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Twenty-Five Years at CUA

Clifford S. Fishman

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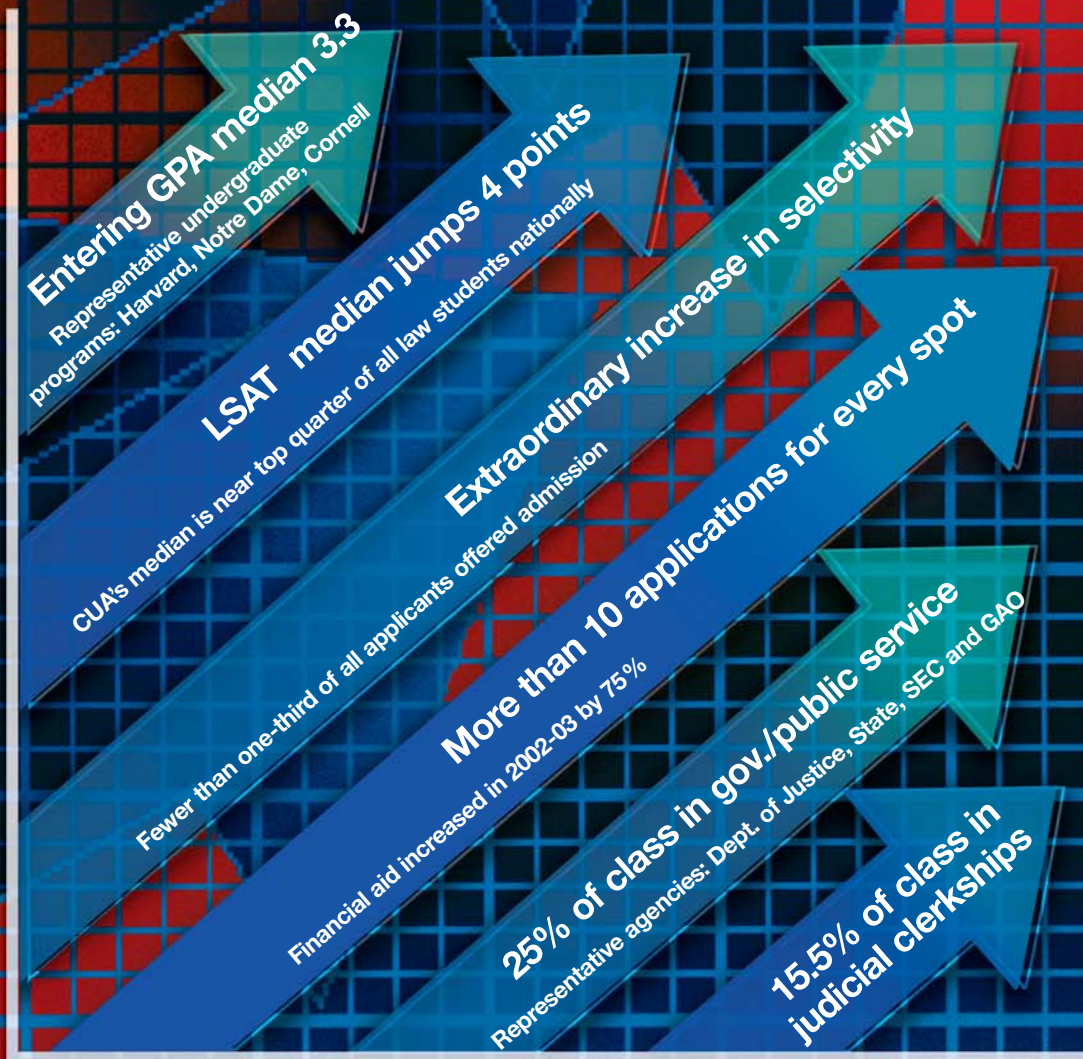
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Breaking From The Pack



**Academic Competitiveness & Public Service Soars
Above National Averages at CUA Law**

Twenty-five Years at CUA

Lots of changes, but the most obvious – the building!

by Clifford S.
Fishman

I've been on the faculty for a bit more than 25 years now: five University presidents; six deans; more than forty new faculty colleagues (currently; plus who knows how many more those who have come and gone since I signed on); and roughly 7000 students — who are now alumni, contributing their talent, energy and character to the profession and to the community.



