

From the Oral History of

FRANCES MCGANN MCQUADE

Frances McGann McQuade (1916–2007) commenced work at the new UCLA School of Law in 1949 as secretary to the dean and retired in 1982 as assistant dean for administration.¹

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BERNARD GALM (UCLA ORAL HISTORY INTERVIEWER): Mrs. McQuade, before we start getting into the history of the law school, I'd like to ask you something about your personal background. Where were you born?

MCQUADE: I was born in Chicago, but I grew up mainly in New York City, and I graduated from Manhattanville College in New York and from the Katharine Gibbs School, which is really a school for people who have



FRANCES MCGANN MCQUADE

¹ For further information, see the Editor-in-Chief's introduction on page 1 of this volume: 11 CAL. LEGAL HIST. 1 (2016).

graduated from college to learn how to be executive secretaries. I married [John J. McQuade], and my husband's business brought him to California.

Shortly after we got to California, I decided I needed to look for a job, came to the university — we were living on the Westside — so I came to the university and came to work for Robert Vosper, who at that time was the associate librarian. And while I was in the library building [later Powell Library], part of that space was allocated to the new dean of the law school for temporary offices. And when he came, who was L. Dale Coffman, he was looking for a secretary, and because I was in the building, I heard about the job and applied for it and was accepted by Dean Coffman. The law school at that time consisted of one large room and one smaller room, and we began interviewing applicants for the law school and trying to set up a law school. He had anticipated that he was going to bring with him from Vanderbilt the woman who had been his administrative assistant, I guess. So he really hadn't too much information about how to set up records, and so on, and I had absolutely none; so it took us a while to get the law school organized, I must say.

GALM: Before we get into that aspect of it, let me just ask you a few questions about things that you may not know firsthand, but perhaps that you know secondhand, or thirdhand. And that has to do with the establishment of the law school itself at UCLA. What is your sense of how it [the allocation bill] got through the [California State] Legislature?

MCQUADE: Well, I know very little about that; not having lived in California, of course, I had no knowledge of the legislative procedures. I believe that present Judge [William] Rosenthal was the one who was instrumental in getting the funds allocated by the Legislature. I really have no idea about the determination of the need for a law school on this campus, or anything of that sort. Clearly by the time that Dean Coffman had come, information had been put out about the opening of the school because candidates were coming to apply, and the [law] library had already started. When the building, a small building, was given to the library, they already had a sizable collection to move in there. And I really have no idea how that all began.

GALM: You had mentioned the library. Do you know whether Dean Coffman appointed the librarian, or was that appointment made before he came?

MCQUADE: There was someone in charge of gathering the collection before he came, but when he came he appointed Thomas Dabagh as the director of the law library. He stayed on for about a year or so, and then he went on to Berkeley to become assistant to the president, I think. Then a man by the name of Louis Piacenza, who Mr. Dabagh had brought in as an assistant, was made law librarian. But Dean Coffman made those appointments.

GALM: Did the law librarian also act as an assistant to Dean Coffman? Was that part of his title or job description?

MCQUADE: I have the feeling that that was the intent when Mr. Dabagh was appointed, but I don't think it actually worked out that way. I think that they were not compatible for that purpose.

GALM: Was there an actual focus of incompatibility?

MCQUADE: Well, I think they just — it was a mutual decision that they just simply weren't getting along.

GALM: Let's get back to the actual physical setting of the [temporary law school quarters] — could you describe just what you had and where it was at?

MCQUADE: It was in what is now Powell Library, and I think it was in the area at that time called Special Collections. It was one room, oh, I don't know, I suppose fifteen by fifteen [feet], let me just say, and then another smaller room adjacent to it, which I used as a kind of a secretarial/reception and general room, and the other room was Dean Coffman's office. I think I went to work for him about in February of 1949, and we were there until June, when a building that was a Quonset hut kind — no, they weren't, they were barracks buildings, they weren't Quonset huts. We were given one of those for a classroom, one of them for the library, and then a half of one that was for the office space. We had faculty offices there, the dean's office, and then a general office, which I occupied. The other half of it was allocated to the personnel office of the campus. And those were all, in very general terms, in the back of Royce Hall, kind of where the humanities building [Rolfe Hall] is now. Subsequently, about two or three years after that, when the faculty got larger, we got another building, some distance away, probably two or three buildings on, for additional faculty offices, until we moved into the permanent building in 1951, I think it was.

GALM: I know you had a bit of trouble with your neighbors there. Can you sort of describe just what that problem was?

MCQUADE: It turned out that the building that was adjacent to the classroom building was the building in which the UCLA Band practiced; and as you may or may not know, law classes consist in large part of discussion between the faculty member teaching the course and the students, and the students with each other, and it's essential that they hear. Well, the band had very little regard for the law school activity, and we had a constant argument with the band people trying to get them to arrange their schedule to suit our time when we weren't having classes. We had many faculty members who would simply walk out of the class and say, "I can't teach." And blow into the dean's office, who would then blow into the — at that time it was a provost and not a chancellor, to his office. So I suppose that blowup took place once a week, and everyone was glad when the football season was over.

GALM: Theater arts was your neighbor, too.

MCQUADE: Yes, they were, and we often saw them out building their sets and wearing their costumes, or lack there of, and that was of great interest to the law students and, I guess, the faculty, too. They were never bored, with one thing or another.

GALM: So actually then, how many classes of students did you have in the barracks?

MCQUADE: Well, in '49 we accepted a first-year class, and their classes were — I think there were about fifty students, and so they all met in one section. It was scheduled so they would have an hour of class, and then an hour off, and then an hour of class. They carried approximately fifteen hours of class; so they met, say, three hours in the morning and two hours in the afternoon and five days a week, in general terms.

Then in the second year we accepted another class, so that in 1950 we had a first year and a second year. They met in the alternate hours, so that we were able to manage with one classroom for those two classes. Then when we had a third class, we were in the main building and, of course, then able to have a better schedule.

GALM: How many applicants, do you recall, did you get for the first year?

MCQUADE: We had three or four hundred at least, maybe five hundred, because — well, it seemed that everyone who had just gotten out of the Army wanted to go to law school — or out of the service, I shouldn't limit it to the Army. So we had a tremendous [response] and we had a lot of calls. I think we had a lot of inquiries. How many actual applications we had, I suppose were somewhere between three and five hundred, I guess.

GALM: Did that come as a surprise to Dean Coffman or other faculty involved?

MCQUADE: Well, I think it probably was a surprise, in that I gather that prior to the war there were not that number of people applying to law schools, so that their experience really had been limited to prewar or during the war when, of course, there were few applicants who were able to go to law school. So I think that the whole explosion of interest in law schools was a surprise, and I don't think they were quite prepared for the number of applicants.

GALM: How involved were you with Dean Coffman in the actual plans for the building of the law school, the new building?

MCQUADE: Not terribly. He was fond of saying that he had taken a brown piece of paper and had planned the building on the living room floor of his apartment in California. I think that he worked with the architects, and he and the members of the faculty, from 1949 on, every day used to go to lunch together, and then they would walk over to the construction site, and I once in a while would accompany them, but very rarely. So I really had very little involvement in that; for one good reason: I didn't know anything about it. I wouldn't have been able to offer any opinions at all. But he primarily worked with the architects, and as I say, that was his favorite story about how the building was designed.

GALM: What about the site? Did you ever hear Dean Coffman comment on the actual site of the law school?

MCQUADE: Well, I think the reason that this site was selected was that in the planning of the university, there was an attempt, as I understand it, to keep the sciences together and the humanities together, to make it easy for students to take classes that would be in similar disciplines so that they could easily go from one building to the other, and not have to go from

one end of the campus to the other. Now, the law school, since it was a total entity and didn't have students taking classes in other parts of the campus or in other disciplines, it was put on the periphery for that reason. That was my understanding.

GALM: There were thoughts of a downtown law school, too.

MCQUADE: Yes, but that I think goes to the philosophy of the law school. I think that Dean Coffman and, I suppose, other people who were advising the university on the site determined that they did not want a downtown law school. They wanted a law school that was a part of the university and had the atmosphere of a university and would encourage a scholarly feeling about the school, and not one where you had the faculty coming in to teach a course and then going back to the practice. They wanted to have a really academic kind of law school, and they're really two different animals: a law school that's located on a university campus, and a law school that's in a downtown location.

GALM: Was there a thought given to providing residence for students, law students?

MCQUADE: Yes, that was one of Dean Coffman's dreams. He wanted to have — well, one of the things he really wanted was to have a building built north of the law school building which would be a residence for law students, and then there would be an adjacent arrangement where they could eat together and they could go to the library and really would live in a total legal and academic atmosphere. But that never came to pass. I'm sure he presented it on every occasion to the university authorities, but I don't know whether they weren't interested or whether they didn't have the money, or all of those things. But he was very eager to create that kind of a situation where law students would just eat and sleep law.

GALM: But from the very beginning it seems as though there was a feeling of isolating the law school from the campus in general.

MCQUADE: That was his intent. He felt that that would be the most desirable atmosphere, for law students to be totally immersed in the law. He really had no desire for the students to participate in university activities, or for any students from other disciplines to come into the law school.

GALM: Do you know whether this was the situation that he created at Vanderbilt? What experience do you think he was harking back to?

MCQUADE: Well, he talked a lot about his own experience as a student at Harvard. I'm not too sure whether he was able to create that at Vanderbilt or not. Of course, that was a different situation; it was a private school, and, you know, that whole atmosphere would be different. And he wanted things, like the students, oh, I guess in some school — I'm not sure whether it was Harvard or where — law students carried a cane, just because it was a kind of a mark that they were a law student and, I don't know, wore hats or something. And he was trying to encourage the students to do that sort of thing. He also inaugurated a —

GALM: The cap and gown?

MCQUADE: No, no, no. Just some kind of a straw hat or something, just an identifying hat of some sort. Apparently at Harvard the law students carried their books in a green canvas bag, I guess it was, and he had the student store stock those and try to encourage the students to use them. But none of those things were really enthusiastically received by the California students. They just were not interested in that sort of a thing. And I think that he was kind of appalled at some of the outfits the students would appear in. Of course, now they would look well dressed. But in those days, the fact that they weren't wearing suits and neckties was hard for him to deal with.

GALM: Did he attempt to enforce a dress code?

MCQUADE: Well, not actually enforce it, but he certainly made his desires known. But again, they were not accepted by the law students. I think they just disregarded them; I mean there was no confrontation. They just simply disregarded them, and I think he finally decided that he couldn't fight on every front.

GALM: Those first few classes, did you have any students from out of state?

MCQUADE: Yes, we did have some from out of state. I think probably the out-of-state students we had were men who had been in California while they were in the service and had fallen in love with it and had decided that they were going to live here and, since they had decided to become lawyers, come to this law school. Many of them would come as nonresidents for the

first year and establish their residency, and then stay on. So it was kind of hard to determine if they were really here to stay or to go back. And most of them were here to stay. We had a few women in that class too, you know; but of course in those days women were in the minority.

GALM: Women that did graduate out of that class?

MCQUADE: Oh, yes, I think the number one in that class was a woman, number one and number three in that class were women, and the second person was a man. So that was quite a coup for those ladies.

GALM: I think Dorothy [Wright] Nelson was an early graduate of our law school.

MCQUADE: Yes, she was. I've forgotten what class she was in, but one of the early classes. That's right.

GALM: Did you ever hear who else might have been up for dean, the founding dean?

MCQUADE: No, I really didn't. I think that Professor J. A. C. Grant of the political science department headed the search committee for the dean. At one time I saw a lot of correspondence from the search committee to various people, but because I was so unknowledgeable of legal circles, none of those names meant anything to me. I'm sure if I had read them later I would have recognized names, but at that time it meant nothing to me. I don't think Dale Coffman was the first choice, but I have no idea.

GALM: Do you know how much input the regents might have had in the selection?

MCQUADE: I think that — I really don't know. I shouldn't — I would only be guessing. I suppose that the lawyers — Judge [Victor R.] Hansen, who was a regent at that time, I know was friendly with Dean Coffman, subsequently — I suppose that the lawyers on the board had a great deal of interest and possibly some input, but, of my own knowledge, I know nothing about that.

GALM: I know later on, and we'll talk about it later on, when the law school broke away from the Academic Senate that Dean Coffman seemed to have strong support from Regent Hansen. Was that an early friendship?

MCQUADE: I don't know. My guess is that when Dean Coffman came to the campus to begin the school, my guess is that either he sought out the regents or they sought him out — the ones who were lawyers on the Board of Regents. My guess is that he knew nobody in California, so probably it was a normal kind of a friendship to start up after he had assumed his position. But I really have no idea when he met them. When he came in February to begin the school, he had been to California before for an interview, I know. How long he had been here, or what transpired during that period, I don't know. And so probably at that period would be the time, I guess, he would have met Judge Hansen.

GALM: Do you recall whether Regent Edward Dickson played an active role in the founding of the law school?

MCQUADE: I don't really know whether he played a role in the founding, but he certainly was one of the strong supporters of Dean Coffman during his activity as a regent. But I really don't know. I suppose he might have, and I guess, as I think back, there was some feeling that he was a strong supporter of the school being founded here. But again, I really know very little about that.

GALM: Was he a frequent visitor to the law school?

MCQUADE: He only — No, no. Neither he nor Judge Hansen came very often. I can really only remember very concretely one incident where we, as I indicated earlier, were having terrible problems with the heat in the rooms, and the library heat, down in the stacks, was almost unbearable. So Dean Coffman invited Regent Dickson to come for lunch one day, and then he took him on a tour of the library and of the classrooms. He had fortunately selected a nice warm day and took Regent Dickson through as slowly as possible. And I think we got a little action out of that.

GALM: What was your first impression of Dean Coffman? He was your first boss.

