

WHERE WERE YOU ON MARCH 9, 1971?

If you're old enough, you can probably remember when astronaut Neil Armstrong planted a heavy boot on the moon and uttered, "That's one small step for man, one giant leap for mankind," or when you—along with a nation—stared in a trance at a television screen after hearing the words "the president has been shot." You could certainly recall where you were when the world moved into a new millennium. For many in the charter class of the J. Reuben Clark Law School, the moment they first heard that there would be a law school at BYU made such a strong impression that they can visualize exactly where they were and what they were doing.

Monte Stewart of the charter class was sitting at a devotional in the east bleachers of the George Albert Smith Fieldhouse on March 9, 1971, when Elder Harold B. Lee, with no particular fanfare said, "At our meeting this morning we announced plans, which have been previously approved by the Brigham Young University Board of Trustees, to establish at this university the J. Reuben Clark College of Law" (Harold B. Lee, *Decades of Distinction: 1951–1971* in *SPEECHES OF THE YEAR* 3 [Brigham Young University Press, 1971]). Fittingly, the announcement came nearly one hundred years after the birth of the school's namesake on September 1, 1871.

REMEMBERING THE BIRTH OF THE LAW SCHOOL

BY LOVISA LYMAN

Stewart, home from his mission only two months, had already decided to attend law school after graduation, and the thought that he would have something to do with that law school immediately entered his mind. When Elder Lee continued by saying, "This college will probably open in the fall of 1973 or thereafter as circumstances may dictate" (id.), Stewart quickly started calculating. He intended to graduate in 1973 and enter law school that fall. If the school opened later

new school, he immediately wanted to be in the charter class, because it was an opportunity of a lifetime to contribute to something that was just beginning. (See a related story on page 37.)

Scott Cameron, also a member of the charter class, heard the announcement in August 1971, just before he started his first year of teaching English at Ricks College. Though he wasn't eager to go back to school after earning two degrees at Stanford, he admits that it was the first time he had even con-



Early Law School faculty members Gerald Williams, Rex Lee, Edward Kimball, and Woodruff Deem face the charter class at the August 1973 orientation.

than 1973 (as it developed, many thought it would more likely be 1974), he would already be attending another school. He discounted his first impression as just a product of his "own neurons."

David Fischer did not do his undergraduate work at BYU, but when he heard about the

sidered attending law school.

Gary Hill was at the devotional with Monte Stewart. He had known he wanted to attend law school since second grade and would have liked to continue at BYU, but he had accepted the first offer he received, which happened to be Samford in Alabama. He

has no regrets about his years in Alabama, since he met his wife there, and has still had ample opportunity to make a long-lasting contribution to BYU as a law librarian.

Cheryl Preston, class of 1979, heard about the new college from her mother, who informed her that she could now attend BYU for law school, so there was no reason to even consider anywhere else—particularly if she was counting on her mother's support. "It turned out great, but BYU was not what I had in mind at the time," admits Preston, now a professor at the Law School.

BYU Law School associate dean Constance Lundberg was a teaching assistant at the University of Utah Law School when a colleague pontificated over coffee that the new school wouldn't "amount to a hill of beans." BYU would need at least one nationally known Mormon legal scholar, he said, and in his estimation there were only three in the United States, one of whom was Carl Hawkins, "who would not demean himself."

Dean Reese Hansen, like Constance, was a third-year law student at the University of Utah on March 9, 1971. He had heard whisperings about a BYU law school but thought it unlikely. The announcement of the BYU Law School was "quite a surprise," but what he recalls more than that is Rex Lee's visit to Dean Sam Thurman. Dean Thurman rounded up a few of the law review students to meet Lee, whom Hansen found to be "an interesting young guy." Only later did it

occur to Hansen that "Sam was trotting out some of the students Lee would want to be aware of."

In his book *The Founding of the J. Reuben Clark Law School* (BYU Studies, 1999), Carl Hawkins recounts the spiritual nudging he experienced after the initial announcement and the nudging of other faculty, including founding dean Rex Lee. But potential students and faculty were not the only people who wanted to be part of a new and daring endeavor nor the only ones who felt their spiritual neurons react. Peter Mueller, Carolyn Stewart, and Curt Conklin have much to say about their early involvement in the Law School. All three were employed by the school before it opened and have continued to work there ever since.

Peter Mueller was the first Law School employee recruited. He completed his master of library information science degree in December 1970 and immediately started working as a full-time Germanic literature cataloger at the Harold B. Lee Library. Soon after the March 9 announcement, Ernest L. Wilkinson called Mueller into his office. Wilkinson, whose retirement as president of BYU had been announced the same day the news of the Law School had, was assigned to get the school started by seeking out faculty, staff, students, and a location for the school.

Characteristically, Wilkinson had pulled a file on Mueller and determined that he was right for the job of developing a collection strategy and implementing procedures for the new law

The Universe

Brigham Young University • 424-431-4321 • Provo, Utah • Vol. 25 No. 64 • January, May 1, 1973



Groundbreaking ceremonies today

Groundbreaking ceremonies for BYU's new Law Building are scheduled for today at noon. All students, faculty and the public are invited to attend the event, which will take place at the site of the new structure in the parking lot east of the Harmon Center.