A widely quoted expert on electronic surveillance law, Professor Clifford Fishman has seen the law school evolve from decidedly modest digs into a much-imitated, state of the art facility.

I've seen a lot of changes over the quarter century! But the most obvious change, and the one I'll focus on, is the building. Twenty-five years ago we were in Leahy Hall. In 1995, we moved to a building that is everything Leahy was not.

How did the law school get stuck with Leahy Hall? Here's the story, as told to me by senior colleagues who had lived through it.¹

In the early 1960s, the law school was housed in a building, located on prime downtown real estate, that was much too small. The sensible decision was made: sell the building and the land and build a new law school on campus. The sale produced a bit more than a million dollars. Use that as a 50 percent "down payment," finance another million or so, and build a first-class facility.

Except that the university president said no, the law school could not pay a penny more for its new building than it obtained from the sale — just enough money to build, say, a small junior high school. So, the story goes, the university did precisely that. It bought the plans for a small junior high school, eliminated the lockers from the corridors, and converted the gym to a library. Result: Leahy Hall. Located on Harewood Road between the Hartke Theater and the Music School, it was unquestionably the thorn between two roses. Not enough classrooms, not enough offices, and with virtually no "public" space, it was woefully inadequate the day it opened.

The heating and cooling system were designed by the same folks respon-

The “Camden Yards” of American law schools shines in the morning sun.

sible for the Titanic and the Edsel.

The school’s operating budget was a good match for the building. When I came on board — remember, this is ten years before personal computers — we had a faculty of 28 and a secretarial staff of two. Of whom one could type.

The 1980s were the years of the temporary fix. Dean Steve Frankino moved the administrative offices into a trailer park on the back lawn and built two beautiful, modern classrooms — in McMahon Hall. Later he moved the law school administration a quarter mile across campus to the old Physics building. (We also sometimes held large-section classes in the laboratory in the basement.)

Meanwhile, Steve came up with an impressive number of plans for a new building.

There was the Stand-alone Plan. There was the Wraparound Plan. There was the Buy Out one of the Monasteries on the Other Side of Harewood Road Plan. And so on. But each of them fell through. Eventually out of frustration

“Well, we’ve settled in, and, we have grown from strength to greater strength. My first twenty-five years on the faculty have been challenging, stimulating, and fun.”

Steve left to become dean at Villanova, which, if you think about it, means — “new building.”

Finally, in the early 1990s, Ralph Rohner and Leah Wortham built us our current home. As I walked into it the first time I said to a colleague, “Toto, I have a feeling we’re not in Kansas anymore.”²

I still think of it as the “Camden



Yards of law schools.” Like the Orioles’ ballpark did for baseball stadiums, our building has become the model for a whole generation of law school buildings across the country. (Only unlike the occupants of Camden Yards, we just keep getting better!)

But the move to the New Building (we Leahy Hall refugees still think of it that way) was not without its controversy. Offices facing the campus, with a view of the Shrine, were deemed preferable to offices facing east, over the railroad tracks, and the faculty devoted an impressive amount of energy to debating who should get which offices.

I moved that we choose by height. Roger Hartley, Ralph Rohner and Leroy Clark thought that was a great idea, but

Harvey Zuckman and David Lipton threatened to filibuster, so the motion was voted down.

Well then, how about awarding priority by the amount of facial hair? Enthusiastic backing from Lou Barracato and Bill Kaplin; mild support from Leroy Clark and Bob Destro, but the proposal died because none of the women went for it. Go figure!

Eventually priority was assigned by seniority on the faculty. (I missed the cut by one.)

Well, we’ve settled in, and (to paraphrase a Hebrew expression), we have grown from strength to greater strength. My first twenty-five years on the faculty have been challenging, stimulating, and fun.

I can’t wait for the next twenty-five.

¹ *In case you are shocked that an evidence professor would rely on hearsay, see Fed. R. Evid. 803(20), recognizing a hearsay exception for “[r]eputation in a community ... as to events of general history important to the community ... ”*

² *This is what Dorothy says to her little black dog Toto when she wakes up after the tornado has blown her house over the rainbow to Oz. (I said it to Bill Fox, because he happened to enter the building the same time I did. Please understand: I was not then and am not now likening Bill Fox to Toto. I would never think of my esteemed and dedicated colleague in so disparaging a manner. Particularly because he’s the Associate Dean and gets to decide my teaching schedule.)*