MCQUADE: Well, he was very pleasant and very agreeable to deal with. I was — it sounded like a very interesting job to me. Of course I didn't anticipate that I was going to be there forever. But at the time I enjoyed the academic atmosphere, and as I say, he was a very charming man and very pleasant to work for, and seemed to be willing to give me an opportunity

to do something on my own, and not stand over me all the time, and so on. So I was very pleased. He was a man who was a very delightful companion, in the sense if you met him at a dinner party, or whatever, you'd enjoy his company. A very pleasant man.

GALM: Did you have any assistants?

MCQUADE: When we moved into the barracks building in June or July, then we hired. We hired another woman by the name of Kathryne [B.] Lewis. And then shortly after that we began to hire some secretarial staff because the faculty began to arrive then in, I don't know, end of August, first of September, something like that. I really can't remember. But, in any event, we needed some secretarial assistance for the faculty when they came. During that summer of 1949, before the first class, we divided up the activities then, and Mrs. Lewis took care of the applications and the admissions. Then I began to supervise the staff and concern myself with the budgetary activities and the planning, budget planning, and the financial side of the law school and the staffing and the general overseeing of the activities of the various staff members.

GALM: Did you have a lot of contact with students?

MCQUADE: Yes, I did. I had a lot of contact with students because, while Mrs. Lewis was, as I say, in charge of the applications and so on, during that summer we had to devise a permanent record card for the students, and we had to begin to prepare to work with the university administration, because Dean Coffman found that it was going to be necessary, in spite of all that he wanted, for the students to register in the university as well as enroll in the law school. So we had to devise ways that we could interface with them. The students were in and out all the time. It was just a common occurrence for them to come in. I saw many students on a whole variety of problems, not essential problems, but a variety of things. And we, Mrs. Lewis and I, personally checked over every permanent record card and grade and application, and so on, because we were very concerned with accuracy. So we knew all the students by name very quickly, and by the time they came we knew more about them than they would have cared for us to know, I'm sure. But we'd been over those applications so many times, so that very quickly we began to know them.

Also we had to take attendance in the classes. The way Mr. Coffman wanted that done, was someone — one of the members of the office staff — went into each class and took attendance. Students had assigned seats, and if there was a vacant seat, it was presumed that the student was absent. Then a record of the absences was kept, and if the absences began to be excessive, the student was notified that he was liable to be dismissed from that course or whatever. Some kind of action was to be taken.

GALM: How long did attendance-taking continue in the law school? Or how long were you responsible for it?

McQUADE: Well, all the time that it was being taken I was responsible for it. I would say that it probably [continued] maybe less than ten years, but for quite a long period of time. I know that we had attendance taken when we were in the new building. I can't remember; it was for four or five years after we were in the new building. So it was something under ten years, but it was a long period.

GALM: Was it beyond Dean Coffman's deanship?

McQUADE: Probably not. Yes, that's probably the time when it stopped is when he ceased being dean.

GALM: Was that something also that was a standard part of Harvard Law School?

McQUADE: To take attendance? I'm assuming it was, I'm assuming so. At that time, too, students were a lot more regimented than they are now. It seems outrageous now to think about taking attendance, but at that time it wasn't considered — I mean, students didn't like it, of course — but I don't think it was considered to be such a terrible thing to do. You know, there were rules regarding absences and the number of absences, and so on, and I think that it was just sort of an accepted thing.

GALM: Why don't we talk a bit about the faculty, the first faculty. Who were the members?

McQUADE: Dean Coffman brought from Vanderbilt a man by the name of Harold Verrall; he had been a lifelong friend of his from Iowa, and he taught Property. Then he brought another man —

GALM: How old was he at that time — Verrall?

MCQUADE: Verrall? Well, I suppose he was in his forties maybe, late forties, middle forties. Somewhere in there.

Then he brought Rollin Perkins, who I think had been his teacher at Iowa. Dean Coffman had gone to the University of Iowa law school and then to Harvard for graduate law work. He got his doctorate in law at Harvard. But I think Rollin Perkins had taught him at Iowa. He taught Criminal Law.

Then we had Brainerd Currie who taught Contracts. Then James Chadbourn taught Procedure, and those —

GALM: Chadbourn would have been later, though, wouldn't he have been?

MCQUADE: I'm really trying to recall that. I guess maybe he did come later. Then we had — let's see, we had Verrall and Perkins, and Edgar Jones was in the early faculty — and he was really just almost out of law school — and Dean [Roscoe] Pound. I'm trying to think if I missed anybody.

GALM: I don't think so, not among the initial five or six.

MCQUADE: Yes, that's right. Dean Pound of course was the world-famous scholar who had been at Harvard. He had retired from Harvard, and then he had been in China as an adviser to Chiang Kai-shek, and that post was just finishing up when Dean Coffman was looking for faculty. It occurred to him that Pound might be interested to come here for a year on his way back from China, and he was in fact interested in doing that. He stayed a couple of years.

But he was, of course, an absolute legend. An incredible man. He was in his eighties, I guess, when he came to teach here, and his mind was very sharp. He had a few personal idiosyncrasies. I remember the students telling us that when he came to teach one course, he said, "When I first started teaching this course, the automobile had not yet been invented." Which gave them quite a sense of time. But again, I think Dean Pound was always amazed at the California students, too, because they were a far cry from the students that he was used to. I think they enjoyed being around him, and he gave them a sense of continuity in the law. They had difficulty following him in class, however, and his course was popularly known as "The Mystery Hour."

He was very interested in people. He lived downtown in the Chapman Park Hotel, I think. He used to take the bus everyday. He knew everyone on

the bus, their life history, they knew him, and he was very gregarious. Then we used to get students to drive him back and forth to his hotel at times, and they always enjoyed that because he gave them a tremendous fund of stories about his various activities in life. It was a kind of a fun thing.

GALM: So he was very intellectually active at that point?

McQUADE: Oh, yes indeed; he was still writing articles, I presume as actively as he ever had. I don't know that he wrote any books while he was here, but he certainly wrote several articles. You know, he would sit in his office working all day, at the times that he wasn't teaching.

GALM: What influence might he have had on Dean Coffman?

McQUADE: Well, I'm sure that — I don't think he exercised any overt influence, but I'm sure that he subtly influenced him. Because I think that Dean Coffman somewhat used him as a role model and probably tried to model the school after a kind of a school that Dean Pound perhaps would think was a good — would be proud of. But I think rarely did Dean Pound — I really shouldn't say that, I don't know. I wasn't present at faculty meetings in those days. I guess he did influence the resolutions that the faculty made, because I think he spoke out his mind, which would probably be somewhat in opposition to some of the other faculty. So I suppose he probably did have a fair influence.

Faculty meetings in the first few years used to take place at lunch in a restaurant, because there was no Faculty Center at that time. They frequently used to go to a restaurant called Farmer John's, which was over on Sepulveda north of Sunset. I think it's called the Fine Affair now, or it's a similar kind of restaurant, anyway.

At other times they went to the Westwood House in Westwood Village. The faculty would be asked to go to lunch every — I don't know if it was every Friday or once a month. I can't really recall now. But, in any event, that was the way faculty meetings were held. Once in a great while I went, but not very often. It was mainly if they wanted some information that I might have.

But that was a great source of irritation among the faculty as it grew. Maybe the first year they didn't mind so much because most of them were friends, but shortly after that, maybe by the second year or so, many of the faculty members began to feel that it was an improper way to conduct a

faculty meeting. They felt that it should be in the building, it should be at a set time when people could attend, with access to records if they wanted them — just a totally different kind of atmosphere — rather than having it at a lunch table in a public room.

GALM: So when did the faculty meetings begin to be held at the law school?

MCQUADE: Probably, I suppose, a year or two after we were in the big building. That would be the third or fourth year of the law school. I really don't remember precisely, but I'd say somewhere in there. There were then enough faculty, because of course we kept hiring more faculty, and by the time that the full three-year curriculum was being offered, I suppose we had fifteen faculty members or so. I'm only really guessing, because I haven't tried to refresh my mind on this. By then there was a sufficient number making their desires known, and to be really persuasive to Dean Coffman.

GALM: At what point did you start attending on a regular basis as secretary?

MCQUADE: When Richard Maxwell became dean.

GALM: I see, so up until that point you were only an infrequent visitor.

MCQUADE: That's right, that's right.

GALM: Erle Stanley Gardner seems to have played quite a role in the early law school. How did that friendship or association come about?

MCQUADE: Well, Dean Coffman met him at some social event, I guess, and enjoyed meeting him. Then he invited him to participate in the law school in the sense of talking — I think he addressed the students a few times and was an invited guest by Dean Coffman to various activities that we had. I must say that a number of members of the faculty took a very dim view of that whole relationship. I don't think they objected strenuously enough so that they wouldn't welcome him, but I think they really thought that he was not an appropriate scholar-type for us to be having the students take the time to go and listen to him, under our auspices. But the students enjoyed him, and he was a great showman, as well as being a good mystery writer.

He's the one who ultimately gave us those scales of justice that used to be in the hall (I don't know whether they're still there now; I haven't looked in a long time). But apparently he gave Mrs. [Helen] Coffman, or told her

that he would like to make a gift to the law school, and I guess either gave her the money or told her to buy something. So she happened to be in some antique shop and saw these old scales. They are old French scales, and I guess quite valuable, because they had the markings on them and so on. So she happened — no, I think this is what actually happened: She saw them, and she happened to mention to him at some dinner party or something they were at that she'd seen these scales, and wouldn't they be nice for the law school? I think then Erle Stanley Gardner said, "I think they would let me buy them for you and give them as a gift." That's I think the sequence.

So then they were put down in the hall. I've forgotten how they were displayed originally, but then subsequently that case was made for them. When they first came they occupied a very prominent position, but as time went on they kept being moved further and further into the background. I think that was kind of the way Erle Stanley Gardner was regarded. He gave, I think, a whole collection of his books to the library. But Dean Coffman thought very highly of him. And he did come, as I say, as a speaker. He talked to the students about investigation, which was of interest to them, and he had done a lot of that, as I understand it. So he did have something of substance to talk to them about. Anyway they got a big kick out of having him come.

GALM: He never taught summer school, though, did he?

McQUADE: Oh, no, he never taught anything that had any academic credit.

McQUADE: But I think he was promoting a person to teach summer school, a Marshall — is it Houts?

McQUADE: Marshall Houts, yes, because they had an organization — the name of which escapes me for the moment — the Court of Last Resort, that was it. Marshall Houts was a very interesting man. He had had an interesting career; he'd been an explorer and a lawyer and I don't know — all sorts of interesting things. He and Erle Stanley Gardner had this Court of Last Resort, in which they agreed to take the causes of people who had exhausted the possibilities of the court system and yet felt that they were being unjustly accused or jailed, or whatever, for something that they did not commit, but they had either no funds or no way to get evidence to prove their innocence. Erle Stanley Gardner and Marshall Houts would take these cases, and Houts would do most of the investigation, although

Gardner did some too, I guess. They had a magazine that they put out, and they'd write up these cases, and that's how they earned some funds in order to continue this program. I guess they helped a number of people in that way. Marshall Houts of course was — I mean, he was a lawyer and had the academic credentials. And he did teach a course or two in the summer.

GALM: Was there any faculty resistance to his teaching?

MCQUADE: Oh, no. No. It was quite different.

GALM: He was recognized.

MCQUADE: He was recognized and respected by the faculty. He was a good friend of Richard Maxwell, too. He was an excellent teacher, very interesting because of all his experiences and so on.

GALM: Did the dean's wife play an important social role in those days?

MCQUADE: Yes, she did. At least Mrs. Coffman did. I don't know whether it was the custom in other schools or not, but she felt that she was a vital part of the dean's position. She took a great deal of interest in new faculty, in helping them find housing, in welcoming them, in trying to help them find schools for their children. She was a very active person. When we were getting ready for the dedication, as I recall, she and one or two other wives prepared the invitations, and I think probably she had much to do with the menu and the location and that sort of thing. Yes, she was very active in the school.

One thing — apparently, I guess this must have been a tradition — at the time when the school had a chapter of the Order of the Coif, which is an honorary society, and a school has to qualify in order to be eligible to have a chapter. And then after it qualifies, the top 10 percent of its graduates are eligible to be elected to Coif each year. At graduation in those days, for people who were in Coif, in the button that holds the tassel to the mortarboard, around that a little white ruffle was placed to indicate Coif. And Mrs. Coffman maintained that it was the prerogative and the responsibility of the dean's wife to provide those little white ruffles for the Coif members. And she did so for several years. I've not seen the white ruffle in recent years, so I guess that practice must have just disappeared.

GALM: When did the Order of the Coif begin, and was there any story behind that?

McQUADE: No, no. As soon as we were eligible to apply to have a chapter established, which I would presume would be probably after the school had been in operation maybe five years, when we had a couple of graduating classes and all the accreditations had been accomplished, Coif sent someone to inspect us. They would have looked at our curriculum and interviewed the faculty to determine if they were engaged in academic pursuits. If a large percentage of the faculty were practicing and were not really academicians, then they might not have granted the chapter. But we met all of the requirements, in that our curriculum was substantial, and, I would say, nearly 100 percent of the faculty were full-time academics, and all the other requirements were met. So we had a chapter established with really no difficulty.

GALM: So how was the curriculum formed in those first years?

McQUADE: Well, it was pretty standard I think. Everybody took certain courses. Everybody took Property and Procedure and Contracts and Torts, and I guess they took one other course, which I guess must have been — Agency, I think it was. Throughout all law schools the students took a fairly standard curriculum in the first and second year. There was really no great attention paid to the California bar examination in determining the curriculum. Because there was a feeling that if the student had a good legal education, he should be able to deal with the California bar exam. I think the California bar exam also was based upon the curriculum in a good law school, so I don't think there was any particular problem there.