Remarks will be given by BYU President J. Reuben Clark II, Dean Rex Lee, dean of the J. Reuben Clark Law School, which will start its first students this summer, and the president of the state of Utah, Don Hansen.

The new building, designed by Peter and Frances, Salt Lake City architects, is expected to begin construction in the fall.

The date of the groundbreaking, May 1, is the birthday of Rex Lee, the first president of the United States Law School. The building is designed to "bring people closer to the heart of the law," said Don Lee.

Patrick Construction Company of Salt Lake City has been awarded the contract for the structure, 97,432 square feet building. The structure was designed by Peter and Frances, Salt Lake City architects.

Completion date for the building has been set for March 1977.

Until the new structure is completed, classes will be held in temporary quarters in the J. Reuben Clark School in Provo. The new library has already been set up in the building, which has been leased from the Catholic Church.

Small dimensions of the building are 200 feet by 147 feet, with the larger dimension running north and south. The structure will be divided into three main parts. The three-story library complex will be located on the north, the student office and administrative services in the center, and the two-story lecture and seminar rooms complex on the south end.

An elevated walkway over the Harmon Center will connect the third level of the Law Building with the rest of the campus. The walkway will provide access to both the Law School and the parking lot, thus eliminating pedestrian traffic across Harmon Center at that point.

The Law Building will contain the 200,000 volume library, 12 lecture and seminar rooms, offices for 15 faculty members, administrative offices and areas for teaching assistants, food service, restrooms and lockers.

Meeting places for the new BYU campus teachers will also be located in the building, and one of the conference rooms will serve as the high council room for the campus stake.

Dean Rex said the building is being designed so that the classroom wing can be closed off from the rest of the school. This will allow student teachers to conduct their activities during teaching assignments without interfering with students and faculty members working in the office and library areas.

A computer room of the building will be the 400-square-foot study center in the library. Book room will be assigned to a student, providing him with a computer study area, a locker and a coat hanger all in one place, explained Don Lee.

Meeting arrangements in the lecture rooms will also be different from the usual. Students will be placed in a class, then to their assignments during class, said Don Lee. The most common will be the study room to use the computer while working in a traditional with some law school, he said.

Meeting arrangements in the lecture rooms will also be different from the usual. Students will be placed in a class, then to their assignments during class, said Don Lee. The most common will be the study room to use the computer while working in a traditional with some law school, he said.



Architect's rendering of the J. Reuben Clark Law School to be located in the Harmon Center parking lot. Groundbreaking ceremonies will be held today.

Staff members resign, Dean fired

Watergate breaks open

WASHINGTON (AP) — President Nixon today announced the resignation of his first, Richard M. Helms, and his White House aide, John D. Mohr, in a challenge to the Watergate scandal.

The first White House counsel, John D. Mohr, said in a statement that he had resigned because of the "unpleasant and unproductive" nature of the Watergate investigation.

Helms, who had been in the White House since 1969, said he had resigned because of the "unpleasant and unproductive" nature of the Watergate investigation.

Helms, who had been in the White House since 1969, said he had resigned because of the "unpleasant and unproductive" nature of the Watergate investigation.

Elder Benson to speak

BYU President J. Reuben Clark II, dean of the J. Reuben Clark Law School, will be today's featured speaker at 10 a.m. in the Harmon Center.

A member of the Council of Teachers Against the Book of Mormon, Elder Benson has served the LDS Church as a missionary in the South West from 1911 to 1913 and a stake president of the Boise and Washington stakes. In 1914 he was appointed president of the European Mission, a position of honor and spiritual leadership in the Mormon Church.

A member of President Dwight D. Eisenhower's Cabinet during his administration, 1953-61, Elder Benson attended Utah State Agricultural College and was graduated with honors from BYU. He also attended Iowa State College, where he received his M.S. degree, and his doctorate from the University of California.

He is the recipient of several honors, having received the honorary degree of doctor of laws from Brigham Young University in 1971. He is a distinguished member of the



Elder Ezra Taft Benson

library. Bruce Hafen, assistant to the university president, was also in the meeting. Both men told Mueller they had nothing to offer him in the way of a permanent appointment, staff, accommodations, or equip-

ment. Despite the uncertainties, Mueller agreed to be the draftsman. He would be setting up the new library from a small office in the Lee Library.

Mueller scrounged up an Alder manual typewriter and

some paper and began his work. Wilkinson had already begun to order books, and Mueller continued to do so at an average price of \$25 a volume. Even at that price, less than a quarter of the cost of a

volume today, the estimated expense of establishing a first-class collection, building a facility, and hiring faculty was daunting. Once Dallin H. Oaks succeeded Wilkinson as president of BYU, he provided the board of trustees with a revised estimate of costs. "After some second thoughts about whether to go ahead with the law school, the board of trustees eventually approved the higher cost proposals" (id. at 8). Carolyn Stewart observes, "The board of trustees was—and always has been—willing to do what was needed for a first-rate school."

rate from the existing library. You really build a law school not only theoretically but physically around the library." Lee thus made it clear that though the law library and its one employee were in the Lee Library, the law library would be autonomous—not the case in all law schools—and that the library was a priority.

