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David H. Getches, Dean, Univ. of Colo. Law School,
Remarks at 30th Annual Alumni Awards Banquet (Mar.
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Remarks at Alumni Awards Banquet

University of Colorado Law School

Wednesday, March 09, 2011

David H. Getches

Thank you, Kristin Rozansky. You have done a spectacular job of organizing this 30th Annual Alumni Awards Banquet. You and Board Chair Jan Steiert, and all the Law Alumni Board members have worked to encourage the generous sponsors whose names are on the banners and tables around us, and in the program. We are especially grateful for the generosity of Capstone Sponsor Holland & Hart and Keystone Sponsors ExxonMobil and Wheeler Trigg O'Donnell. Please join me in thanking Kristin, Jan, these sponsors, and all the members of the LAB.

[applause]

And working tirelessly to manage every detail have been our loyal Dean's Office staff, especially our round-the-clock Events Coordinator, Danielle Hayward. I ask that Danielle and all our staff who are assisting tonight to be recognized.

[Applause]

We celebrate tonight the remarkable lives and careers of four of our accomplished alumni. The Knous Award will be given to Dick Bratton. We will present Distinguished Alumni awards to Anne Castle, Mark Fogg, and Judge Larry Naves. And tonight we will present a rare, Special Recognition Award to Judge Jim Carrigan, a non-alumnus who is nevertheless one of our own. If one thing stands out brightly among them all it is their commitment to the larger cause of all of us lawyers – service.

And what a distinguished *audience* this is! We have public officials, the state's top lawyers, and business leaders. And the members of the judiciary here number almost twenty, so I must forgo naming each. May I ask the members of the judiciary to stand please?

[Applause]

I would like to recognize some elected officials.

- Senator Brandon Shaffer, class of 2001
- University of Colorado Regent Michael Carrigan, class of 1994
- Regent Joe Neguse, class of 2009
- Boulder County District Attorney Stan Garnett, class of 1982

And Paul Chan, President of the Colorado Bar Association, is here.

In this audience are some very special friends of Colorado Law. Here is the Wolf Family. Marvin and Judi who led the campaign to create the Wolf Law Building. [Applause].

They are joined by daughter Wendy Wolf Kaufman, class of 1984, and Marco Chayet, class of 1997.

[applause]

Seated here with Judge Carrigan is Richard Schaden, namesake of the recently created Schaden Chair in Experiential Learning. Richard is an internationally known trial lawyer, volunteers in our advocacy program, and is one of the largest benefactors in the history of Colorado Law. He is

accompanied by his wife Bonni Lounsberry.

[Applause]

Thank you all for all you do and for being with us tonight.

As is my custom, I will take just a few minutes to recap some of the highlights of the year since we last gathered for our banquet. It has been a year filled with accomplishment for Colorado Law!

Our Homecoming celebration was bigger and better than ever, as we again coupled it with an exciting reunion program. From the exultant members of the class of 1960 celebrating their 50-year reunion to the hundreds from other classes with anniversary years in multiples of 5, the weekend of celebration was wonderful. Watch for

notice of next year's program which will be October 21-23, and if your graduation year ended in a 1 or 6, it is *your* reunion year.

We launched our Master of Laws (LL.M.) degrees program in three areas of academic strength: Entrepreneurial Law, Natural Resources Law, and Information Technology and Intellectual Property Law. Vice-Dean Dayna Matthew took special leadership in bringing this to reality.

With her hard work and that of many of our faculty we also have pursued a progressive curricular reform effort. This has resulted in the addition of a new first-year course in Legislation and Regulation that takes students beyond the common law into the world of statutes and agency practice. Hal Bruff teaches both sections of this pioneering course.

In addition we have poured creativity and rigor into our Schaden Experiential Education Program. Clinic students work hands-on in courts and administrative agencies, and some classes have learned on the ground in Peru, India, and the Colorado Plateau. Some just returned from a US Supreme Court argument where they met with the attorneys and parties.