In the first and second year, the courses were set out, and as I say, they were required. I think in the second year there might have been a choice of one or two courses. I can't really remember now, because as the years developed, choices became available to the students. It was a kind of a slow process. Of course the third year was always elective, but the electives were pretty limited. I think that there were probably three courses that everybody took, and maybe they had a choice in the two others — something like that. While students were interested in particular areas of the law, they were also interested in passing the bar exam, and so some courses were pretty standard for that kind of study. We hadn't developed any great specialties. So I think that the curriculum was very similar to standard law school curriculum.

GALM: You had mentioned earlier that after a few years the faculty had expanded to — what? — fifteen, approximately?

MCQUADE: I think so, I can't really remember how it went, but it kept expanding each year.

GALM: Was there any sense that it wasn't expanding fast enough to take care of the number of students that were being enrolled?

MCQUADE: Well, I didn't really think so. Of course, we also began to run into budgetary problems then, too, because the way the budget of the University of California is set up with respect to academics, it has two components: you have a dollar amount and you have a person amount, or as they call it, an FTE, or a full-time equivalent. So you would be limited to, let us just say, fifteen people no matter whether the dollar amount coincided with the amount of money you were paying those people. Therefore, there were constraints on the growth of the faculty. Also I think it was recognized by the administration that the law school was growing, and they were trying to be cooperative in approving appointments to the law school.

But I don't think that there was — well, I don't know; I suppose I shouldn't be trying to second-guess some of the faculty, whom I really didn't know terribly well, and I wasn't privy to their discussions. I think probably some of the newer faculty who came in would like to have seen the law school move more rapidly and maybe in a different direction than it did. In the first few years we had a lot of visiting faculty because agreement, I guess, couldn't be reached on offering permanent appointments to a number of people. As I look back on it, with the knowledge that I have now, I suppose it was because the faculty just didn't agree with the choices that were presented by Dean Coffman, and he didn't want the people that they were suggesting. I'm assuming that, but I don't know, because I was not part of those discussions.

GALM: Later on in your career, did you become more privy to —

MCQUADE: Oh, yes.

GALM: Of course when you started also attending meetings that would —

MCQUADE: When Richard Maxwell became dean, then I really became his assistant, and I attended all committee meetings that he went to, and faculty meetings, and so on. I then became very knowledgeable about how

appointments were made, and I, after a period of time, would also interview the candidates to try to give them some information on the fringe benefits available and, oh, just various kinds of nuts-and-bolts things about the school that they might be interested in. I often went out with them when they were trying to find out about houses, how much housing would cost, and so on. So after he became dean, I was very much involved with the administration.

GALM: What about the salary scale for law teachers, law professors? What problems did that create? Trying to perhaps bring them in at a higher level than other professors?

McQUADE: It was a constant battle.

GALM: From the very beginning?

McQUADE: From the very beginning. It was a constant battle to try to get the university administration to realize that they, I guess, enjoyed a higher scale at other schools. They also had endless opportunities in the practice where they would earn a lot more money, so it was just a constant battle. Dean Coffman used to spend lots of time trying to figure out ways around the university system to try to get a sufficient salary for the faculty he wanted to invite. He tried to make eleven-month appointments, but that didn't work because — he was just frustrated constantly by the system. At Vanderbilt I suppose he didn't have those kinds of restrictions in a private institution. I'm assuming that salaries could be set in a much more liberal manner than they were in this institution. Never having worked in another one, I have nothing else to base it on other than what I hear. But the university here is very rigid on its determinations on salary scale, and if one is going to deviate from those scales, you've got to really make a very strong case, and it takes a lot of doing, and he found that very difficult to deal with at first.

GALM: Has that situation changed at all over the years?

McQUADE: I don't think basically it has; philosophically it hasn't. There has been recognition that it's necessary to have a separate salary scale for the law school, and of course I think having Hal [Harold] Horowitz as a vice-chancellor, who was a member of this faculty for many years, has been very helpful, since he knows the problems. But it's constant.

GALM: So, almost from the very beginning Dean Coffman was seeking autonomy for the law school.

MCQUADE: Yes, he was. Yes. He found that the requirements of the university were very restrictive and he did not wish to conform at all. The first year, and possibly the second year, there was a man called Dykstra; I think his first name was Clarence, but I'm not sure.

GALM: Clarence Dykstra, the provost.

MCQUADE: The provost, that's right. Dean Coffman spent a lot of time with him trying to find ways to get the law school a higher salary scale. I think that Dean Coffman wasn't so interested in the salary scale, he was interested in individual appointments, and I think he felt that each one had its own merits. He wanted to be able to appoint the person at what he thought was the right salary level. Of course, I guess Provost Dykstra felt that it had to be in conformity with the Academic Senate rules and certain requirements — you know, the appointee had to publish so much, or be out of school so long, or various things. They were always battling about it.

GALM: How did he get on with Dykstra personally?

MCQUADE: I think they got along well; to the best of my knowledge they got along well. And I think that Dean Coffman probably got along well with President [Robert Gordon] Sproul as well. I certainly never thought that they weren't supportive of him, in general.

GALM: When did the push then, really, come to shove, I guess, for getting out of the Academic Senate?

MCQUADE: I think probably after Dean Coffman had encountered a number of difficulties with the university administration on getting things that he wanted with respect to academic appointments, really. He began to feel that if we weren't members of the Academic Senate, then he would have a freer rein. I really don't know when this idea formed in his mind, but it became apparent that he was trying to get us out of the Academic Senate. And I think that he felt a way to approach it would be to discuss the matter with the Association of American Law Schools, which was then in the process of accrediting the law school. I think he and — I think the man's name was [John] Hervey who was in charge of the — oh, as a general secretary, or whatever you would call him; the executive director, I guess,

maybe is the better term — of the Association of American Law Schools' accreditation arm. I think they determined then that the interference of the Academic Senate into the law school administration was inappropriate for a school that was going to be accredited. I gather the association was very concerned about the autonomy of law schools.

Because, as I understand it, one of the constant problems is that some law schools within other institutions are really set up so that they'll make a lot of money in the law school, and then that tends to be used for the rest of the institutions. So I think that's why they are very concerned how the administration of the law school is determined, if it has to meet other requirements, non-legal, in its own institution. So, anyway, that was the basis of the desire to withdraw from the Academic Senate as it was presented to the administration. Ultimately the administration agreed to let the law school withdraw from the Academic Senate so that it could be accredited by the Association of American Law Schools.

GALM: How much contact did the young law school have with Berkeley law school?

McQUADE: Well, you know, surprisingly, I don't think we had an awful lot. I think it was because for many years — it wasn't just in the very beginning, but for many years — the feeling was that the Berkeley law school got all the plums that were being passed out to the law schools in the university system, and that we got what was left. And that we were really the little brother indeed.

GALM: Stepchild. [laughter]

McQUADE: And stepchild and all of the above. So that I think there was no — and I guess that the people at this law school didn't feel as though they were being warmly welcomed by Berkeley to come aboard. Oh, I'm sure there was a certain amount of exchange between the two, but certainly there was not a lot.

Then, for a period of time, I don't know, I suppose it would be in the middle and late fifties, sixties, there was a time when the faculties of the two schools did get together. I think it was once a year, and I think they probably met at, oh, maybe at Arrowhead [Lake Arrowhead Conference Center] or at some neutral ground. But that then kind of petered out. Of course then as the faculty got larger, there were individual friendships and

so on, and it was a little different. I think there's been cooperation between the deans subsequently, but at first I don't think there was a lot of cooperation between the two schools.

GALM: So as far as you know, there wasn't a lot of contact or communication between Dean [William A.] Prosser and Dean Coffman?

MCQUADE: Of course they talked but not too frequently. And Dean Prosser came down; when he was in the city he would come. And I remember I went up one time to see how they were running the school, and to try to get some ideas. There wasn't animosity, except, as I say, our underlying feeling that we were, oh, the stepchildren.

GALM: Do you know, on this particular issue, whether they really combined forces?

MCQUADE: No, I don't think they did. I think that Berkeley was happy the way it was, and I don't think it wanted to get out of the Academic Senate. I mean, as far as I know, Berkeley was pleased with its arrangements, and so I think they just were letting what happened down here happen without involving them. Of course the problem always came up: well, how was Berkeley accredited? I don't really know how Dean Coffman got around that, or how he answered that.

GALM: What was the subsequent result, then, of the regents' action? Did the Berkeley law school go out of the Academic Senate?

MCQUADE: I don't think so; I think they remained in the Senate. I think they opted to remain in the Senate, so far as I know.

GALM: So they were still able to exercise that option.

MCQUADE: I guess so; yes, that's right, as far as I know. Because they had a slightly different operation. They were also members of the Graduate Division at Berkeley, so that a student applying in Berkeley had to apply to the Graduate Division for admission as well as the law school for admission. Now when we began the school here, the university administration expected that same thing to take place here, that the law school would be part of the Graduate Division. But Dean Coffman fought that one tooth and nail, and we never have been a part of the Graduate Division. He felt that admission to the law school — that the law school should be equal to the Graduate Division, not a part of it. And he won that, and as I say, we've

never been a part of the Graduate Division since. So the students here applied only to the law school, not for admission to the Graduate Division.

GALM: It certainly must have simplified the application process.

MCQUADE: Oh, absolutely, absolutely. The only difficulty it ever created was in students' applying for scholarships and loans, because we had a different grading system, really a wholly different system of academic credential, if you will. It was very hard for the people in the Graduate Division to try to equate the law students with the students in the other graduate disciplines to try to determine eligibility for loans, especially if the money was short and they were trying to decide between those students.

GALM: Let's get back to the Academic Senate. How did the law school faculty stand on the issue? Were they united, or what individuals might have been against [withdrawal], if there were?

MCQUADE: Well, I suppose James Chadbourn probably could have been against it, because I think he was not enthusiastic about Dean Coffman's administration. I think he found many things that he disagreed with. The way it would look to me, and this may not have been the way it was, but I think that the faculty really were ambivalent about whether the law school was a member of the Academic Senate or not, because most of them felt it didn't have anything particularly to do with them. But I think that they were beginning to feel that Dean Coffman was being too autocratic in his way of handling the law school, and this was probably an indication that he would be the sole authority in the law school. So probably they were not enthusiastic about this activity, on that basis, would be my guess.

GALM: But it was accomplished?

MCQUADE: Yes, it was, indeed; we were out of it for ten years, or whatever.

GALM: What were the immediate results of that?

MCQUADE: Well, the immediate results were that appointments of faculty, for example, did not have to be reviewed by the Academic Senate committees. They could go directly to the provost or chancellor (or whoever at that time), and when a promotion or a salary merit increase was recommended, all of those things could go directly to the university administration without going through the Academic Senate. Then, our budget came to us probably in a more direct manner too — well, maybe not. I mean, maybe

the budget would have come the same way anyway. It was really the administration that the Academic Senate was interested in. So that primarily was its benefit.

I suppose the other side of the coin was that the law school faculty couldn't participate in any of the Academic Senate committees. And I presume, as time went on, they probably would have liked to have done some of that work. I don't really know, because that would have depended on the individual person. But there were also things that perhaps would have been helpful if we'd been part of the Academic Senate. I just can't recall individual specific things now, where because we weren't members we didn't know this was going on or that was going on. We didn't have any extramural funds at that time; perhaps we would have gotten some if we had been Senate members. Our faculty didn't go to Academic Senate meetings, and I suppose they were somewhat excluded from the general faculty activities on the campus.

GALM: But faculty appointments didn't suddenly surge as a result?

MCQUADE: No, no. I don't recall that they did. Because I think it was going hand in hand with the faculty trying to exert more authority over the appointments. I think that Dean Coffman didn't bring the faculty into the appointment process to the extent that they would like to have been, which I guess was becoming common in other law schools. And he still had the salary level problems.

GALM: Did you sense any change in Dean Coffman over the years? Did he change in character or change in [style of] administration?

MCQUADE: Well, I think maybe he stayed the same, but the world changed. I have the feeling that that was it, that he continued to be an authority figure, which I think was his model of what a law school dean should be. He would make his choices and he made them in his view for the best interests of the school and the university and so on. But I think as time went on, it was becoming more common in law schools for a collegial discussion of the administration of the law school. There were committees, I gather, and there were submissions to the entire faculty of the names of those people who were being considered for appointment, and an opportunity for the faculty to meet and to discuss the qualifications of the potential candidates for the faculty. Whereas I think Dean Coffman felt that he would make

those investigations and present it to the faculty as: “Here is the name of X, I think he would be a suitable appointment to this faculty, don’t you agree?” So I think, as I view the situation looking back on it, that was the way — I mean, I don’t think Dean Coffman was ever malevolent or had any ill intentions. It was simply he didn’t change with the times. And the times changed in that period tremendously.

GALM: He was very conservative, though, in his philosophy and his politics.

McQUADE: Yes, he was; yes, he was indeed.

GALM: Did he try to control appointments in that way, to have people who would reflect his philosophies?

McQUADE: In one sense, you could say, yes, he did, but then in the other sense, if he did, why did he have people who disagreed with him? So, I suppose — I really don’t think he tried to get people that were totally in accord with his philosophy, but I don’t think he expected them to disagree with him as violently as they ultimately did. And he did try — I mean, there’s certainly no question he did try to control the appointments to people that he thought were suitable.

GALM: How would you describe his political philosophy?

McQUADE: Oh, I think he was a very conservative person. I think his family had originally been from the South and had moved to Iowa, and he viewed himself as a southern gentleman, and with all that connotes.

GALM: Some of the negative elements, too?