At the end of 1971, another BYU librarian, Harry Dees, joined Mueller in the law library. Dees had been on loan to the University of Utah teaching its law library staff how to recatalog their books using the Library of Congress

representative depository long before law libraries generally were afforded depository status. The collection he built at the Law School included many rare and valuable documents, some of which have since been moved to the Lee Library.

Early in 1972 Mueller heard rumors that several University of Utah people would be coming on board. Since it was tacitly understood that BYU Law School would not pirate University of Utah Law School faculty or staff, he was very curious about whom these people might be. The first to appear was Carolyn Stewart.

When she heard about the new BYU Law School, Stewart first wondered what the University of Utah would have to do with the new school. A BYU graduate in business education and accounting, Stewart had been administrative assistant to the dean of the University of Utah Law School for six years and secretary to the acting dean for two years previously. In the months following the announcement, she became less and less content with her job. Finally a "strong, overwhelming feeling" convinced her "eight years at one job was enough" and that she should move on. She tendered her resignation and accepted a secretarial job at a manufacturing company, planning to stay there only until she found something more to her liking.

The second person to arrive from the University of Utah Law School was law librarian David Lloyd, and though he came later than Stewart, he was instrumental in her hire. Lloyd was a recent law graduate who had been managing editor of the *Utah Law Review*. In addition,

he had worked part-time in the University of Utah law library for four years under one of the best-known law librarians in the country. Though Lloyd didn't remain at BYU for long, his initial contacts and developmental efforts were vital. One of his foremost contributions was alerting Bruce Hafen, a University of Utah law graduate who had benefited from Carolyn Stewart's excellent skills, that Stewart no longer worked at the university and thus might legitimately be offered employment at BYU without straining collegial relationships. Hafen contacted Stewart in March, and she reported for work at BYU on April 2, 1972. Lloyd himself arrived at the beginning of May.

Other University of Utah graduates soon followed: Randy Peterson, who became Lloyd's assistant librarian, and Reese Hansen and James Backman, former note editors for the *Utah Law Review*. Hansen and Backman would continue with their fledgling legal practices while assuming the role of upperclassmen at BYU. As such, they and a few other "newly minted lawyers" worked as small-section teaching assistants and legal writing instructors. Later Hansen and Backman helped get the *BYU Law Review* started. Thus, Hansen claims to have always been at BYU, even though it wasn't until the second year of school that Lee convinced him to take a full-time faculty position teaching commercial law.

Another newly minted attorney came in June 1971, when Hafen hired recent Duke graduate David Thomas for six weeks to evaluate legal bibliographies and make sug-



The March 9, 1971, edition of *The Daily Universe* headlines the announcement of the J. Reuben Clark Law School.

Meanwhile, the search for a dean was well underway. On November 9, eight months to the day after the school was announced, Oaks disclosed the appointment of Rex Lee. In a November 10, 1971, *Daily Universe* article reporting his appointment, Lee said that the Law School could begin with only four teachers and 50,000 volumes in the library. The biggest challenge, as he saw it, was finding a law librarian, who, he said, were as "scarce as hens' teeth." He emphasized: "The law library is an essential and absolute imperative for the law school and should be sepa-

system. LC cataloging did not yet have official instructions for legal materials but did promise to be a much better system for accessing large collections than had been the old Dewey system. The BYU law library would use this system and needed Dees' expertise. Dees not only understood cataloging but was a government documents specialist with a network of library colleagues through whom he could get government publications, the lifeblood of legal study. By May 1972 his contacts with congressmen resulted in the library being designated as a

gestions about which books to order. In July Thomas left for a stint as law clerk for Sherman Christensen but was subsequently hired in 1974 to replace Lloyd as a faculty member and law librarian.

Carolyn Stewart reported for work at Saint Francis of Assisi, a former parochial school three blocks south of campus that BYU had leased for three years while the new law building was being constructed. The first day she walked into "Saint Reubens," as Lee said it should be known in the "true spirit of ecumenism" (*Daily Universe* April 4, 1972), she saw nothing but clean bare floors and empty walls badly needing paint. No paint was in the plans, however, nor were other renovations, though some of the lighting was subsequently upgraded. The books were still stored at the Lee Library but would soon be moved to Saint Francis. Stewart's office was in the school lunchroom/kitchen area, a long room close to the south entry door and just past the glassed-in reception area that would be dubbed "the fish bowl" and frequently adorned with paper fish. She and Rex Lee would share the long room with a divider between them. Their furniture, all from campus storage under the stadium, was mismatched and unappealing. It was to this room that curious potential students and prospective new employees came to seek an audience with Lee, whom Carolyn Stewart met for the first time at the beginning of June.

