13,000. Under the circumstances, I felt that a thorough review could not be made while we simultaneously tackled all the matters needed to produce a new volume of high quality. Since last year's Board had published only one of its planned issues, a one-year moratorium on publication did not seem to be a drastic step.

I have asked Professor Hartog, who is heading the reassessment effort, to prepare a report for a later issue of *The Exordium*, explaining in fuller detail where we are and where we have been. I assure you that in reaching the question of where we are going, there will be ample opportunity for student input.

(3) Women and the Law. When we planned the 1978-79 schedule, the course "Women and the Law" was to be taught by a visiting faculty member, Professor Julia Lamber. Because of the late resignation of Professor Sherman, we unexpectedly found ourselves without a Civil Procedure teacher. We tried during April and May to find a replacement for Civil Procedure, but that late in the year, few schools will release qualified teachers to visit. When Professor Lamber graciously agreed to take on the Civil Procedure responsibility we had to adjust her teaching load, which resulted in the cancellation of "Women and the Law".

I regret that prompt notification of this change was not made to the students. Dean Popkin and I are trying to devise a mechanism for communicating these kinds of unavoidable late changes to the student body. We would welcome your suggestions. Meanwhile we are exploring the possibility of hiring someone to offer the course next spring.

(4) Reassignment of a Secretary. Your

editorial raised questions about the internal reassignment of a particular secretary. I regret this, since I believe that for the protection of the individual involved, personnel matters are best handled through the established administrative and grievance procedures. It is my policy that if a secretary (or other employee) is not performing satisfactorily in the judgment of his or her supervisor, we should make every effort to assist the person in correcting the deficiencies and, in appropriate cases, to find another position within the School where the person can function in a satisfactory way.

The matter is different, of course, if the supervisor is at fault. I have personally assured myself that there was no abuse of discretion by the supervisor; no one, including *The Exordium*, has suggested otherwise. I have no quarrel with investigative journalism. I suggest, however, that when dealing with sensitive personnel matters, consideration be given to the question of whether public debate is appropriate.

(5) The merger of the placement and bar relations positions. By now, I trust everyone is familiar with the institutional reasons behind the change and the several advantages for the School that will accrue from it. I have circulated to the students, faculty, and staff a detailed explanation, and have spoken on the matter publicly on a number of occasions.

You ask who was consulted and whether Roberta Berry's views were solicited. For many reasons, including the complex nature of the transactions necessary to put the package together, I consulted widely both within and without the University. Alumni leaders, bar

leaders, as well as campus and University personnel were consulted. Law School faculty and staff were involved, both in advising on the question of the merger, and in the selection of the incumbent. A search committee headed by a faculty member and consisting of faculty and staff screened and assessed the nominees for the position.

As the matter developed, I personally discussed the change with Ms. Berry, reaching her by phone during her vacation, and several times thereafter. Candidly, I did not ask for her approval or her consent to make the change. She understood that the reasons for the change in no way reflected upon her performance; and, indeed, I had the impression in talking with her that she recognized, from the School's viewpoint, the need for the change.

I regret that changes such as this cause inconvenience and disturbance; I would regret even more having lost the opportunity to strengthen the School's long term ability to provide services to its students and graduates. I am particularly pleased that with the support of Vice President O'Neil we have been able to offer Roberta the opportunity to stay on through the remainder of 1978-79, to help make the transition easier.

I appreciate your concern for posing the hard questions which are on the minds of students. I do not shy away from supplying the answers. If *The Exordium* continues to provide a constructive forum for the airing and exploring of matters of genuine concern to the students, it will live up to its promise of making a real contribution to the life of the School.

—Sheldon J. Plager, Dean

Poor Richard offers solace

Dear Editor: I used these arguments to bolster myself and I believe they will aid other students who face the graduation blues.

Be of Good Cheer:

Are you anxiously worrying about securing employment upon graduation? I share with my classmates, self-doubt as to my capacity to obtain an appointment and perform my duties well.

There are two arguments that effectively refute these fears. First, your admission to this law school indicates that a committee of distinguished faculty determined you to be a superior candidate for the study of law. This candidacy is based upon your scholastic work and, more importantly, your native intelligence. If history is an indication of the future, you will do well.

The second argument is more powerful because it gives a perspective of the American economy. The Gross National Product of the United States now exceeds two trillion dollars (\$2,000,000,000,000). The income you may reasonably expect from an appointment within a firm or corporation will be twenty thousand dollars (\$20,000). This means that you will receive only one millionth of one percent (0.000001%) of the money that is changing hands.

That is a very small percentage. Therefore, sublimate the energy of anxiety and allow it to emerge as confidence. There is room for all of us in this system.

Faithfully, Poor Richard the Younger (Name withheld by request).

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