McQUADE: Yes, yes, that’s right, I think so. That was how he prided himself. And he was a man who, that’s the way he thought he wanted to be; and I think Mrs. Coffman was, is, a very charming lady, but also viewed herself as the wife of a southern gentleman, shall we say.

GALM: This was also the time of the McCarthy era.

McQUADE: Yes, and he was, I think, a strong supporter of [Senator Joseph] McCarthy.

GALM: Were there any incidents that you can recall where, you know, he felt that there were either communist or socialist influences taking place?

MCQUADE: At one time this campus was considered the “Little Red Schoolhouse,” and I think that he thought that it was aptly named. He felt that there were influences, liberal and communist and so on, that —

GALM: UCLA and the University of California had quite a controversy on the loyalty oath. What stand did Dean Coffman take, and perhaps some other members of the faculty, as you recall?

MCQUADE: Well, I’m mostly familiar, of course, with the stand that Dean Coffman took, and he was a strong advocate that everyone should be prepared to take the loyalty oath. I don’t think that there was a great deal of public controversy on the part of the other faculty members. At least I don’t recall any of the others taking any kind of a stand, although I’m sure they did, but it didn’t become a matter of discussion in my presence. But he was very clear in his feelings and, I think, made those known to the other faculty members, to his class, to the students, and so on.

GALM: One of the things that I noticed in reading the early faculty [meeting] minutes is that one student’s name was brought up because of his membership in an organization that was considered subversive, the American Youth for Democracy. Was this a common thing as far as the application process was concerned? Were they looking for left-wing tendencies or communist tendencies among the students?

MCQUADE: Well, I suppose they might have been, although I guess at that time I was naive enough not to really think about it. As I recall now, the way the application process went was that in the office we separated them according to those that appeared to be good applicants with respect to their test scores and their general university standing. Then I think they were all reviewed, probably before the letters of acceptance went out, by Dean Coffman, I guess; and possibly, although I can’t remember any incidents right now, he may have determined that some people who made public on their application forms that they were in what you might call liberal (or whatever) kinds of organizations, he may have found that a reason for not admitting them. Although I don’t recall any instance where a person wasn’t admitted simply for that reason, it may have been the basic reason and some other reason may have been used.

GALM: Well, I think in this particular case the information perhaps didn't come from the application, but actually came from an FBI agent.

McQUADE: Well, we used to have — in those days we had a lot of FBI agents coming through the law school, and they were checking on people. You know, just generally, and it was a very common occurrence that they would come in and ask to see the files of the students. Now, at the time I think we had very little feeling that there was any reason to keep those files from the FBI — certainly Dean Coffman would not have countenanced that — and so we handed the files over to them. And I guess they were checking to find out the backgrounds of some of the candidates or students, you know, either way. But in that time it didn't seem such a gross thing as it does now.

GALM: Did that continue into later periods?

McQUADE: It continued, and then after a while, and I really can't remember exactly when, we no longer handed the file over to the FBI person. We then would confirm that he or she was or was not a student, or whatever — that activity was appropriate — and answer the questions that they asked us based upon the file. Now, sometimes they might like to ask to look at the picture. At that time, and I don't know if they still do, we used to require pictures to be attached to the applications. Sometimes they'd like to look at the picture. We permitted that, but we did not hand over the files.

Really, mostly what was in those files at that time were letters of recommendation; we used to require that every student provide three letters of recommendation. I think those were generally what the FBI was looking for: to some extent to find out who the person's friends, and so on, were. But also, the application forms weren't terribly revealing at that time. They simply asked education; I think they did have to account in very general terms for the time spent since graduation from college, if there was a period of time. I suppose maybe the trained eye would see more to it than we did.

GALM: Do you recall who might have made the decision to withhold the applications from the FBI?

McQUADE: I think that was a pretty general university decision, that all of the records of the students were confidential, because that became an

increasing concern of students, and there's a very considerable bit of policy, now, relative to what information can be given out on students. That grew gradually, so we adhered to that as the university developed its policy.

GALM: Let's now discuss the growth of the faculty, because later on the faculty and its members really played such an important role in the confrontation that did result. In addition to those original five or six, I might ask you to comment on some of the names and perhaps what you know of their background, and something perhaps of their personality if you have strong recollections. James Chadbourn was an early addition after —

MCQUADE: Yes, indeed, the law school was absolutely delighted to have him come and join them. He was a man who had a great reputation in the legal — he was considered an outstanding legal scholar and a great teacher, and he certainly lived up to that reputation when he was here. He was a wonderful teacher and a man who perhaps was the first man, after he came and had settled into the faculty, who began to feel a need for some independence from what the dean viewed as his organization, shall we say.

GALM: Who brought him here?

MCQUADE: Oh, Dean Coffman recruited him.

GALM: What political camp did he see him being in at the time that he brought him? Or was he aware?

MCQUADE: If he had any ideas about Jim Chadbourn's political situation I never heard him express them. I don't know anything about that.

GALM: Another early person who came as a visiting professor was Kenneth York.

MCQUADE: Yes, he came and, of course, stayed on the faculty for many, many years. Ken York is a very quiet man, and I suppose it's because he is so quiet, it's difficult — he has a marvelous wry sense of humor and was for many years the editor of the — I think it's Phi Alpha Delta, which is a legal fraternity, that publishes a little magazine [*The Reporter*], I guess you could call it, although that's not an elegant enough term for it. Anyway, Ken edited it and always had some marvelous wry comments in there. He has just retired from the faculty, oh, just a few years ago.

GALM: Was the usual procedure then to invite the faculty member in a visiting slot or position and then view him as a permanent —

MCQUADE: It kind of varied depending upon the individual and his reputation, and so on. I think that Ken, as I recall, was teaching at 'SC [University of Southern California], and for many years there has been an arrangement between the two schools not to raid each other. So I think that when Ken was interested in coming to teach a year, coming to teach possibly at UCLA, I think that the most diplomatic way was to bring him as a visiting professor to fill a need. Of course, you see, at that time, with the law school expanding — it started out in 1949 with just the first year, and then 1950 it had the first and second year, and 1951 all three years — it had absolute needs for teachers, because they simply had to staff the classes that needed to be offered to these other two years as they came along. So when they needed somebody to teach whatever he was teaching at that time, it was very reasonable to invite him to come as a visiting professor. Then during that year he could decide, and they could decide and approach each other, and so on, in a more diplomatic way.

But with somebody like James Chadbourn who was in the East, he may have been approached with the idea of coming as a visiting professor, and it may not have worked for him. I mean, perhaps his school wouldn't let him go, or he didn't want to disrupt his family for a year and then maybe go back. So he might have only considered it as a permanent appointment. So each one of these instances varied.

GALM: Then in 1952–53 Ralph Rice joined the faculty.

MCQUADE: Yes, he came as a Tax teacher, and he had had both practice experience and had been teaching, and taught Tax here for many, many years, and wrote his own tax books. He was a very lively man and, I think, perhaps made Tax courses as exciting as they could be.

GALM: James Sumner came that year too, again as a visiting professor.

MCQUADE: Yes, yes. He was a younger man than, say, Chadbourn, and I think probably the idea was — I really don't know why he came as a visiting professor. One of the problems was money. You see, the university at that time didn't have a separate pay scale for law school people. So, in order to entice them to come at all, we had to pay more than they would

be paid if they were to come in at what at that time [was] the beginning assistant professor level of the university. They wouldn't consider coming at that rate. After they were here and had been proven, it was easier for the law school administration to get a better beginning salary for them on a tenured position situation.

GALM: I think [Edgar] Jones we had mentioned earlier, but he came at around that same time.

MCQUADE: Yes, he was one of the first faculty members. He had really been just out of law school a year or so, and so he was a beginning teacher, really. And I think he came, I've forgotten, probably at the assistant professor level. But that was a different situation, where he had really no experience and no scholarship other than what he had done in law school to offer. So each one had to be considered separately as to the rank at which they started and how permanent they were, and so on, in their appointment.

GALM: Then, in the following year, in '53-54, Richard Maxwell came to —

MCQUADE: Yes, of course as the school continued and grew, various faculty members who knew other faculty members at different schools would put their names forward and try to interest them into coming to the law school. Some people of course were attracted by California, by the fact that this was a new school in a university system and had been accredited and had a lot of potential. I think that there were many people considered along those years, and I think Mr. Coffman was a strong factor in determining which ones were going to get serious faculty consideration. But Richard Maxwell had been teaching — had been a member of the faculty at the University of Texas and then he had gone to the Williston Basin to do some work for Amerada oil corporation. He was I think at the point of returning to Texas and he became interested and was approached and came here.

GALM: And is it Arvo —

MCQUADE: Arvo Van Alstyne. Yes. I've sort of forgotten where he was before he came. But anyway he also joined the faculty. He taught Constitutional Law and was a very successful teacher.

GALM: Allan McCoid.

McQUADE: Allan McCoid, yes. He had come from Minnesota, and I think he came — I can't recall whether he came at the time when I think we instituted a program to — No, he didn't. I guess he came as a regular faculty member. Anyway, he was very instrumental in the establishment of the [UCLA] *Law Review*. The law review I think was started before he came, but at that time they appointed a person on the faculty to be a moderator, or whatever you want to call it, of the law review. He was very much involved with the law review and in trying to get it the appropriate autonomy that it should have.

GALM: Now, there was initially a law review called the *Intramural Law Review*, wasn't there?

McQUADE: I think probably when it first started, but that was a very brief period. It almost immediately, or as quickly as possible, became a regular law review.

GALM: One of the things that I came across was that there seemed to be faculty criticism for jumping into [publishing] a law review so soon.

McQUADE: Well, I think there was, but Mr. Coffman was determined that there would be a law review. He felt that any good law school had to have a law review, and the sooner it got started, the better. Even though with the small student body we had and the small faculty and the relatively small budget, and so on, it was difficult to establish it. But that was one thing that he was very eager to get started, and I think he pushed it, even though as you suggest a lot of the faculty, or some of the faculty, felt that it was a little premature. But when Allan McCoid came, he really took it over and, I think, really got it on its feet.

GALM: With enthusiasm then?

McQUADE: Oh, with a lot of enthusiasm, yes. He really pushed it. He had been editor at, I don't know, Harvard, or wherever he went to law school. He was a young man when he came here, and I think maybe he had a year or so of teaching experience; so he was still fresh from having been on the review himself. So he was very enthusiastic about it.

GALM: Then, to sort of round out those [who] were in the early fifties, Harold Marsh came as a visiting professor.

MCQUADE: Oh, yes, he was a great scholar. Harold Marsh has one of the most difficult personalities in the whole world. Everyone, including Harold Marsh, will agree to that. But, a fine teacher. He put the students through quite a difficult time in the classroom, but if they survived, they respected him and acknowledged, subsequently, that he was a great teacher. And no one ever said that he wasn't fair. I mean, he was very fair, he just was very difficult for everyone.

GALM: What did he teach?

MCQUADE: He taught in the business area. I've sort of forgotten the [course] titles at that time; but, anyway, corporations and business transactions and that kind of thing were his fields.

Another person we should mention is Brainerd Currie, who came in as one of the first faculty. He taught Contracts, and he was an outstanding scholar. I think he was relatively new when he came, relatively young in teaching, but was an outstanding scholar in the contracts law area.

GALM: Now, he was one of the people that left quite shortly after coming.

MCQUADE: Yes, he left because he didn't like the atmosphere in the faculty, I think.

GALM: And he went on to, was it the University of Pittsburgh deanship?

MCQUADE: Yes, I think that's where he went, yes. Of course, in those days, and I suppose it's certainly true now, but if people became dissatisfied on the faculty and simply made it known, offers would immediately come forward if they were people of standing in the legal academic community, and he certainly was. So I think as soon as it became known that he was approachable, he received an offer.

GALM: By this time then, by 1955, you really had accumulated a fair-sized faculty. What happened?

MCQUADE: Well, I think what happened was that there was a large enough faculty now for a number of viewpoints to be represented. Mr. Coffman, however, felt that he knew what the school needed and who the people should be who would come to teach, and so on. And I think there was one appointment, Mr. Hawkland, whose appointment really triggered the difficulties. Mr. Coffman, I think, unilaterally decided, or perhaps with the

agreement of a small number of the faculty, that William Hawkland should be offered a post on the faculty. And I think that while there wasn't, as I understand it, a great deal of opposition to Hawkland himself, it was simply the way it was done. The faculty simply determined that they were not going to accede to an appointment of a man whom they hadn't, in general, discussed and approved his appointment. There was not sufficient collegial discussion, and I think they simply would not agree to his appointment: and so Dean Coffman, I think, had to withdraw his offer to Hawkland. I think that really triggered the situation, because then, as I understand it, a group of the faculty determined that this was an intolerable situation and went to the chancellor and described it to him.

GALM: One of the earlier actions that Dean Coffman took was to appoint Harold Verrall as assistant dean. What was the background on that [action], do you recall?

MCQUADE: Harold Verrall and Dean Coffman were very close friends, and of course as the school grew there began to be a lot of paperwork to do and, particularly, dealing with the students, who had a number of problems. I think that he wanted to have someone in whom he had confidence with respect to their having similar viewpoints on how to handle matters, and so he appointed Verrall to take that position over. I think that's really what it was.

GALM: Was there any resistance by the faculty to this [appointment]?

MCQUADE: I don't really think so. It was a position nobody wanted. A lot of the problems that the assistant dean or the person in that position deals with are small. They're big to the individuals that they're dealing with, but they're recurring student problems. And someone at that point, even though students had a limited choice, someone had to review their programs to make sure that they were taking enough units and those kinds of things. And while I did a lot of that, still, in all, there needed to be a faculty member to enforce the rules, really. And I could see how it was really not an appropriate thing for Dean Coffman to be doing. So I don't think there was any resentment on the part of the faculty. So long as Mr. Verrall adhered to doing what only needed to be done as assistant dean, I don't think they minded.