Two of these visitors were Monte Stewart and his friend Mark Zobrist. In the fall of 1972, they had just begun their senior

year at BYU, and their curiosity was piqued about the new dean. Lee welcomed them with his characteristic graciousness but immediately began recruiting them when they disclosed their LSAT scores. Monte Stewart recalled his feelings: "There wasn't a chance I'd come to BYU Law School, but it was a fascinating experience talking to Rex Lee." Lee did not relent in his efforts until, six months later, they both agreed to enroll.

Of these days Carolyn Stewart says, "By the time students came to law school, they all felt they were Rex's good friends." When school began, this familiarity would occasionally have a downside. Students sometimes had unreasonable expectations, like dictating the curriculum and deciding such trivial matters as whether bells should ring at the ends of classes. Stewart recalls, "Two or three students would go into Rex and say it was demeaning to have bells rung, and Rex would instruct me to call Physical Plant and get the bells turned off. Then a few days later, more students would complain that classes were running overtime because no bells were rung, and I would again call Physical Plant and get them reconnected."

Even worse, she says, was the first round of final exams when Woodruff Deem told students taking his morning final that they could take as long as they needed. After two or three students kept him waiting for their tests until one a.m., Deem set limits. Generally student suggestions worked out, like asking the university to send representatives to Saint Francis to do registration, collect tuition payments, and take

book orders, which was done for two years.

Peter Mueller moved his small operation from the Lee Library to Saint Francis soon after Stewart arrived, installing the law library in the south classroom wing. A frequent visitor to Mueller's office was Curt Conklin, Mueller's home teaching companion. Conklin fully intended to pursue a teaching career in his old mission field in Australia once he completed his degree in history and political science, but the job market wasn't encouraging. Mueller suggested he learn library processing. Conklin began working at Saint Francis in June 1972 as serials librarian but later moved to cataloging, completing graduate work in library science.

Meanwhile Hafen, Lee, and Oaks were recruiting students at a fast clip. New faculty joined the cause as soon as they were proselytized. Standards announced were generally much lower than those of the school today: a GPA of 3.0 and an LSAT in the high 500's (*Daily Universe* April 4, 1972), but high-level efforts were made to capture the interest of students headed for Ivy League schools. Stewart spent a great deal of her time making travel arrangements for Lee's faculty and student recruiting trips. Lee optimistically expected 1,000 applicants, because all law schools across the country were filled to capacity.

While the staff was trying to make the most of the situation at Saint Francis, architects were refining plans for the school's permanent home with a projected completion date before the second class arrived. To refine their design, the archi-

tecs visited many law schools. In retrospect, Stewart suggests that the final result might have been more user-friendly had some academics accompanied them in their travels. Of course, no one could be spared since all were preoccupied with finding faculty and students for the first class.

The site for the new Law School was a prime piece of university real estate east of the Wilkinson Center being used as a student parking lot. World War II and Korean War army barracks had once occupied the place. The barracks had subsequently been used as student housing, and Rex Lee himself had lived there as an undergraduate. Long-range plans dating from the 1960s had envisioned the spot as the terminal end of a mall beginning with the Mathematical Sciences/Computer Building and extending eastward. Several possibilities had been considered for the area, but the Law School was ideal because it was self-contained. For any needs on the main campus, an elevated walkway would be sufficient and keep traffic moving underneath. Undergraduates were assured that they would only lose 250 parking spaces with the construction.

Law Day, May 1, 1973, was the bitterly cold date when "asphalt" was broken for the building using a front-end loader. Atop the tractor rode Lee, Oaks, and Elder Ezra Taft Benson. Once soil was exposed, conventional shovels took over while coatless onlookers braved the icy sleet. A fortunate few huddled under blankets.

It wasn't until the construction company got to the seri-

ous digging that an underground river that ran from Slate Canyon to Utah Lake was discovered. Fortunately, they were able to drive pylons into bedrock and proceed.

Within one year of the Law School announcement, the library had gathered 20,000 volumes, many contributed from personal libraries, including those of Wilkinson and Oaks. The library was one third of the way to the 60,000 needed for accreditation. Roy Mersky, librarian at the University of Texas at Austin, was hired as a consultant in planning the library. The Austin library, considered one of the best in the nation, had 300,000 volumes for a student body of 1,500. Mersky hosted Lloyd and Mueller in Texas for intensive library training, after which the two BYU law librarians visited 50 law libraries across the nation, and Mueller returned to Provo. Some of these libraries, including the University of Utah, the University of Texas, Stanford, Yale, and the University of Chicago, donated or sold books to BYU. Besides visiting libraries, Mersky and Lloyd contacted publishers and dealers looking for the best buys on new and used books. Mersky came to Utah for the month of August 1972 and gave his stamp of approval to the growing collection. (Mersky would return to Utah in the mid-1980s to learn from Thomas and Mueller how to automate a law library, as by that time the BYU law library had become a national leader in library automation.) Among the resources ordered were four sets of *West's National Reporter System*, which began to arrive by semitruckload.