Our clinic students have won victories in the Colorado Court of Appeals, New Mexico Supreme Court, the Ninth Circuit, the Immigration Appeals Board, and many other courts.

We have had another highly successful year in our trial and appellate competitions with students participating in some 15 competitions including our

first ever visits to the Transactional Lawyering Meet in Philadelphia and the Inter-American Sustainable Development Law Moot Court Competition in Rio de Janeiro, Brazil.

And they win! For instance, our students won first place regionally in the American Association for Justice National Student Trial Advocacy Competition and won a national title in the National Telecom Moot Court Competition in Washington, DC telecommunications competition.

Our student-initiated pro bono pledge program encourages students to pledge 50 hours of volunteer legal work to charitable or public interest causes. They have logged over 15,000 student volunteer hours doing legal work with non-profits, courts, and

with lawyers doing pro bono work – even as they toil at their studies.

All of this is experiential learning.

Our faculty continues to grow. We welcomed Professor Aya Gruber from the University of Iowa this year and next year we have recruited an entry-level professor, a lateral from the University of New Mexico, and a clinical professor. We have a great team of administrators, too, and were joined by a new Senior Assistant Dean for Student Affairs, Whiting Dimock Leary, class of 1996. Andy Hartman became our Director of Experiential Learning. And our newest addition is Director of Communications Jill McGranahan. Of course, a national search is underway for our school's new dean and our community faculty and staff – as well as two alumni - - are hard at work on that search.

We saw the departure at the end of 2010 of Professor Bill Pizzi who will be recognized upon his retirement following decades of teaching literally thousands of admiring students.

On a sadder note we lost our long-time esteemed colleague and Dean Emeritus Court Peterson, class of 1953. And Clyde Martz, a giant of the profession and former professor passed away. We miss them both.

Our faculty works hard. Its output of books and articles is, per capita, among the highest of any law school in the country. The dozen books published over the last year and scores of scholarly articles are distinguished by their quality as well as their quantity.

Will all active, emeritus, and adjunct faculty, staff, and administrators stand and be recognized?

[applause]

Last year the law school hosted nationally recognized speakers – almost one hundred of them – who are leaders in the academy like Professor Carol Rose of Yale -- business leaders, and public officials, like Undersecretary of Agriculture Harris Sherman, Undersecretary of Energy Kristina Johnson, and then-Mayor Hickenlooper, to name a few. Over 30 conferences and seminars were organized and conducted by our faculty and our four research centers [Natural Resources Law Center, the Byron White Constitutional Law Center, Silicon Flatirons Center for Law, Technology, and Entrepreneurship, and the Center for Energy and

Environment Security,] drawing thousands people to the Wittemyer Courtroom just this past year. We hosted actual hearings, too, of the state and federal courts of appeals.

Our entering class was filled with people bringing fascinating backgrounds and a record high in LSAT scores. But while we are proud of the awesomely robust statistical qualifications of our entering students, we take greatest satisfaction in finding people who we believe will be tomorrow's leaders in the profession serving the larger community, people who will emulate the spirit and leadership of the those we honor tonight.

Please help us recruit more like them. If you can, Kris Jackson, our Assistant Dean for Admissions, will be delighted.

And there is another area where you can help. Our graduates faced a second harrowing year in their search for employment. Although nearly every graduate passes the bar exam on the first try, many must settle for part-time or temporary work. On the tables are cards for you to volunteer to mentor and guide our recent graduates along their career paths. Assistant Dean for Career Development Susani Harris, as well as our students, will be grateful.

This would be an apt time to recognize our students who are here tonight. We have our Law Review editors, class officers and student volunteers who are helping. Please stand.

[applause]

These law students have been hit year after year with the highest tuition increases in the University

system. Listen to these numbers: Colorado Law students now pay about \$30,000 a year for residents. So our graduates, even as they search for jobs, are saddled with law school debt; it is no longer possible to “work your way” through law school.