GALM: Are you saying that maybe with time in that position he went beyond what were really the duties of the assistant dean?

McQUADE: Well, I don't think so. No, I really don't think he did. I probably put that in the wrong — I think the faculty felt that if he was willing to take the job and do it, they were happy to have him do it. I think that's really what I meant.

GALM: I guess it's just that there seems to be building these two camps.

McQUADE: I think that's quite true.

GALM: And certainly Verrall and Coffman were —

McQUADE: — were in one camp. And Perkins, Rollin Perkins, was the other person who was in that. He was beginning to get close to retirement along about now. But in any event, he was an adherent of the Coffman camp, if you will call it that.

The only thing I can think of, the only possible resentment with respect to Harold Verrall, would be simply that the decision to approach him was taken somewhat unilaterally by Dean Coffman, and he might, or might not, have informed the faculty of it. But it was not done, as it would be today, where the dean would advise the faculty that he or she was considering doing this and that, with respect to faculty appointments, and would go through a faculty appointments committee, and people would have the opportunity to voice their opposition if there was any. Whereas in the days of Mr. Coffman, there was no opportunity to voice opposition without really making a public stand, which ultimately happened.

GALM: Who really took the lead among the dissatisfied faculty?

McQUADE: James Chadbourn and followed very closely by Ralph Rice.

GALM: Had there been a camaraderie between the two before this, or did they just agree in principle in taking, making a stand?

McQUADE: I really wouldn't be able to say what the degree of their friendship before [was], and even during this period, both of them being very strong personalities, it's kind of hard to say how close they were personally, but rather that their concern for the principles, and their concern for what they viewed as the potential for the law school was paramount in what they were doing. I'm not too clear on the stand of some of the other faculty

because I was attempting at that time to run my part of the school and to provide adequate nonacademic staffing for the operation of the school and not get involved in the faculty situation, because in a sense it was none of my business.

Along about then Mr. Coffman began to, I think, feel that it was not part of my business to know about what was happening, so he communicated with me only through his secretary. We had very little direct communication.

GALM: Were you ever approached by faculty members, just as a shoulder to cry on or someone to talk to about what was happening?

MCQUADE: No, no, I was not. I would talk to them about law school matters only with respect to something that they were involved in, about their course or something of that sort. But we never discussed the faculty's "revolt," shall we call it.

GALM: Do you have any feeling that Dean Coffman may have felt that you were pro-faculty?

MCQUADE: Well, I think he perhaps felt that I was not supporting him totally. The other thing may have been that he may have been sort of suspicious that maybe — I don't know, I shouldn't say that — maybe that if I knew about what his activities were I would report them to the faculty. Anyway, I was just interested in keeping my job and staying out of any partisan activities at all, on either side.

GALM: Did what happened really affect staff morale?

MCQUADE: Certainly the students were very much affected, because they knew what was going on, and I think, perhaps, if I had taken a more active role in espousing one side or the other, it might have had more effect on the staff. But I simply tried to keep the staff [nonaligned], telling them, we're here to do a certain job, and we tried to not talk about the problem of the faculty's revolt. People knew about it, but we just tried to ignore it, and carried on as if we were working for everyone to the best of our abilities. I know that one of the faculty secretaries did all the typing for the dissident group, but they were entitled to secretarial assistance and we never made an issue of the subject matter of the work.

GALM: Were you less affected than, say, the students were affected?

MCQUADE: Oh, I think so, yes. I think the students were — as you know, students find that kind of thing absolutely appealing, exciting, and there was endless speculation on the part of the students about what was happening. And it was perhaps exciting for them, but I think also it somewhat detracted from the level of legal education they were getting.

GALM: Were the students organized enough at that point to have any influence or any say in what was happening?

MCQUADE: No, I don't think they were, not really. I mean, even if they had been organized, it was not at that point the custom to invite student opinion on a situation like that, at least in a formal way. I mean, faculty members may have talked to individual students about the competence of another faculty member, or something of that sort, but it was not done formally.

GALM: You had mentioned earlier that there was this memorandum that went to the chancellor [Raymond Allen]. How well known was it that a memo had gone?

MCQUADE: I really have no idea how well known it was. I just don't know.

GALM: Were the contents of it [known]?

MCQUADE: No, it was really done — It was not made public. It was done — I don't like to say in a secret [way] because that makes it sound —

GALM: Discreetly?

MCQUADE: Discreetly is very accurate, yes.

GALM: OK. Because that type of thing might have been used and not been handled privately.

MCQUADE: No, it was handled very, very discreetly, because I'm sure at that time the leading members of the faculty had no idea what the outcome would be, and they were not — I really think truly that they were not eager to disrupt the law school; they were simply anxious to get the law school in what they felt was the modern current way of operating, which was in the collegial atmosphere instead of being run by one person.

GALM: It finally did come down to the full support of the faculty on that memorandum, except for perhaps the three that you mentioned.

MCQUADE: Yes, I think so.

GALM: Did you see any attempts upon Coffman's part to change or to back away from his stands?

MCQUADE: As I say, since he wasn't communicating with me it was hard for me to tell you what his views were. I'm sure that it was probably turning out to be a much larger situation, a greater disruption, than he had ever realized could happen. I'm certain that it was a surprise to him, to put it mildly. And I suppose that in that situation, I don't really know whether — let's assume for a moment that he was willing to back down — whether at that point the faculty would have said, "We'll continue on," because I don't know whether they would have had any confidence in his ability to change and be a leader. The first among equals. I just don't know.

GALM: It seems one of their major complaints was that he would perhaps say something one day, and then perhaps not follow through on that.

MCQUADE: Well, I'm sure he was — I'm certain it was a difficult situation for him to determine; it was the kind of thing that I don't suppose happens very often. He was certainly not an evil man, and I think that it was just his way. I don't think he even probably knew himself whether he had the ability to change.

GALM: Did he go to the regents at all during this period?

MCQUADE: Oh, I'm sure he did, I'm sure he did, because he was very close to Edward Dickson and Victor Hansen, and I'm confident that they were very well aware of what was happening. Yes, I'm sure.

GALM: But you have no concrete examples of —

MCQUADE: No, I don't. Not of my own knowledge. No. It just kind of — we wandered on; Mr. Verrall continued as assistant dean, and after the faculty had — I think it was one year we had while the faculty was talking to the chancellor, and my recollection is that for the next two years, Mr. Coffman went on leave — he went on leave in any event — and we had a triumvirate appointed to run the law school. That was Mr. Chadbourn, Mr. Rice, and Chancellor [Allen].

We had a very interesting way to run the law school. When a problem came up, I would go to either Chadbourn or Rice, and whichever one I

went to first I would explain the problem, and they would generally ask me, what do you think would be an appropriate solution? And I would suggest something, and then they would say, yes, I agree with that, but see what the other person says. So I would go to the other person and, just as a matter of principle, I think, the other one would disagree. And of course the chancellor really knew nothing about the law school, so he really didn't participate very much in the day-to-day running of it. So I finally devised a way where I could get approval of the way I thought something should be done by approaching Chadbourn or Rice and saying the other man leaned to the opposite view but would leave the final decision up to the man I was then talking to, so that I'd get them to vote my way. I am sure they knew what was going on, but it worked. It was an interesting period, I must say, and I learned a lot about human nature in that year.

GALM: How did the announcement come out that Dean Coffman was leaving?

MCQUADE: It was announced that he was going on leave, I mean that was the first thing, and he was going to accept a position — I can't remember its title, but it was some kind of a commission on —

GALM: Security Commission [Commission on Government Security].

MCQUADE: Security Commission, yes, and the man who ran that was a longtime friend of his. So he went to it, and we were told that he was going on leave. After that had been announced and accepted, then it was announced that there would be the three-person triumvirate running the law school for the next year and that matters would be handled by them.

GALM: Had he officially resigned?

MCQUADE: Oh, no, he did not resign; no, he never did resign. He never resigned from the [faculty]. He ultimately resigned as dean, but always was a professor of law.

GALM: No, I know, but —

MCQUADE: But he had not resigned at the time that he went on leave is my recollection. Then, subsequently, while he was on leave, I think he did submit a letter of resignation. But it was very quietly done, and nobody really knew about it until, I guess — now I can't remember exactly how we

knew, but I think that it was submitted to the chancellor and the regents and came through that way.

GALM: In the Coffman affair and in that memo that went to Chancellor [Allen], there were some pretty strong charges that were made against Dean Coffman and how they [his attitudes] were affecting the law school. One area was faculty recruitment, and the charge of anti-Semitism was brought up against Dean Coffman.

MCQUADE: Well, I would think that that probably had some substance to it. To put it in the kindest terms, I think he was very much aware of whether a person was Jewish or not, and that entered into his relationship with them. And I guess, looking back, I can't think of any Jewish members we had on the faculty while he was doing the recruiting, so I think that that was a fair statement.

GALM: The remark [by him] that I know I have [heard] — that has been quoted — is that the hundredth member of the faculty would be Jewish. Was that something that — had you ever heard that?

MCQUADE: Yes, I've heard him say that. He used to — before all the problems arose, at least publicly — he used to like to have coffee in the morning, and he always invited me and his secretary to go up to the faculty lounge, I guess it was, up on the second floor here. He liked to sit and talk during that period, maybe a half an hour or twenty minutes or so, depending. Often that was the opportunity — if any faculty members wandered by, he would invite them to come in and sit and have coffee with him. He often expounded on his theories at those times. If I were to recall, that would be the kind of time when I would have heard him say that. Now, I don't know what audience would have been there other than Evelynne Hanson and me, maybe; but in any event, it would be a remark that I would not be surprised at.

GALM: The other persons that he didn't want on his faculty were "left-wingers."

MCQUADE: That's right.

GALM: How do you think he defined left-wing?

MCQUADE: Well, anybody, I guess, that was — that was a term that was very elastic, I would say. He espoused, as I recall, McCarthy and his views,

and I suppose that pretty much sums up Mr. Coffman's views. And when the wars came along — we had the Korean War, and so on, at that time — he was very ardent in his support of America: everything it did was right, and he wouldn't countenance any consideration that there was any other way. He often used the term, "the Little Red Schoolhouse." I think he felt that many members of the faculty of the other disciplines were far left, far left in his opinion, and he tried to isolate the law school from them.

GALM: Did he have a middle ground? Was he able to perceive a middle ground between left and right?

MCQUADE: Well, I suppose he probably viewed the ground where he was [as the middle ground]. I'm sure he didn't view himself as an extremist. [laughter] And he was a smart man and certainly, as the saying goes, able to think like a lawyer; so he had to be able to see both sides of the question. But he was pretty firm in his views of what was right and what was wrong, and there was really not an awful lot of middle ground.

GALM: Because it seems as though he really felt that the Academic Senate was controlled by left-wingers.

MCQUADE: Oh, I think so. Yes, I think he felt that in a large part the general university faculty was pretty left wing. And of course the controversy over the [loyalty] oath also enforced that opinion, in his view.

GALM: As far as you know, were there any strong relationships between law faculty and Academic Senate members that could really be considered as alliances?

MCQUADE: Well, as I indicated a few minutes ago, I think that Dean Coffman felt that the Academic Senate members were pretty leftist, and he discouraged any members of the faculty and students from participating in any activities with them; but some of the faculty members — for instance, Mr. Rice was very eager to participate in discussions with other disciplines and felt that was part of the advantage of being in a university: to be able to have friends in other parts of the campus. So I know he was very active in other groups and discussions. But, because the law school was not a member of the Academic Senate, its faculty, of course, was not eligible to be on any of the committees. So there was no formal activity, but some of the members of the law school formed friendships, I'm sure, and participated

in discussions with other members of the university faculty. But, as I say, Mr. Coffman felt that was a bad thing to do.

GALM: Or perhaps it was even being disloyal to the law school?

MCQUADE: Sure. If it was bad it was probably disloyal.

GALM: In talking about some of the faculty who were denied tenure, or denied permanent positions here, there were some that came who were prominent at this time, and one of them was Harold Marsh.

MCQUADE: Well, Harold Marsh certainly was, probably is, a middle-of-the-roader, I'd guess, although I don't know anything about his politics. But he's certainly not a communist, I'm fairly sure of that. But he was a man who felt that he wanted to have the opportunity to speak his own voice and not to be guided by someone else. He and Mr. Coffman simply did not get along. As I said, he's a difficult personality anyway, but a very fair man, and they just simply didn't get along. Mr. Coffman just wouldn't consider him for a tenured appointment, and the faculty was very strong in supporting Mr. Marsh. So I think that was another situation where they just wouldn't — the two sides simply couldn't get together.

GALM: And it seemed that a similar situation was Allan —

MCQUADE: Allan McCoid. Yes, exactly. Very similar, although of course Allan McCoid wasn't the outstanding scholar that Harold Marsh was, or the great teacher, or anything of that sort; but he was very popular with the students. The faculty felt that Allan had a lot of potential and would be an outstanding teacher, an outstanding scholar. But Allan supported the students in instances where I guess Dale Coffman didn't think they should be supported, and so it was another situation where, because of reasons other than teaching and scholarship, he didn't want him on his faculty. The rest of the faculty felt that those were inappropriate reasons.

GALM: And according to the new relationship with the regents, the faculty were to have participated in appointments. He seemed to want to deny them any control.

MCQUADE: That's right. And, of course, you can imagine by then, I'm sure, the bitterness that had arisen between the two sides, and in addition, lawyers are by nature interested in always looking at the other side and being

controversial to some degree. So all of those things just came together, and there just could never be any agreement between those groups of people.

GALM: I think earlier you touched upon another factor that bothered many members of the faculty, and that was the whole idea of [faculty] meetings, the fact that they were luncheon meetings rather than formal meetings. But one charge that was made was that the minutes of the meetings were sometimes altered.