In September 1972 Rex Lee was able to say in *BYU Today*, "We already have the lawyer's

basic working collection of books. In fact, most of the research that a working lawyer could do could be done in our library right now." On October 12, 1972, a *Daily Universe* article reported that the law library was open weekdays from eight to five for student, faculty, and public use of the reference collection. Special permission was required to check out books, and attorneys Lloyd and Peterson provided reference services but—as is still the case at the reference desk—did not give legal advice.

The summer before the Law School opened its doors at Saint Francis, Conklin worked alongside several students accepted to the charter class. One of these was Scott Cameron, whose initial interest in Law School had been fired up by Bruce Hafen's active recruiting. Cameron and Conklin often competed to see who could carry the most books to the shelves, but more often Cameron stamped books as library property for hour after hour, singing (though he tries to deny it now), "Rubber ball, come a bouncin' back to me."

By the time classes began the fall of 1973, the collection had grown to 100,000 volumes, a larger collection than those of half the law libraries in the nation. Included were materials from every state, the British Commonwealth, and some emerging African and Asian countries. Most of the collection remained boxed and stored, but a basic collection was displayed on shelves.

Ranges of shelves were installed down the center of the gymnasium, dubbed "the great hall," leaving space for a large-section classroom with a teacher podium on the stage on one side and shelving interspersed with

study tables filling the remainder. More shelves occupied the old west-wing classrooms along with eight-foot-long tables. The tables were divided in half with tape, marking the beginning of BYU's tradition of individual study carrels. BYU borrowed the idea of individual carrels from the University of Houston, which has since, like all other law libraries except BYU, ceased to offer a carrel to every student. Other study tables went into the shower room and refrigerator area. (One enterprising student would later commandeer a custodial closet, where he laid a plank of wood over the sink and moved in a chair.) These study arrangements were quite spacious during the first year, but when the new building was not completed for the second year, carrel space was cut in half.

Besides the large-section space in the great hall, the chapel was also used as a classroom, though the lease stipulated it never be used for religious purposes. (Some students would quip that the confessionals there were quite appropriate for lawyers.) The second-floor private nuns' kitchen and dining area, complete with fireplace, served as a small-section classroom, faculty lounge, and legal research training area. Nuns' cells, each with a little window, became faculty offices.

Accommodations were less than desirable, but students in the new building would later admit to missing Saint Francis' meager spaces. "Because Saint Francis was smaller, students and faculty were all involved in decision making," Stewart nostalgically remembers. "In order to get anywhere, you had to pass by others—be physically nearer. It was easier to bond and develop relation-

ships. When students moved to the new building, they felt they were leaving something behind, something they'd never have again. The new building was spacious but impersonal."

As opening day, August 27, 1973, approached, five faculty members—Carl Hawkins, Edward Kimball, Dale Whitman, Woody Deem, and Keith Rooker—in addition to Rex Lee, Bruce Hafen, Dallin Oaks, and David Lloyd, were prepared. Ernest Wilkinson had admonished on March 9, 1971, to teach the "same relevant subjects as at any other law school," but whether they would "begin with different premises" and come up with "different answers" remained to be seen (Ernest L. Wilkinson, *Decades of Distinction: 1951-1971* in *SPEECHES OF THE YEAR* 9 [Brigham Young University Press, 1971]).

The 157 entering students, 12 of whom were women, selected from more than 400 applicants were eager to begin. Administrators, faculty, students, and staff seemed to share the conviction that the school was supposed to *be* though they did not all agree on the *why*. BYU President Oaks voiced his own certainty at the founding ceremony: "[T]he trustees of Brigham Young University, whom we sustain as inspired leaders, have decided that Brigham Young University should have a law school at this time. I have received a confirmation of the divine wisdom of that decision and am quite content with that. The special mission of this school and its graduates will unfold in time."

For more information on the history of the Law School, visit www.law2.byu.edu/Jrcls/Brochure.html.

GIFT COMMEMORATES LAW SCHOOL 30TH ANNIVERSARY

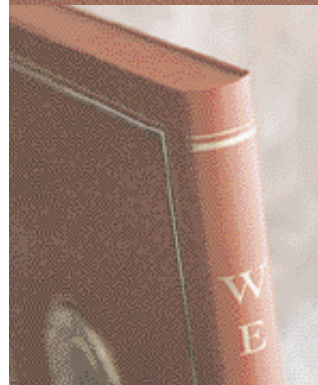
An inaugural exhibition featuring authentic reproductions of the founding documents of the United States celebrates the 30th anniversary of the announcement of the J. Reuben Clark Law School. The recently acquired documents are part of a limited-edition folio titled “We the People,” produced to commemorate the bicentennial of the Constitution, and were given to the Law School by David Fischer of the charter law class. On permanent display in the Howard W. Hunter Law Library, the collection includes facsimiles and typeset versions of the Declaration of Independence, the Constitution, and the Bill of Rights.

