

October 2008

www.memphis.edu

Dear Alumni and Friends:

On behalf of the faculty, the staff, and 415 law students, good wishes from the Cecil C. Humphreys School of Law.

The 2008-2009 academic year began with a flurry of activity. At Orientation, we welcomed 148 members of the Class of 2011. Eighteen of these first-year students have family ties to the School of Law, including 12 students for whom at least one parent graduated from the School of Law. Orientation concluded with an elegant reception in downtown Memphis at the Belz Museum of Asian & Judaic Art.

On August 16, the fifth annual Law Alumni Chapter Dinner was attended by over 400 alumni and friends of the law school, including keynote speaker Senator Lamar Alexander. We were honored to present a Friend of the Law School Award to John Stokes, whose support was instrumental in the law school's move downtown. Dr. Shirley Raines also was honored as a Friend of the Law School for the many ways in which she has supported the School of Law during her tenure as President of the University of Memphis. We were very pleased to honor four Pillars of Excellence: Walter Bailey, W. Emmett Marston, John Thomason, and Lee Winchester. And we were delighted to see Professor Janet L. Richards receive the Alumni Board's Excellence in Legal Education Award. Judging by the superlatives, the evening was a stunning success.

The beginning of classes presents a good opportunity to share with you some of the many successes of the past academic year and some of our plans for the upcoming academic year.

Program Successes

The law school's program remains strong, as indicated both by the bar passage rate (95.9% of first-time takers in July 2007) and by the nine-month employment rate (96.1% of 2007 graduates were employed or pursuing an advanced degree, a figure that exceeds the national average). Based on the low tuition and the high passage rate on the Tennessee bar exam, the law school continues to rank in the top 10 of *preLaw Magazine's* "Best Value Law Schools."

The Moot Court program enjoyed great success, placing second out of 179 teams to Harvard in the 2008 National Appellate Advocacy Competition. The team of Jennifer Bellott and Michael Goodin, coached by Associate Dean Barbara Kritchevsky, was undefeated in regional competition and lost only in a split-decision in the final round. Jennifer Bellott was named National Best Advocate, the award given to the best oral advocate in the national competition. A resolution recognizing the team's efforts was sponsored by Senator Jim Kyle (JD 76) and can be viewed at <http://www.legislature.state.tn.us/bills/currentga/BILL/SJR0967.pdf>. The School of Law has excelled in numerous national advocacy competitions, placing second in the National Moot Court Competition in 2006, and becoming a finalist in the 2007 National Environmental Law Moot Court Competition.

Building and Finances

The \$42 million renovation of the historic Customs House and Post Office is well underway, and we look forward to moving downtown. We took possession of the building last December, and construction began in early January. The work site is an extraordinarily busy, hard hat setting with architects, workers from the many trades, and representatives of the Tennessee Board of Regents, the University of Memphis, and the Cecil C. Humphreys School of Law attending to their various roles. For safety reasons, of course, we cannot invite our alumni and friends to tour the project, but I encourage you to keep track of its progress as shown in frequently updated photographs that are located on the law school's website, at <http://www.law.memphis.edu>. Just click on the "Countdown to Downtown" icon on the homepage. While you are there, please also examine the interactive floor plans. By moving the cursor across the floor plans, you will be able to learn about the future use of each room. We expect this magnificent facility to greatly impress the American Bar Association during its regularly scheduled, once-every-seven-years accreditation visit in March 2009.

The \$12 million capital campaign is moving forward, with over \$11 million in commitments. Approximately \$6 million was used to acquire the building from the United States Postal Service. Approximately \$4 million will be used to substantially strengthen the law program by endowing much-needed student scholarships and professorships that will allow us to attract and retain the best and the brightest students and faculty. The remaining \$2 million will generate income to be used for a variety of programmatic purposes.

Law Alumni participation in the annual campaign continues to increase, reaching 644 donors (or 12% of alumni) this year. In addition, law school alumni have the highest average pledge (\$120.41) for phonathon calls out of all University of Memphis colleges and schools.

Nonetheless, these continue to be difficult economic times for the University and for the School of Law. As part of a University-wide budget cut, the School of Law cut \$232,330, or slightly less than five percent, of its base budget for the upcoming academic year. The cuts resulted in the elimination of an unfilled clinical faculty position, and one staff position will remain unfilled for at least the next year. Deep cuts had to be made to the general operating budget, including to funds designated for faculty research grants; faculty, staff, and student travel (including travel for moot court and mock trial competitions); summer school offerings; library acquisitions; and student recruiting. We are determined to continue to have our moot court teams represent the law school in national competitions, and we will make every effort to find the means to do so.

