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The
Golden Gate University
Story

Volume II
1958-1970
A Chronicle

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operating costs that could be met only by increasing the number of students, raising tuition, and getting massive financial support in the form of gifts for current use. He warned that any attempt to meet these added costs by diverting to the Law School current gifts in the amounts needed would weaken the expanding programs of the School of Business and Public Administration and that a substantial increase in tuition might price the Law School out of its market. He concluded by saying that, if adequate funds could not be found to bring the Law School to an acceptable level, then the College ought to investigate the possibility of merging it with another law school.

Mr. Bissinger added that he felt that whatever Golden Gate College did should be done well and that, regardless of ABA demands, the Board should either find ways to upgrade the Law School or close it.

The discussion ended with a request that the staff prepare a report on the cost of bringing the School up to a "respectable" level and on the economic impact on the College as a whole if the School were closed.

In the midst of all this gloom, there was one bright ray of light: in September, 1968, the College received from Bancroft-Whitney payment of \$6,000 for the first volume of the *Annual Survey of Law*, edited and in part written by law faculty and students, which had been professionally well-received by lawyers throughout the state. Dean Gorfinkel estimated that additional anticipated royalties might bring this base amount up to \$15,000, a hope that, unhappily, was not realized.

The Law School Gets a New Dean

The Law School problem had been further complicated when John Gorfinkel wrote me on August 21, 1968 that he had been invited by the State of California to "assume the direction of a program for the accreditation of those California Law Schools which are presently not accredited and after serious consideration I have decided to accept the offer on July 1, 1969." He then added: "I am submitting my resignation as Dean, effective June 30, 1969 . . . requesting a leave of absence as Professor of Law for the academic year 1969-70."

On August 23, 1968, the Board reluctantly accepted the Dean's resignation and granted him a leave of absence for 1969-70 from his

teaching position. I was asked to coordinate with the State Bar of California its public announcement of his appointment with our announcement of his resignation. The Board's Special Committee on the Law School was requested to establish criteria and methods for selecting a new Dean to take office on July 1, 1969 and Dr. Marsh and I were appointed ex-officio members of this Committee. I was asked to express, on behalf of the Board, our deep appreciation to Dean Gorfinkel for his long service to the School of Law and our regret that this association was coming to an end.²⁰

The Special Committee on the Law School, after meeting with the Executive Committee of the Board on September 27, 1969, recommended that a President's Advisory Committee on the selection of a Dean of the Law School be authorized. This Committee would consist of two Trustees, appointed by the Chairman of the Board, one full-time and one part-time faculty member selected by the Law School faculty, one part-time and one full-time student selected by the officers of the Student Bar, and the Academic Vice President who would serve as Chairman. This Committee would develop a statement of the qualifications required, secure applications, evaluate candidates, interview a limited number of the best qualified, and provide them opportunities to talk with students, faculty and members of the Board's Executive Committee.

The Advisory Committee would then send the Executive Committee of the Board, through the President, a list of those candidates who seemed best qualified for the Deanship. The Executive Committee would then select a final candidate and submit his or her name to the Board for confirmation. If no suitable candidate was found on the first round, then the process would be repeated all over again.

The Board Chairman announced at the October 25, 1968 meeting that he had appointed the following to the Advisory Committee:

Dr. Charles Marsh, Chairman
Paul Jordan, Trustee
Rudolf Grammater, Trustee
Michael Golden, Associate Professor

²⁰Dean Gorfinkel's letter of resignation was made part of these Minutes. The Dean held a tenured appointment as Professor of Law and it was from this position that he took a leave of absence.

Leo Paoli, Lecturer
Russell Pitto, full-time student
Joseph Lasky, part-time student

The Committee held its first meeting on October 29, 1968.

By December 6, 1968, the Committee had met three times and planned to meet every other week. Twelve candidates had been asked about their possible interest in the position and four had said that they were interested.

On March 28, 1969, the Committee submitted to the Executive Committee a short list of acceptable candidates from which the Committee selected one. The Board confirmed the Committee's nomination at its March 28, 1969 meeting and an offer was made. Unfortunately, this candidate also had been offered a teaching position at a large private university and he decided to go there.

At the May 23, 1969 Board meeting, Mr. Jordan reported that the Committee had found a well-qualified candidate whom it was prepared to recommend to the Board through the Executive Committee.

The search ended on June 27, 1969 when the Board confirmed the appointment of J. Lani Bader who had joined the faculty as a full-time Professor of Law at the beginning of the 1968-69 academic year. Mr. Bader had had extensive experience in private practice, had proved to be an excellent teacher, and was well regarded by the faculty. He was the unanimous choice of the Advisory and Executive Committees. So he was appointed Dean to take office on July 1, 1969. We felt fortunate in finding a Dean who had been associated with the School and who was thus familiar with the staff, faculty, and students and with the School's operations and problems.

One of the reasons Mr. Rudd had given for postponing action on the School's application for approval was that, by doing so, the Council was giving us a chance to select a new Dean who would be asked to appear before the Council in August, 1969. I had therefore kept Mr. Rudd informed of our progress in finding a Dean and he seemed pleased with the Board's choice.