The founding documents have played a pivotal role in the Law School from its inception. Referring to the importance of these texts, former Chief Justice Warren Burger admonished students at the Law School dedication in 1975 “to execute their trust in keeping with the traditions of Western Civilization, with the ideals of the Declaration of 1776 and the Constitution—always guided, as the authors of those great documents were guided, by a Divine Providence” (see www.law2.byu.edu/Jrcls/Brochure.html). His remarks echoed those of Harold B. Lee, then president of the Council of the Twelve and a member of the First Presidency, when he announced the school March 9, 1971:

*It is a fact that this Church has looked upon the Constitution, as the Lord has revealed, as having been framed by men whom God raised up for this very purpose. Where else but on this campus should we be concerned about having a school of law where we can train lawyers who will defend the Constitution of the United States, keeping in mind that the Prophet Joseph Smith is quoted as having said that the time would come when the Constitution may hang as by a thread and the elders of the Church may have to step forth to help save it. [Harold B. Lee, *Decades of Distinction: 1951–1971* in *SPEECHES OF THE YEAR 3* (Brigham Young University Press 1971)]*

The reproductions of the founding U.S. documents were imprinted on vellum, requiring 5,000 sheepskins to produce the 250 copies in the edition. The typescript versions were produced from hand-set lead type on a hand press, the only surviving working model of its kind and originally used to print promissory notes issued by France’s revolutionary government.

Accompanying the vellum reproductions of each of the founding documents are reproductions of related documents and images from the late 18th century including woodcuts, engravings, and etchings, some watercolored by hand. For example, following the Declaration of Independence is a reproduction of Thomas Jefferson’s edited copy, and following the Constitution is a reproduction of that document with George Washington’s annotations. The loose sheets of the folio are encased in



The red calfskin case of the “We the People” folio features bronze reproductions of historic coins.

a 22-inch-by-30-inch red calfskin box inlaid front and back with bronze medallions sculpted from coins of 1787 and 1792.

Publisher Edouard Weiss, director of the Gallery Art Concorde in Paris, created “We the People” especially for the United States in cooperation with Ann Reeves, an artist and a former museum curator in the United Kingdom. Reeves researched hundreds of docu-

The Declaration of Independence and other historic documents in the folio were printed on vellum using a vintage hand press. ►

A rare engraving of George Washington in civilian dress is circled by seals of the original 13 states and the Great Seal of the United States. ▼

ments available from the period, with Weiss's help selected those to include in the folio, and designed the presentation. American artist Paul Jenkins produced an original triptych lithograph on stone especially for the edition.

David Fischer became involved with the "We the People" folio when Weiss and Reeves came to the United

States to present copies to President Reagan, Chief Justice Berger, Vice President Bush, the United States Congress, the Library of Congress, and several national libraries. Weiss and Reeves enlisted Fischer, who had worked closely with President Reagan for years, to arrange for the presentations. In appreciation for his successful efforts, they presented Fischer with a copy of the folio. Most of the folios were sold to private collectors, the \$25,000 price tag being prohibitive for libraries. Those that have found their way into libraries have done so through the generosity of donors like Fischer.

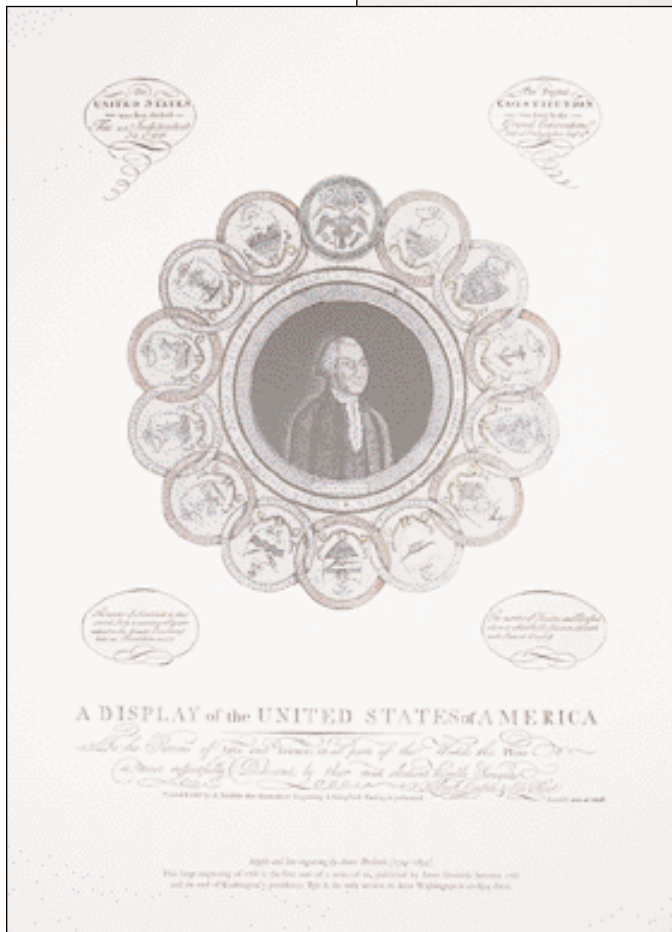
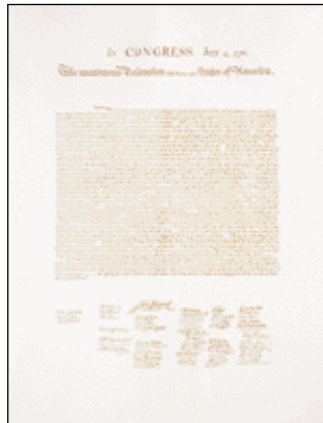
Characterized as an exceptionally talented entrepreneur by former classmate Lew Cramer, David Fischer served on Governor Reagan's campaign staff during his third year of law school and after graduating in 1976. Subsequently he was appointed Reagan's executive assistant in 1978 and served as a key member of the strategy group that planned the 1980 campaign. During Reagan's first term, Fischer was also special assistant to the president managing the Office of the President. After leaving the White House for private industry, Fischer was appointed by Reagan and later Bush as the u.s. commissioner on the International Boundary Commission from 1985 to 1991. Additionally, he advised Senator Orrin Hatch on his first senate campaign and worked on Hatch's Washington, D.C., staff.