MCQUADE: Well, I can't really speak to that, because a faculty member took the minutes and wrote them up and, I presume, gave them to the dean. I'm trying to recall how that went. He may have altered them. At that time, I wasn't as aware of the proper way things should be done, and I suppose I didn't really stop to think about how terrible that was to alter the minutes. I think he probably would pass it off as putting it in more correct form or something of that sort. So I can't recall any instance of my own knowledge where the minutes were altered, but that does not seem an unusual kind of thing to me, as I think back on it. In '53 or '4, somewhere in there, they began to have the faculty meetings in the law school at a regular time other than luncheon. He was finally forced into that arrangement.

GALM: The other [action] that he seemed to be forced into at that time was appointing committees, or creating committees. The Curriculum Committee was established and an Appointments Committee was established.

MCQUADE: Yes, that's right. I don't really know — again, not having sat with those committees or in the faculty meetings, I don't know how much credence was given to whatever those committees decided or determined; but, at any event, that was a departure from his normal way of operating, to appoint committees. He was not very enthusiastic about that system. It became prevalent in law schools; so far as I know, it became prevalent along about that time, or maybe just a little bit before.

GALM: Did you ever work with him on setting up class schedules?

MCQUADE: Oh, yes. "Worked with him" is a strange way of putting it. He did the first year or two, and then after that, forever more, I did them.

GALM: I mean, in the sense of who was to teach what?

MCQUADE: I'm sorry, I thought you were thinking of hourly schedules. Oh, sure, I would sit with him as we talked about how to try to work out

proper teaching loads, and so on, although I think he did a lot of that in conjunction with Harold Verrall. I certainly wasn't participating in any decision-making; mine was more of a determination that everybody had a full teaching load and that all the classes were covered, that kind of thing, as they would make the decisions.

GALM: Were you ever aware that there might be inequity in how things were assigned, or when they might be assigned?

McQUADE: Oh, I think so, sure, sure. There was clear favoritism. Yes, I think so.

GALM: Summer session seemed to be a real bone of contention with many of the faculty?

McQUADE: Summer session was indeed, because there was an extra stipend for teaching in summer session, and it was a fairly grand stipend, I guess, as things went in those days. The faculty stipends were determined, it seems to me, on a percentage basis, that the university had worked out a formula, and so it turned out to be they were getting a fairly good amount of money.

Well, Mr. Coffman would determine that his friends and those in whom he had found some warmth and enthusiasm would be those selected to teach summer session, and then we usually invited someone from the outside, one or two people from the outside, to come and teach. And, of course, theoretically that was one of the opportunities to look over potential appointees, although I don't know that that ever worked out. But many of the faculty never got an opportunity to teach summer session and, as you suggest, that had become a great bone of contention.

When finally the faculty were in control, they established a very elaborate system of the priorities in teaching summer school. Those who had been longest on the faculty and who had been passed over in the opportunity to teach got higher priority on the future selection for summer school than those who had either taught or had less [seniority], had been on the faculty a shorter time. It was a kind of a funny thing, if it hadn't been so serious, because it must have taken us five years to work out this sequence. It began to be a little ridiculous, but there were some, like Chadbourn and Rice, who had worked this out and who were determined that we were going to follow through on it. But that was a kind of a funny, funny way.

GALM: And there was objection to retaining, or to reemploying, Professor Perkins beyond retirement.

MCQUADE: Yes, yes, that's right. Dean Coffman always said that he thought Mr. Perkins was a wonderful teacher and a great scholar, and I guess that view was — well, it was felt maybe by the other members of the faculty — I don't think they had so much opposition to Rollin Perkins, but I think they felt that — they knew clearly that he was going to retire and efforts should have been made to replace him, rather than to have invited him to stay on, because clearly he was going to have to be replaced, and the sooner a Criminal Law teacher was brought on the faculty, the better off everyone would have been. But Mr. Coffman, I guess, wanted to keep him on to give him the opportunity to continue to earn and, I suppose, maybe to continue to teach and to support him. Mr. Perkins was not a man that talked much about himself. He was a very retiring sort of individual. After he left here he went up to teach at Hastings and taught there for many years.

GALM: Did the school honor his reemployment for the time beyond his retirement?

MCQUADE: I think he taught a year or so after. I'd have to again check the record, but I think he did stay on for a year after, and then went up to Hastings. He wasn't here too long after he retired, and he may have gone right away. I just simply don't remember the details now. But I know that he did ultimately go to Hastings, and then, I suppose, once he had that appointment Mr. Coffman was unwilling to fight that fight anymore.

GALM: It seemed [to be] in that category of his making decisions without consultation with the faculty.

MCQUADE: I'm sure that as time went on and the [opposing] positions became firmer, he probably less and less, just out of stubbornness — you know, it would seem like that would follow in human nature — that he would determine he wasn't going to contact the faculty, he was just going to go ahead and do what was right. If they didn't like it, they could do whatever they wanted to do, which they were doing.

GALM: Did you have any sense of how Chancellor Allen was dealing with this during that year, from, say, the time of the memorandum to the time of the announcement that Dean Coffman was going to take a leave?

MCQUADE: I really had very little sense — I think I may have met Chancellor Allen once in that period, and it was in a most casual way; so I really don't think that I did have any sense of that. I suppose that he was terribly concerned in trying to straighten matters out. But the dissident faculty would go over there to meet with him in the chancellor's office, or at least in the administration building or wherever they went. They didn't meet in the law school. During the period when the Rice–Chadbourn–Allen triumvirate were running it, I think that Chancellor Allen came over to the school maybe, as I can recall, a couple of times for faculty meetings. At that time he would come. But, really, he never participated in any of the affairs of the law school, other than actually meeting with the faculty. But how he handled [matters] — I really don't know. I don't know him, and I couldn't estimate anything.

GALM: Is there any sense of whether Dean Coffman still had his support to the end?

MCQUADE: I don't really know. I would just make the assumption that Chancellor Allen wanted to solve it in any way that could be done. I have the feeling that, as any administrator would want to do, he'd rather have Dean Coffman continue as dean and solve the problem in that way, rather than to have to oust him. That would just be an administrator's natural reaction. Whether or not he had any personal feeling about him, I just have no idea.

GALM: What was he like to — did he have good rapport with the law faculty after Dean Coffman's departure?

MCQUADE: Well, I suppose that I don't really know what they thought of him personally. He was, I think, very agreeable to what they wanted to do. Within the university rules I think he was perfectly willing for them to take over the running of the school as if it were a dean running it. I just had the feeling that he was not a strong voice in their deliberations or determinations or anything, and simply acceded to whatever they recommended, if it was possible to do.

Then, of course, after that year, Dean Albert Harno came on as acting dean. He had just retired as dean of the University of Illinois [law school], where, as I understand it from other people who had known him at Illinois, he ran the school in somewhat the same fashion as Dean Coffman.

[laughter] I think he came — I'm convinced that he thought we were all crazy, absolutely crazy. Because this dissension in the faculty was something, I'm sure, he must have heard about from wherever. But he probably just couldn't believe it and just assumed it couldn't be true. I can't remember when Ted Jones became assistant dean, but anyway, when Harno was here he was assistant dean, because Verrall, I guess, had been assistant dean while we had the trio.

Dean Harno simply was overwhelmed by California and the way the law school ran. For example, the budgetary considerations. One of the members of the faculty who had been at the University of Illinois told me that, for instance, when Harno decided on his budget, he would write it down on a piece of paper and say, "We need this amount of money for salaries and this amount of money for support, and so on." Then he'd walk across the street to the president's office and say, "This is what I think we need," and the president would say, "That looks good to me." And that would be it.

I can remember trying to describe to him the procedure we had to go through to make our budgetary proposals — we used to make them two years in advance and he would just look at me and I could see his eyes cloud over. And he would think, I am sure, this woman is — it can't be true what she's saying. He just never was able to cope with us, absolutely. I'm sure it was a nightmare for him.

GALM: Was he clearly meant only as an interim dean?

MCQUADE: Oh yes, yes. Yes, that's right. I think the feeling was that it was inappropriate to continue the way we had been with the three operating as dean, with our trio. Well, just for instance, for recruiting purposes people would wonder, why don't you have a dean? And we'd have to go through all this problem. For just a whole variety of purposes, and I suppose the thought that they could get — I suppose also that there were very few people who would be willing to take that job. I'm sure that they probably did a lot of recruiting before they got Albert Harno.

GALM: How old was he? Was he just at retirement age or even —

MCQUADE: Oh, he was, I would say, in his late sixties; I just don't remember exactly. He had been retired from the University of Illinois because of age, and so he was whatever that age. Maybe he was sixty-seven, sixty-eight,

something like that. Of course he knew some of the members of the faculty. Naturally they all know each other. But I'm sure that that was an unbelievable year in his life, because he just couldn't really realize that we were — . The complexity of the university system alone would have been difficult for him to deal with, and then all the dissension and the lack of precedent: "Well, last year we did it this way because we didn't have anybody to tell us," and so on. He just couldn't — .

After Christmas he spent most of the time writing letters in answer to Christmas cards that he got; I think that was his refuge. He would invite his secretary to come in, and he wrote a long letter in response to every Christmas card he got, so that occupied him for most of the spring.

GALM: How did you survive this period?

McQUADE: Well, it was very enjoyable — [laughter]

GALM: Any thoughts of looking for jobs elsewhere?

McQUADE: Well, I did — yes, I must say at one time I did consider leaving the law school and going — there was an opening elsewhere in the university, in the School of Nursing as a matter of fact, and I was considered for that job. And I considered it, and I think I probably could have had the job if I wanted it. And I did talk to — I don't know whether it was Chadbourn or Rice or both — but anyway I did indicate that I was interested in leaving, and they encouraged me to stay on, they wanted me to continue. So I decided to continue anyway. It was certainly interesting. You know, for a while I felt that perhaps I was just sticking with a sinking ship, but as I say, I think they persuaded me that I should continue on.

And it was, I must say, a very interesting period because since there really was nobody running the school, I had plenty of opportunity to run it, and took advantage of some of it. I had good relations with all of the faculty, other than Dean Coffman when he was here, who, as I said, stopped talking to me. But the rest of the faculty I think felt that — at least I like to think they felt that I was trying to run the school, and that I wasn't terribly interested, if you will, in their concerns with recruitment and so on. It was really none of my business, and aside from that, I just wasn't paying any attention to it. And so they, I hope, respected my abilities to take care of the school matters.

GALM: One of the things that Dean Maxwell credits Harno with accomplishing during his brief year was the recruitment of Murray Schwartz and Addison Mueller.

MCQUADE: Yes, that's right. Addison Mueller had been considered during the Coffman period. He had come out to visit, and they had not hit it off, and I think that was probably on politics, just in discussion, social discussion. Mueller would not have come under the Coffman regime, but the faculty had been very interested in having him; so as soon as Mr. Coffman was no longer dean, they got in touch with him, and he came.

And Murray Schwartz, yes, I think he had been solicitor general, or whatever it is, of Philadelphia before he came. That's not the right title, but he'd been in public service in Philadelphia. Then, I guess, he decided he wanted to go into teaching, and so he was recruited. And, yes, he was of course a great find. And that's true, I think Dean Harno did — that's of course one of the things he did do very well, I must say. You know, there are association meetings at Christmas, and that's the time when faculty who are looking for new members usually send a team to talk to those people who are interested in either making a move or teaching for the first time. So I think that whole relationship formed during those meetings. And I'm sure that Dean Harno, who was so experienced in those matters, probably did handle that very, very well.

GALM: One of the other things that was accomplished during this period, and which I'm sure was very important for the faculty and for their own morale, was the faculty bylaws.

MCQUADE: Yes, well, of course that was an outgrowth of the whole relationship. Arvo Van Alstyne I remember was very active in that; he was a kind of a legislator type and he drew up those bylaws. The faculty reviewed them constantly, and they made them then very well known. I can remember some faculty member — I really don't even remember who it was now — making sure that I knew about those bylaws and had a copy of them and was aware that they were in force.

GALM: Now, these bylaws — do they continue up to the present and are they constantly reviewed?

McQUADE: Yes. Of course I can only speak for the time when I was here; but, yes, the faculty bylaws were reviewed and revised on occasion. And when a matter came up that could be guided by the bylaws, we always referred to them. When I was secretary of the faculty, I always had the bylaws with me when we went into faculty meetings, just in case a matter came up, and occasionally some matter would come up. Largely, it spoke about who could be present at the meeting and who could vote on different kinds of matters: tenure matters, approval for appointment to the faculty at different levels, and different people voted at different levels and so on, and dismissal — that whole kind of thing.

GALM: I think it also [addresses] just the whole sense of faculty meetings.

McQUADE: Oh, absolutely, no question, and who can call a faculty meeting, because that was another problem during the Coffman era. He refused to call faculty meetings when he thought that there was going to be a problem. And so the faculty bylaws clearly spell out how a faculty meeting can be called: how many people it takes, and what the procedure is, and so on. And the committees are also included in there, too.

GALM: I think one of the other committees that Dean Coffman had established was an Advisory Committee, which was rather surprising.

McQUADE: Well, I think that was forced upon him.

GALM: Van Alstyne was appointed chair, and then later when asked for a report, couldn't recall that the committee had even met or had been formed.

McQUADE: That's right; well, I think that's right. I think that, in forming the faculty bylaws, it was clear in the minds of those who were preparing the bylaws that there should be an Advisory Committee. And I suppose that at that point Dean Coffman acceded to things, that he felt it was easier to say yes and not carry them out than it was to argue once more. But that Advisory Committee is still in existence.

GALM: It seems to be a powerful force. Has that changed somewhat over the years as far as its structure and its membership?