Ten years ago students paid one-fifth that amount -- \$6000 a year. *30* years ago tuition was a mere \$1000. But back then the state used to support higher education. Unless things get even worse, we expect to receive only 3.5 - 4% of our budget from the taxpayers. We now depend almost entirely on tuition and gifts.

As I look back over this year – and my eight years as dean – I find much to be thankful for. I share my pride in what we have accomplished with many. The Wolf Law Building is one of the best buildings of any

school in the country. But students are paying over 62% of its cost. And the remarkable quality of all we do is underwritten by tuition and fees. Expanded learning opportunities and improved curriculum, support for faculty research, better technology and library services have all depended on our students and on our donors. This is how we have saved the quality of our programs in this recession.

Remarkably, we are still competitive, still relatively “affordable” because other schools *started* with higher costs, and have increased them too. And we are pretty frugal.

We have made great progress along the way in improving financial aid to students, with scholarships going from \$600,000 to \$2.5 million in this 8 years. Those donations that most of you here make

support student financial aid. This keeps the *net* cost of education lower.

One of our greatest challenges is to stay affordable. It matters.

Many people here mentioned to me tonight the recent article by Malcolm Gladwell in the *New Yorker*. Gladwell dismantled the law school rankings. He said if you take out the spurious metrics used by magazine editors, and focus on just four things – student-faculty ratio, student LSAT scores in the top 75%, faculty publishing, and price, Colorado Law comes out in the top ten of all 200 law schools in the country. The prices I cited earlier sound high, but tempered by scholarships and relative to our less disciplined fellow law schools, we are not just good, but great. Our commitment must

be to keep a quality legal education affordable for all.

So we are doing our best to raise funds. With the assistance of an anonymous donor matching new and increased annual fund gifts we were able to increase our alumni participation rate. Development Director John Pepperdine and his staff are working hard with major donors and foundations.

And everyone here, as we honor tonight's award winners, is part of the effort to maintain *affordable quality* for our students. The LAB has created the Alumni Scholarship by dedicating the proceeds of this banquet to that purpose. And with sponsorships and ticket sales over \$100,000, we should net more than \$45,000 for scholarships. This makes tonight a

success for our students. Please put your hands together for our sponsors, and yourselves.

[applause]

Finally, on behalf of the students, faculty, staff at Colorado Law, thanks to everyone for participating in this effort and for your loyalty to Colorado Law, especially even in difficult times. And thank you for the honor of being able to share eight years with you as your dean.

Now to begin our awards, Kristin will join me.

Knous Award

The Knous Award is named in honor of one of our most remarkable alumni, William Lee Knous, a graduate of the University of Colorado Law School in 1911. Having served as Colorado State Representative, State Senator, Governor, United States District Judge, and Chief Justice of the Colorado Supreme Court, his biography in the state archives says “He became the only man in the state ever to have occupied the highest seat in the legislative, judicial, and executive branches.” His bust is displayed permanently and prominently throughout the year at our School at the top of the stairs.

We are honored to have members of the Knous family here with us today. Bob Knous is leading the delegation. The family has garnered collectively some 17 CU degrees. May I ask the family to stand?

[applause]

We thank the Knous family for its continuing financial and moral support of this award.

As you know, the Knous Award is the most important award an alumnus of the Law School can receive and the recipient is selected by the members of the Board. It honors Colorado Law School alumni who have shown their commitment to the profession and to the School in multiple ways. The stature of the past recipients, listed inside your program, reveals the prestige the award carries. We

have a few of the past award recipients here today.
Will the past Knous Award recipients please stand.

Now, to 2011 Knous Award winner, Dick Bratton. He will be introduced by his classmate, Marvin Woolf, the second holder of this distinguished name here with us, but with an extra 'O' in it. Marvin is a Boulder lawyer who has known and fished with Dick for more than half a decade. But first, more on our recipient from his family and friends in this video done by Chris Bell of our IT staff and Jack Lucido – and directed by Ann Getches.

[Video]