After leaving full-time government service, Fischer's private sector involvement began with a period as senior vice president and chief administrative officer of Huntsman Chemical. In 1989 he purchased Cypress Packaging, a bank-

rupt manufacturer of packaging materials in Rochester, New York. Under his direction as chair and CEO, Cypress became the nation's leading supplier of specialty film used in packaging fresh produce and a major supplier of packaging materials for Dole, Kodak, and Xerox. When W. R. Grace purchased the company after seven years of operation, Fischer continued to manage and expand the operations. During the time Fischer owned Cypress, President Bush appointed him as a member of the u.s. delegation to the United Nations Human Rights Commission in Geneva, Switzerland.

Currently, Fischer is again in Washington, D.C., simultaneously serving as a board member and executive of an international financial services firm headquartered in New York City and as a partner in a Washington, D.C.-based consulting firm whose partners are former Senator Jake Garn and fellow charter class members David Lee and Lew Cramer. Last year Fischer was an early investor, board member, and executive of a successful Internet B2B start-up.

The "We the People" folio went on public display in the Hunter Law Library on March 9, 2001, in a specially constructed display case that allows for continuing rotation of its many components. The display will be a tangible reminder of President Harold B. Lee's expression of the goal of the Law School: "If we can train lawyers who are soundly based in the Constitution, we will have made a great step forward in helping to send out into the world men who will uphold, defend, and protect the basis of the foundation of the great United States of America" (Id.).



LAW ALUM DAVID NUFFER SERVES AS UTAH BAR PRESIDENT

As he nears the end of his year as president of the Utah State Bar, David Nuffer, '78, has found that the best way to magnify his contribution to the association has been to widen his vision. "Because the Utah Bar has a commitment to long-range planning, my goal has been to focus on the prior and future needs of the Bar, avoiding short-term programs," he says. "That is an achievement in itself, since short-term offices can tend to divert resources to short-term goals."

David's term as president began last July; however, he has served in the association since 1994, when he was made a commissioner. While he believes that "the office [of Bar president] is more like being chair of the commission than being a four-year executive elected office," he was "surprised at the magnitude of the workload as president": he now spends 60 to 80 hours a month at Bar work, compared to 20 to 30 hours a month in previous positions.

David attributes technology as his entree into service in the Utah State Bar. After doing a CLE for lawyers on computers in

the 1980s, he was asked to help the Bar move from its AS400 system to another system, for which he recommended networked PCs. From 1980 to 1991 he served on the Utah Supreme Court Special Task Force on the Management and Regulation of the Practice of Law, an experience that familiarized him with all aspects of Bar work. He relates, as a commissioner for the Bar a few years later, "I proposed the commission look at the emerging 'internet thing' (as I called it), which I predicted might be as big as the fax machine!" Made chair of the Utah State Bar Internet Services Committee in 1995, David says that lately his "emphasis has moved from technology to 'change management,' which is the real result of technology."

A graduate of what the Law School's charter class referred to as the "third class," David prides himself that he was a member of the first class to have its three years of law school in the new J. Reuben Clark Law School Building. Although he admits he had "no St. Francis experience," he does remember the narrow stairwells of the new building

and how on his orientation tour someone remarked on the monastic existence those walls forebode. "Honestly," he adds, "being on a Church school campus through the potentially dislocating experience of law school was very good. I am still impressed by the outstanding faculty and student 'cast.'"

Actually, it was a "dislocating experience" that helped nudge David toward law school. Leaving the tranquil surroundings of Oregon, where as a boy he lived in a small community where his family ran a tree nursery, he moved to the suburbs of Chicago in June 1966. The racial rioting and attacks on civil rights marchers that summer made history, and they also made an impression on David, who was entering his high school years and was shocked by the prejudice and hatred. "The transition was very unsettling for me," he recalls.