At the same time state support of the University and the School of Law is declining, tuition rose by 14% this academic year. Half of the increase resulted from a University-wide 7% tuition increase. Another 7% increase was specially approved by the Tennessee Board of Regents and will be used exclusively to fund a merit-based compensation plan to raise faculty salaries in an attempt to halt the continuing loss of faculty to schools which offer both higher pay and greater resources for research and travel. Even with the compensation plan, faculty salaries will remain less than 90% of the median salary for the University's funding peer schools. We are determined to continue to do whatever we can to retain existing faculty and to attract the very best new faculty.

Faculty—Teaching, Scholarship, and Service

Classes began on August 18 with four new full-time professors (including a new Library Director and a new Director of Clinical Programs) and a full-time visiting professor. Professor Amy Moorman will teach Contracts, Business Organizations, and Secured Transactions. Professor Daniel Kiel will teach Property, Remedies, and Civil Rights and Education. Professor Jacqueline Lainez will serve as Director of our Clinical Program and will begin teaching a clinic offering in the spring semester. Professor D.R. Jones will serve as Director of the Law Library and Associate Dean for Information Resources. Professor Lynda Black, a Memphis attorney, will be a full-time visiting professor this year, teaching Business Organizations, Decedents' Estates, Secured Transactions, and Estate Planning. For information concerning these five faculty members, please see <http://www.law.memphis.edu/faculty/>.

The most recent hires join a faculty with distinguished records of teaching, scholarship, and service. Professor Janet Richards, 2008 recipient of the Law Alumni Board's Excellence in Legal Education Award, is representative of the broader faculty. Widely acknowledged as an accomplished teacher, Professor Richards pursues an extremely active scholarship agenda. Since the beginning of 2007, she has published annual supplements for RICHARDS ON TENNESSEE FAMILY LAW, completed annual updates of the Family Law Supplement for her Family Law course, and completed annual updates of her portion of the BENCH BOOK ON ALIMONY that is heavily used by Tennessee judges and attorneys and that is co-authored with other members of the TBA Family Law Code Commission. She also published two law review articles: one on disparate insurance coverage for cancer clinical trials and the other on the treatment of spousal support and property division claims under the 2005 bankruptcy legislation. To fill out her scholarship agenda, Professor Richards completed drafts of 12 chapters for the comparative family law book she is writing for Carolina Academic Press, and she partially completed the third edition of RICHARDS ON TENNESSEE FAMILY LAW. In her "spare time," Professor Richards engaged in significant public service activities, including serving as Chair of the Family Law Section of the Association of American Law Schools in 2007, continuing to serve on the Tennessee Bar Association's Family Law Code Commission, and continuing as a member of the TBA Family Law Section's executive committee.

The beginning of the semester saw Dean Emeritus James R. Smoot return to the faculty after great success in moving forward both the building project and the capital campaign. He is excited to be teaching Contracts, his favorite course.

Professor Bill Kratzke is chairing the Dean Search Committee. He reports that the position announcement has been widely distributed and the Committee will soon begin reviewing applications. It is hoped that the position will be filled beginning on July 1, 2009.

Plans for the upcoming year

The upcoming year will be busy. We will be engaged in detailed planning for the move to the new law building, including all 415 students, 50 faculty and staff, and 275,000 books and microform volumes. We will be preparing to host the ABA accreditation team when it makes its regularly scheduled visit in March.

We also will be working with the University to overhaul and upgrade our website. Not only will this provide easier access to an expanded array of information, but it also will be used to strengthen our admissions activities.

We will continue to keep alumni and friends of the law school informed through our quarterly e-newsletter, a cost-effective way to share news of our students, faculty, staff, and alumni throughout the year. If you have not already done so, I encourage you to stay connected to the law school by signing up for the newsletter at emailupdate@mail.law.memphis.edu. I also encourage you to share your milestones and achievements with all of us in the School of Law. You may easily do so by emailing any updates to emailupdate@mail.law.memphis.edu.

We will continue to showcase our excellent students through events such as our annual luncheon for scholarship recipients and donors and a new luncheon for externs and the judges and attorneys who supervise their externships. We also will continue to host events for alumni and friends of the law school as opportunities arise, such as an October 27 luncheon event in Nashville (see the law school website for details). And we will continue to cosponsor a reception for alumni, Tennessee judges and attorneys, and others at the ABA yearly and mid-year meetings. We hope to see you next at the ABA mid-year meeting in Boston on February 14.

All involved in the law program—faculty, staff, students, alumni, and other friends of the law school—can take pride in both our achievements and the role they played in them. The law program would not be the success that it is without the broad and continuous support that it enjoys. For that support, in its many forms, please accept our heartfelt thanks. And please know that your support is appreciated the year round.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin H. Smith", with a long horizontal flourish extending to the right.

Kevin H. Smith
Interim Dean and Thomas B. Preston Professor of Law

***Please note:

After this letter was drafted, the State of Tennessee's budget situation became such that we now anticipate additional cuts being made during the next year.