McQUADE: Well, its membership, it's now elected by the faculty, and it used to be that it was only tenured members of the faculty who could be

appointed to it. Now, any faculty member can be appointed, and as I recall — well, I'd have to review them again, but I think as I recall all members of the faculty vote. I think they were originally elected by the tenured members. The three tenured members were elected by the other tenured members. But I think now everyone votes, and I think any member of the faculty is eligible to be appointed to the Advisory Committee. I think the only restriction is that they try to have somebody who is going to be in residence the entire year.

That's really the only restriction. They don't want a change in midyear. It's a very powerful committee because it's the committee that advises the dean on faculty salaries and other matters, but I think that dearest to the heart of the faculty are the faculty salaries. So I think that's where their power really lies.

GALM: Why don't we go on to what you perhaps know about the appointment of Maxwell, Richard Maxwell, as acting dean.

MCQUADE: Well, towards the end of Dean Harno's period, that was one of the few times when I ever did have a meeting with Chancellor Allen. He invited me to come over to his office, and we talked a bit about the present state of the law school. He wanted to know how it was running in my view, and so on, and said that he was thinking of appointing one of the faculty members to be acting dean for the next year, rather than to get someone from the outside, and asked me if I had any suggestions. And I did in fact suggest Richard Maxwell. I don't recall that I suggested anyone else, although I think he did ask me about a couple of other people: Did I think they would be suitable or good, or what was my opinion of their possibilities as acting deans? I remember that there was one — whose name I'm not going to mention — that I did not think would be a good person. And I said I thought that perhaps there would be someone else who would be better. So anyway that was our discussion.

Then somewhat after that, Dean Harno told me that Chancellor Allen had been in contact with him and that he was proposing to appoint Richard Maxwell as acting dean. I presume he must have contacted the rest of the faculty, who I presume supported it. And so the following July when Harno left, or whenever Harno left, Richard Maxwell took over.

GALM: What were your reasons for choosing Maxwell over other faculty members?

McQUADE: Well, I had had some contact with him when he was chairman of a faculty committee to establish the number system for students taking exams. Now that seems like a kind of small thing, but the faculty had been pressing for that, and Dean Coffman had not been enthusiastic about it. At least he had not put it into force. So as soon as the faculty were in power, they determined that they wanted to have the number system. And the students were enthusiastic about it too. But, as you can well imagine, it was a complicated thing — nothing is ever simple — about how it's going to work out and how we're going to handle it, because it was something that the staff had no experience with. It took a fair bit of staff doing because we had to give each student a number and make sure that the student knew what the number was and that they would put it on their exam books. Then when the faculty turned in their grades for the courses, they had to be translated into the student's name, of course, and the faculty member not to know what number related to a particular student.

Also, the faculty, when they had approved the number system, had said that they wanted to have a provision for students to get some extra points for good classroom participation. So that added a little extra fillip to the whole thing. They had to then separately submit a list of names of those people for whom they wanted to have additional points (I think [three points] was the maximum they could have added to the grades that they had received). We had to be sure the staff understood this, and that it was done correctly, because it was very important. I worked with Mr. Maxwell on that, and that's how I got to know him, I think. I found that working with him was a pleasure. He was so good at getting things done and understanding how to do it, and yet so pleasant to work with. That I think is probably what led me to suggest him.

GALM: What happened during the year that he was acting dean?

McQUADE: Well, I don't recall anything spectacular, other than he was trying to pull the whole thing together. Of course Dean Coffman was still gone. I can't recall who he had as assistant dean, whether Ted Jones stayed on that year or not as assistant dean. I think he did, although I'd have to check again; but I think he probably did. But, anyway, he was just engaged

in trying to pull the school together and reestablish its morale. It was a momentous task that he undertook, really. Of course, being acting dean, he really didn't — at the time when he took it [acting deanship], I'm sure he must have thought about the possibility of becoming dean, and he must have decided that if it were offered he'd take it, or otherwise I would assume he wouldn't have taken the job as acting dean.

GALM: Did it come as a surprise, though, that a permanent dean should come from the present faculty because of the past?

MCQUADE: Oh, I think that's true. Probably it was a difficult situation to get someone from the outside to come. Whether or not they did any recruiting before they made Dick Maxwell the permanent dean, I don't know, although I would think in the nature of academic institutions, they would have. But under our circumstances it was probably better to have somebody from the faculty as the permanent dean, rather than someone from the outside, because the school had undergone so many upheavals in that last five years that one more person having to learn again about the university and about its administration and about the problems of the law school probably would have been just one too many.

GALM: What were your priorities as far as activities?

MCQUADE: Well, I suppose that — When Dick Maxwell became dean, he turned to me for a considerable amount of help in running the school. He made it clear that there was a lot about the university administration that he didn't know and really wasn't terribly interested in learning if he didn't have to. If I could handle those aspects of the administration, that would be fine with him. I found that very attractive, and so we established a system where I handled as much as I could and I would report to him what I had done, often after the fact. Of course if I thought there was something that needed an opinion from him, I obviously would talk to him beforehand. But I didn't go to him with everything that needed to be done. I would draft all the materials that we needed to submit to the university administration, and then he would review those, and it enabled him not to have to start from scratch and figure out what had to be done, and so on. I would draft letters or memos, or whatever they were, and put in (if I didn't know the facts about something or other), "In this part we should have" —

whatever the situation was — so that he knew what part he had to fill in, and so on. That seemed to work very nicely.

And, as I say, I enjoyed working with him so much because he has the ability to make everybody do their very best. He gives you the impression he has full confidence in you, and that you will be able to do whatever he asks you to do, so that you often find yourself doing something you never thought you could. It's a marvelous ability he has.

GALM: Before we get into discussing the deanship of Richard Maxwell, I'd like to go back to a case that came up, at least it came before a faculty meeting in 1954, the Joseph [Alex] Cota case, as a student. Could you give me the background on that as you recall it?

McQUADE: Well, as I recall, he was in the first class, or perhaps the second class, but very early in the law school's history. As I understand it — this is not from having been present — in the Torts class which Dean Coffman taught, he and Alex Cota had several discussions, because Mr. Cota was liberal in his views and wanted to expound those views. So they, as I say, had several apparently public discussions and disagreements.

At the time when the exams took place, there was a rule in the law school that a student had to achieve a certain general average in order to stay in the school, then a lesser amount in order to be on probation, and if he didn't succeed in getting the probation average, he was dismissed. There was also an arrangement whereby a student could improve his situation in summer session. Unfortunately, the problem was that by the time summer session started, the grades for the June exams were not yet available. So the student could improve himself in summer session possibly, if he was on probation, and took some courses and was able to increase his average. However, if he was a borderline case, as I recall, and went to summer session and didn't do very well, he could find himself in trouble. So it was a very difficult situation for the students because it was kind of a Russian roulette arrangement, where they didn't know whether to go to summer school or not.

As I recall, the summer following his June exams, Mr. Cota had elected not to go to summer school, and after summer school had begun he found himself in the situation where his grades were not sufficiently good for him to continue. He petitioned to try to enter summer school late, in order to

bring himself in a position where he could possibly be able to continue on probation; but that petition was denied. He was very upset about it, and understandably, of course. However he determined that Mr. Coffman had made a personal attack on him and that he had deliberately reduced his grade so that he would not be able to continue. Because it was a question of an overall average, the sequence in which the grades came in would have to be known to determine if Dean Coffman had the opportunity to use his Torts grade to affect the overall average. Anyway that was the basis for the problem.

After his petition was denied, Mr. Cota made endless appeals to everyone, including the regents and tried to go as far as the California Supreme Court, alleging that he had been unfairly treated. He picketed outside the law school personally, he distributed handbills all over the campus, he just made every effort he could think of in order to attack Mr. Coffman and the school, and has continued that. Each time a new dean came in, he repeated his efforts, and he repeated them as recently as when William Warren became dean in 1975.

GALM: I notice in my readings that as student activism began in the seventies, or took place in the seventies, that there was, it seemed, student support for his case, which may not have been as vocal as in the past.

MCQUADE: Well, I think he presented himself as an attacked underdog, and students are always going to respond; I think not only students, but people generally will respond to that posture. Each time the faculty was impressed by what he said and felt that there was a basis for review and did review the case two or three times that I recall. But each time they found that he had not been unfairly treated, that he had been treated in the same way as every other student then in the school. Now the fact that the rules changed subsequently didn't mean that he had been treated unfairly. The faculty reviewed the rules and made changes from time to time, but that didn't affect the situation at the time Mr. Cota was a student.

GALM: That does seem to be something that really did occur over the years, and that was a going from very strict regulations as far as readmission to fairly lenient, or at least perhaps taking into consideration the human situation.

MCQUADE: I think that's true. I think that in the early days the school probably reflected the world, which didn't have very many human concerns

about people. The system was more important than the people. I think one of the good things that's happened is that we are concerned about people now, and individuals. And I think the school's rules generally reflect that.

Another reason I think for the rules to be somewhat less stringent was that as time went on and the opportunity to be admitted to the school became more difficult because we had more and more applicants, it really ended up that probably every student who was admitted to the school had the ability to get through successfully, so that there was no longer the view as in the old days, where students had to prove themselves after they got into school. Now, the feeling is that every student can get through, and many of those who aren't admitted could also, in fact practically all who apply, because it's now almost a self-selecting process. People who don't have the grades rarely apply to the school because it's known that they aren't going to be admitted.

GALM: Was that also true during the early period of the minority admissions, as far as trying to be readmitted after low grades?

McQUADE: I suppose there was more concern at that time, because for one thing, the faculty had had little experience with students who had come in who were not as well prepared as the general run of students had been previously. They were eager to help the students. As you probably know, there were a variety of programs that were instituted by various members of the faculty, and by the faculty generally, to try to help the minority students. I think probably in the beginning it may have been that some of the students who were admitted simply didn't have the discipline that required them to concentrate and work as hard as was necessary to be successful. And of course many of them had absolutely horrendous personal problems, and one wonders how they cope with them under any circumstances, much less trying to be in a highly competitive law school.

GALM: Why don't we go back to the period when Dean Maxwell became officially the dean after that period of — what? — a year as acting dean.

McQUADE: A year as acting dean. I was remembering, after we talked the last time, about Dean Maxwell telling me that he really didn't expect that he was going to have to do a tremendous amount of institutional paperwork. When he first became acting dean, he said that he didn't think he would move down to the dean's office because he didn't see any reason why

he'd have to. If there were some delegation or some large number of people, he could come and see them there, but otherwise he was sure he could do what little deaning business he had to do from his own office. That quickly became one of his standard remarks about how little he knew about the deanship, because he learned rapidly that there was a tremendous amount of paperwork and other kinds of work to do as dean.

GALM: What was the administrative organization at the beginning of his deanship?

MCQUADE: Murray Schwartz was assistant [dean] for the 1960–61 academic year. In 1961 he became a full-time teacher and was succeeded by James Malone as assistant dean for all general student affairs. He was concerned about admissions, and by then we had begun to have enough graduates that we were beginning to have a placement program, in the sense that many law firms would call and ask about our graduates as potential associates in their firms. Up until that time, either Dean Coffman had handled such requests, or he often passed them off to me, and I would try to tell the students about a job that I thought they'd be interested in, and tell the employer about students that I thought they might be interested in talking to. It was done very unscientifically, I must say, and I probably didn't do it properly at all. But in any event, there are several people out in the legal world today that thank me every time they see me for the job they got. But, anyway, we began to have enough inquiries that we had to set up a special placement and alumni affairs office. Jim Malone handled all that sort of thing.

Dean Coffman [correction: Maxwell] then made me assistant to the dean, and I handled all of the nonacademic running of the law school and I also accompanied him to meetings and any other activities that he participated in where it was possible for me to be there, so that I could implement whatever decisions he made with the least amount of his having to tell me about them. It was, he thought, the most efficient way to operate, and I thought it was great.

GALM: Now you said Dean Coffman, but you meant Dean Maxwell.

MCQUADE: I meant Maxwell, yes, of course; I'm sorry, yes.

GALM: Then later on, at what point was an associate deanship established?

McQUADE: I was just trying to remember exactly in the time sequence, but the need for an associate dean became evident when the number of faculty grew [and] the number of courses began to grow. The complexity of the appointments and promotion and review system in the university is such that about, I would say, half the time of a person would be spent reviewing faculty, preparing the documents for appointment, for merit increases, for promotion to tenure — all of those kinds of things — and an overview of how the courses related to each other and what new courses ought to be instituted and how to set the program for the students, who by now had a choice of courses except in their first year. So there was a whole variety of needs in the educational program side of the law school that he [Dean Maxwell] perceived and that he felt could be best handled by an associate dean, and in very general terms, that's what the associate dean's primary responsibilities are.

Of course, Dean Maxwell was concerned about building alumni relations, beginning to worry about the expansion of the building, and reestablishing the law school's credibility and reputation among law schools, the university, the legal community, and the world generally. So he had more than enough things to do.

GALM: Was the associate dean a part-time position, or was that —

McQUADE: The associate dean was always a teaching member of the faculty and has been, I think, always a tenured member of the faculty because the associate dean was considered to be really in charge of educational policy. In that light it was considered part-time in that there was a teaching component, but it's hard to say how part-time and how full-time, because it depends somewhat on the person in the job. Subsequently, the teaching load of the associate dean was reduced so that I think they had just a half load, and I think that still exists; they probably just teach one course a semester, or a quarter, or whatever.

GALM: Because it seems that when Murray Schwartz came on [as associate dean] in 1967, or thereabouts, that was when Jim Malone resigned, or did he leave?

McQUADE: He left to go to another position as I recall. Anyway, he left of his own volition.

GALM: Because then it seems that they established two assistant deanships.