We all said good-bye to Dean Gorfinkel with a sense of deep regret and a feeling that an era had ended. He had been associated with the Law School for some 30 years. He had transformed it from an unaccredited evening school into a day and evening school, with a full-

time faculty, accredited by the State of California and provisionally approved by the American Bar Association. It was a pity that his last two years should have been clouded by faculty problems and the failure to obtain full ABA approval for which he had worked so hard. But he left behind him a record of achievement that will always stand high in the annals of the Law School and the College.

The Law School Asks for a Separate Commencement

The Law School created a new problem early in January, 1969 when its Student Bar Association sent me a petition requesting that the School be authorized to hold its own separate commencement exercises. Arguing that while

. . . it is necessary to maintain administrative unity with the college, it is [also] necessary that the graduate program in law maintain a certain degree of independence to allow it the freedom to progress on its own and fulfill its present declarations of "coming of age" as a law school that can compete on equal grounds with other, more prestigious law schools.

The petition then resolved that

. . . it is the consensus of this Board . . . that the proper time has arrived in the development of this School of Law to initiate a program whereby the Graduate School of Law will have a separate graduation ceremony with the major emphasis on law, the legal community, and the lawyer's place in society.

Such a ceremony, the Resolution argued, would enable the Law School to:

1. Invite noted speakers and dignitaries from the legal community;
2. Provide time for a valedictory address;
3. Allow for the presentation of awards in recognition of academic excellence;
4. Provide ample time to extend [the graduates'] gratitude to faculty, administration, and Trustees of the College;
5. Provide an opportunity . . . to create effective public relations by bringing recent developments, success, and future plans to

the attention of the unapprised members of the legal community; and

6. Conclude the ceremony with a reception for the graduates, their families, and the invited guests.²¹

Appended to this Resolution was a statement that the faculty had recently passed its own resolution stating that it had no objection to the Student Bar's request for a separate graduation.

When I received this Resolution, I asked the President of the Student Bar and the Chairman of the Law School Faculty for more details. On January 7, 1969, I sent the Resolution to the Board's Executive Committee saying that I did not think that it was in the best interests of the College as a whole to split the traditional commencement exercises into two parts and so destroy a symbol of the unity of the College. I also noted that there would be some technical difficulties, that it would cost money, that the staff and Trustees would have to attend two ceremonies in succession, and that other schools in the College might want to have their own ceremonies.

I then suggested that the Law School could hold a ceremony in advance of the commencement exercises to which the graduating students, members of the Law School staff and faculty, Trustees, certain members of the College staff, and guests of the graduates would be invited. The program might include a speaker from the law community, a valedictory address, a report on Law School developments, and the presentation of awards and prizes. The ceremony could conclude with a reception for the graduates, their families, and their guests. But the degrees would continue to be conferred and diplomas awarded at the College commencement. The cost of the ceremony would be covered by a special fee to be paid by the graduates in addition to the regular commencement fee.

Just prior to the January 24, 1969 Board meeting, the Executive Committee met with Mr. Loufbourrew, the President of the Student Bar, Mr. Gruber, the Vice President, Dean Gorfinkel, and Professor Bader, the Chairman of the Law Faculty Association. Though there was agreement that some sort of separate ceremony was desirable, the Trustees felt that the unity of the College commencement should

²¹Student Bar Association, "Statement on a Separate Commencement," undated, appended as Attachment G to BM, 1/24/69.

not be destroyed by awarding the Law School degrees at such a ceremony. Consensus was then reached on these two points:

1. The College would continue to hold a commencement exercise for all graduates, including the Law School graduates, at which degrees would be conferred and diplomas awarded; but
2. The Law School could hold a separate ceremony, either before or after the College commencement, to "accomplish the purposes set forth by . . . the Student Bar Association."

The Executive Committee recommended to the Board at the January 24, 1969 meeting that this agreement be approved and it was.

The first separate Law School ceremony was held in June, 1969 at a hall near the Cow Palace. It was a very informal affair preceded by cocktails and a good dinner. Everybody seemed to have a good time.²²

We Re-define our Objectives

As I have mentioned earlier, we had spent a good deal of time, off and on, developing our long-range plans but we had, in 1968-69, no blueprint for the future in place. So in May 1968 we determined to meld the studies we had already made into a ten-year plan. At that time, a new concept called Management by Objectives was being pushed by the management theorists. The idea was simple: first you defined clearly your institutional objectives and then did the same for every unit all the way down the line. You could then develop strategies and tactics for achieving these objectives and methods for measuring each manager's success in meeting his or her specific objectives.

We turned once again to McKinsey and Company for help. In November, 1968, Bruce Krueger began a series of conferences with me and the key staff on the systematic approach used in developing a Management by Objectives program. We set up a Management Process Committee to carry out the study. We quickly discovered that

²²It was also agreed that, when the number of graduates became so large that it was not feasible to hand each graduate his or her diploma, the question of a separate Law School Commencement at which degrees would be conferred would be considered. After I had left the presidency, the Law School was authorized to hold its own separate commencement at which the degrees were conferred.