David's devotion to the practice of law has served the profession well since he graduated from the J. Reuben Clark Law School in 1978. Just four months after being admitted to the Utah Bar, he and Steven E. Snow started their own prac-



tice. Originally named Snow, Nuffer, Engstrom, Drake, Wade & Smart, after its six founding BYU Law School graduates, Snow Nuffer now has more than 20 attorneys working at the firm's offices in Salt Lake City and St. George. David says he works "half time in the practice and half time as a part-time U.S. magistrate judge."

In addition to his work in the firm, at the bench, and for the Bar, David has an active family life: he and his wife, Lori, he says, "have loved raising a family in Southern Utah, where the out-of-doors is a way of life." They and their seven children, who range in age from 9 to 25, have enjoyed many a trip to Zion, Bryce Canyon, and Grand Canyon National Parks as well as river running the San Juan—so much, in fact, that David and Lori have a part-time hobby of river guiding in Eastern Utah.

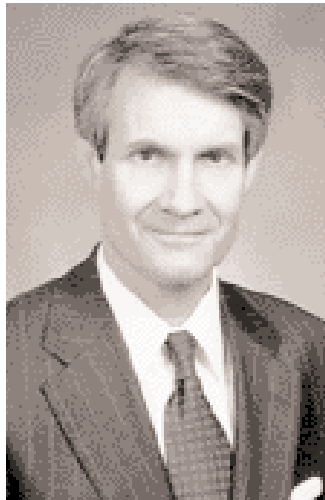
THOMAS GRIFFITH RETURNS TO BYU

For Tom Griffith, accepting a job as BYU's general counsel and assistant to the president was just another exciting opportunity in an eventful legal career.

After serving a mission for the Church in South Africa and Zimbabwe, Tom graduated from BYU summa cum laude with a bachelor's degree in humanities. He returned to his native Washington, D.C., area, where he served for three years as director of the Church Educational System over a three-stake region. Tom then shifted his professional emphasis to the law, attending the University of Virginia Law School, where he was an editor of the *Virginia Law Review*. Upon graduation he accepted a job with the North Carolina firm of Robinson, Bradshaw & Hinson. There he specialized in commercial, corporate, employment, and First Amendment litigation. In 1989 Tom joined the Washington, D.C., firm of Wiley, Rein & Fielding, where he became a partner.

While working in Washington, D.C., in 1995, Tom was asked by then Senate majority leader Bob Dole to serve as Senate legal counsel, its chief legal officer. For Tom this was one of the most rewarding professional experiences of his career. Recognizing the non-partisan responsibility of his office, he worked to represent the institutional interests of the Senate. His resolve to remain nonpartisan produced remarkable results: within a short time he earned the confidence and respect of both the Republican and Democratic leadership.

Because he "played it straight" with both sides of the



aisle, Tom was invited to counsel the Senate on many controversial matters. The apex of his service there was his participation in the impeachment trial of President Clinton. One of Tom's greatest memories from that experience came the day before the impeachment trial commenced, when he met with the Republican and Democratic caucuses and taught the senators about the history and purpose of impeachment procedure. Sensing the historical significance of the moment, the senators were a very attentive audience, something any teacher would have enjoyed.

After serving as Senate legal counsel, Tom returned to work for Wiley, Rein & Fielding before being asked last summer to come to BYU as general counsel and assistant to the president. He loves his alma mater, the associations he has at BYU, and the spiritual nature of teaching truth and building the kingdom of God. For Tom Griffith, being a teacher and an advocate are more than just professions—they are opportunities to serve his fellowmen and the Lord.



Michele Cheney,
Tessa Santiago, and
Ryan L. Marshall

MOOT COURT TEAMS TRIUMPH

BYU's moot court teams have experienced a season of unparalleled success in all of the competitions in which they have entered this year. Students on next year's BYU traveling teams will have their work cut out for them trying to live up to the standard of excellence demonstrated by the three teams sent to represent BYU at the Marshall-Wythe School of Law at William and Mary, Fordham University Law School, and Duke University School of Law.

Setting the tone for what would soon become a remarkable semester for the BYU moot court program, the team of Michele Cheney, Ryan L. Marshall, and Tessa Santiago traveled to the College of William and Mary at Williamsburg, Virginia, to compete on February 23 and February 24, 2001, in the 30th Annual William B. Sprong, Jr., Invitational Moot Court Tournament. The team's outstanding performance resulted in a first-place tie between BYU and two-time defending champion, the University of South Texas. One week later

the team of Anita Montañó, Bill Sawkiw, and Adam White traveled to Fordham University to compete in the Irving R. Kaufman Memorial Securities Law Moot Court Competition. The team's strong performance propelled BYU into the semifinal round.

Capping off the moot court program's great start in the year 2001, BYU's three-member team consisting of Jennifer Brown, Chad Grange, and Lance Locke participated in the Rabbi Seymour Siegal Memorial Moot Court Competition at Duke University on March 2 and March 3, 2001. Facing two-time defending champion Southern Methodist University in the final round of the competition, the BYU team won the competition outright, giving BYU its first ever first-place finish at the annual Duke University competition.

Congratulations are extended to all of these moot court participants for their stellar representation of Brigham Young University in these distinguished interschool competitions.

—Lance H. Locke