MCQUADE: That's right, that's right. Well, see, the school kept growing. When Murray came in as associate dean, I think he was and still is very interested in educational programs, so that dovetailed very nicely with his own interests. I think he viewed it as [though] he would be able to continue his teaching and research and also follow his interests in that area. When Jim Malone left, I think the faculty and the administration reviewed his responsibilities and felt, particularly with the advent of the minority program, that they really needed someone in a full-time position to review the files and to really talk with the minority students, to recruit them, because to many of them this was an alien atmosphere, and we really needed somebody who was going to be able to relate to them.

GALM: And who was appointed to fill that role?

MCQUADE: I was afraid you were going to ask me that.

GALM: Was that [Anthony] McDermott?

MCQUADE: I can't remember whether he was the first one or not. At one time, he was, yes. We had such a sequence of assistant deans, I can't remember the — I'd have to look up to see who did that first.

GALM: Why was there such a turnover in the assistant deanships?

MCQUADE: Well, that's a very difficult job to fill. Ideally, in order to deal with law students and their problems, you would say you need a lawyer, someone who has been through law school and who understands the particular and peculiar difficulties of going to law school, and has been successful, so that students feel they're talking to somebody who has been through the experience and has succeeded in it. But when you find somebody who has done that, they don't want to be assistant dean because it's a position that goes nowhere. The people who come into that position are not candidates for faculty appointment because they don't have the particular academic background. They usually don't have sufficiently good grades, and they weren't an outstanding star. If they were, then they wouldn't want that job. And yet we got a number of people who would come in and do it, but they viewed it as a kind of a stepping stone to some other job that they were looking for, or as an interim activity or something they'd like to do for a little while and try it.

But people quickly got tired of it, because unfortunately what happens in all jobs when you're dealing with students is that the problems tend to recur. It's difficult to sometimes work up the same degree of enthusiasm about solving a student's problem which is very important to him, and everybody recognizes that, but you've heard that same story many other times. When you become aware of the fact that you have heard that story many other times, it's time to leave the job.

GALM: Let's then go to some of the early tasks that Dean Maxwell had to face, and certainly it seems one of the major ones was appointments.

McQUADE: Yes. Yes, he really had to work very hard to get some faculty appointments that would be a credit to the school. Each year, as I mentioned earlier, there is this meeting of the Association of American Law Schools, which is a large recruiting activity as well as a meeting to consider various other matters. He would bring a fairly large delegation of law school faculty with him when he went to these meetings, and they really spent a considerable amount of time planning on whom they were going to look for when they got there. At that time one of the great ways of recruiting was to write to deans of other law schools and ask for their outstanding graduates who might be interested in teaching positions. If there were such graduates that the deans wrote us about, why, then the law school, if they thought they would be interested, would contact that person and try to make an appointment at the association meetings. Because if a person were interested in going into law teaching, the custom at that time was to go to the meeting and try to see as many representatives of the schools in which they'd be interested as possible, which made it easy for both sides and saved a lot of travel money. So, anyway, the law school faculty really worked very, very hard.

Of course, we also had a number of visitors, because in an effort to staff the courses, a lot of visitors were brought in whose appointments could be gotten through the university a lot easier than either permanent appointments or people who would be candidates for tenure. Because these were people who were established at other law schools and who weren't coming on a permanent basis, the university wasn't as concerned about the amount of scholarship or academic background with respect to teaching and so on. If the law school was satisfied with the person, then the university in general would be willing to appoint them.

The only hassle we ever had was the salary. That was always a constant problem, because wherever these people came from, it was always more expensive to live in California, and they felt that they should be rewarded for dislocating themselves and for the additional expenses they incurred. The amount they should be rewarded by was always the question.

So, anyway, that was a hassle, but it was an easier hassle to work through than trying to appoint new people, which was always a problem, because the law school standards were not the same as the standards in, let's just say, the College of Letters and Science. Because there, as I understand it, people who are either about to get Ph.D.'s or just recently awarded Ph.D.'s come in as assistant professors, and then in due course they work through the various levels and up through associate professor when they get tenure and then on to professor. But in the law school, that was not viewed as an acceptable way, because in law schools, generally, people move much more rapidly to tenure than they do in the other disciplines. In most law schools, people who have been successful in doing some worthwhile academic research and writing about it, and who have been reasonably successful teachers, generally move to tenure within four or five years. That whole principle was not well received by the Academic Senate committees and the university. It was a kind of a revolutionary idea, so that Dean Maxwell had to try to get that whole problem understood.

Eventually we got a separate salary scale and a whole separate scale of academic titles, shall we say. Although that, I think, was primarily accomplished either at the end of Dean Maxwell's deanship or early in Dean Schwartz's, I just don't remember the time, but it was a continuing problem. We were always working on it, always working on a salary scale for the law school and some way to get around this problem of tenure. Eventually what they did was to have an [acting] appointment. The initial appointment for a person who is a candidate for a permanent appointment to the faculty is acting professor. Then they are reviewed sometime within the first three years of their appointment and then subsequently reviewed for tenure in the next year or so, if they're making satisfactory progress. So that generally within four or five years they are either appointed at a tenured position, which is professor (the law school only has acting professor and professor), or they decide this is not for them and move elsewhere, on to something else.

GALM: Well, by the time that you left the law school, was salary a real problem in recruitment — of say, again, the discrepancy between law school faculty and a lawyer's salary?

McQUADE: Well, I think that most people who decided to follow the academic life, most lawyers, had realized that they were not going to make the money that they would in the practice. Many of them have been in the practice for a year or two before deciding to go into teaching, and so they were aware of the potential that they had for earning huge salaries. But they determined that it wasn't worth it, because there is a tremendous discrepancy between salaries in law teaching and in what those same smart people could earn on the outside. They've finally gotten to a point that the law school salaries are certainly very adequate. These days you simply can't attract good people, and certainly not in the professions where they have the opportunity to practice their profession in a lucrative situation as contrasted with the academic, unless you are somewhat competitive in salaries.

GALM: One of the things that of course happened early on and did affect how appointments were made was that the law school was brought back into the Academic Senate. That was in 1962. Do you recall the sequence of events that brought that about?

McQUADE: Well, I think there'd been a lot of pressure on Dean Maxwell to bring the school back into the Academic Senate. I think the feeling was that perhaps the law school had gained something by its autonomy, but really it was beginning to lose what little it had gained. Because even though the law school wasn't part of the Academic Senate, it was being required to adhere to the rules that were established by the Academic Senate, particularly again in the matter of appointments and various other [matters], primarily appointments. That was where the rules were being laid down, that even though they weren't members of the Senate they had to meet the same level of academic criteria for appointment.

GALM: The push, though, seems to have come from the president's office, from Clark Kerr.

McQUADE: Yes, I think he — of course, at that time I didn't really know too much about — I'm sure Dean Maxwell may have spoken about that in

his oral history. But, yes, he was really being pressured to get back into the Academic Senate, and he just finally acceded.

GALM: Because it seemed like he wanted to put it off as long as he could. Possibly because of this period of intensive appointments.

MCQUADE: I think that's true. You know, there were just so many things to do, and the faculty I think were very ambivalent about whether to go back into the Academic Senate or not. Some of them of course had had no experience with it. They had absolutely no idea. Others wanted to be in the Academic Senate because they wanted to participate in the university administration, which they were prohibited from doing when we weren't members. So there was, I'm sure, no clear-cut feeling on the part of the faculty. And I'm certain that the pressure from the president's office finally influenced Dean Maxwell, who, I'm sure, in turn influenced the faculty to accede to what was a lot of pressure.

Of course the law school was in a very difficult position vis-a-vis the university generally at that point, because I think the administration was wishing we'd go away and all of the problems that had been created over the previous few years and had caused them so many difficulties. Then Chancellor Allen left, and I guess it was when Franklin Murphy came in. He was new to the administration and wanted to, I suppose, get the law school to conform to the university policies, to the extent that it could, and stop making waves. I mean, that would be a normal reaction. I shouldn't really speak for him, because I hardly knew him, but in any event I feel confident that would be his attitude.

GALM: What was Franklin Murphy's relationship to the law school?

MCQUADE: I think he respected Dean Maxwell very much; I mean, I think they formed — I would hardly call it a friendship, but I think that Franklin Murphy was very impressed with Richard Maxwell, and I think if Richard Maxwell made a request or spoke, I think that Dr. Murphy would listen to it very carefully and consider it. Other than that, he came to the law school once or twice to visit, as I suppose he visited all the schools and colleges on the campus and met with the faculty; but he certainly was not an active participant in any of our affairs.

GALM: Let's then return to appointments that were made during Dean Maxwell's tenure. Do you feel that Dean Maxwell attempted to create balance on the faculty?

MCQUADE: Oh, I think there's no question about it, I think he did. Of course, in trying to establish the credibility of the law school again, when it had the reputation under Dean Coffman of limiting the kinds of people that would be considered for the faculty, I think he wanted to try to expand it so that everybody who met the criteria for academic background in research and who had the proper credentials with respect to law school and undergraduate work would have the opportunity to be considered equally. I think he was very eager for that.

GALM: I think a curious incident happened when UCLA was going to cosponsor something with the American Civil Liberties Union. There was faculty opposition on both sides. Some of the faculty felt by cooperating with them it would extend the image of the "Little Red Schoolhouse." The other side felt that we were too identified as a right-wing school, and this might be a way of showing that we were going in a new direction. Or at least that we were open to —

MCQUADE: That's right — open to other views. Yes, because there were some members of the faculty who were active in the American Civil Liberties Union, who served as counsel and so on. Yes, it was a very divergent group that we had at that time. I know that the National Lawyers Guild established a — I don't know what they call it — a chapter or whatever.

GALM: Chapter.

MCQUADE: Yes, and they were very active and they recruited a lot of students. At that time, of course, it was the beginning of all the tremendous formation of student organizations. We had an organization for everything, and we still do, for that matter. I mean, any little group who has a special way to identify themselves can form an organization. It was just a ferment everywhere. The students were active in bringing themselves together for various causes, and the faculty themselves were active; so it was a very exciting time. I probably didn't realize how unique it was at the time, but in any event, as I look back on it, it certainly was an exciting place to be.

GALM: I think something we may speak about [now] is the expansion of the law school, the building of the new wing.

MCQUADE: Yes, you know, it rapidly became obvious that the law school was outgrowing its building, because we really only had three large classrooms. Originally it was built with three classrooms — a large one for the first-year class, a smaller one for the second-year class, and an even smaller one for the third-year class. Because when Dean Coffman, as he said, designed the building, that was the procedure: People were expected to flunk out — a considerable number at the end of the first year, a lesser number at the end of the second year, and so on. Then there was one other classroom, which seated a smaller number, which was to be used for elective courses. But we simply couldn't operate.

When the law school educational program changed to the point where only the first year was required and the second- and third-year courses were optional, immediately the proliferation of courses outgrew the classrooms. We tried to get classrooms elsewhere in the university, which is very difficult to do for a couple of reasons: one reason being that our students had become accustomed to using classrooms with continuous writing space, because the books that they had made use of armchairs almost impossible. A student needed to have a big casebook and a notebook and sometimes another book of rules or some other reference book before him during class, and that was impossible to do with an armchair. So we tried various things. When we were forced to use classrooms with armchairs, we tried to seat the students every other seat so that they would have two arms to use. But it was difficult.

Then another problem was our scheduling. Instead of scheduling a three-hour class as generally is done in the university — say, Monday, Wednesday, and Friday — we scheduled ours three days in a row: Monday, Tuesday, Wednesday; or Wednesday, Thursday, Friday. And to some extent we had had Saturday classes, although those were eliminated reasonably early in the sixties because the Jewish students called upon us and felt that they couldn't attend classes on Saturdays, and that we were discriminating against them. So we began then the policy that any class that we offered on Saturday was also offered during the week. We have, over the years, offered a class in Trial Tactics, for example, taught by a practitioner who really

only could comfortably come on Saturday, and so students could opt for that, or there were other sections of it at other times. But I digress.

So we were desperate for classroom space and office space. We had faculty members officed all over the campus. Money became available for us to expand the law school, and a committee was appointed, faculty committee, to determine the needs to work with the architects for the planning of the new building. Arvo Van Alstyn was the chair of that committee, and he spent a lot of time working with the library, with various members of the faculty. He talked with me about the needs for administrative space.

GALM: Certainly a great change and a great effort in the law school was minority admissions, and I think it really began around 1966. What do you recall of the history?

McQUADE: Well, I think that when we moved into the new wing, new building, we realized that we then had some additional capacity for students and the number of students admitted could be increased. But, that wasn't the only reason for consideration of the minority needs. I think the whole country had begun to realize that minority students had been disadvantaged and the time had come to do something for them. Professors Leon Letwin and Richard Wasserstrom of this faculty were the two who really spearheaded the law school's recognition of the problem.

Also, about that time there had become some funds available. There was what was called the CLEO program; I think that was California Legal Education Opportunity Program. Then subsequently there was the LEOP program, and that was Legal Education Opportunity Program. Now, CLEO was a program that, as I recall, had federal funds. What it did was it provided funding for a summer program for disadvantaged students, and I think it was primarily for Blacks. I don't think at that time that the Hispanics had made themselves known as a minority, so it was primarily geared to the Black students. It was a summer program for them to participate in, with the intention and the hope that they would then ultimately qualify for admission to a law school. And the program was offered — in California it was moved around from one school to another. We hosted it two or three times; I don't recall exactly how many times. Subsequently, we would have faculty members participating in it, and then after the program got underway, each year some of the graduates of the previous CLEO

programs would participate as assistants and so on. But that's going ahead a little bit.

I remember that Mr. Letwin prepared a lengthy memo for the faculty, which was discussed at length several times in the faculty committees and in the faculty meetings in general, about the needs of minority students and the fact that an admissions program for them could be — should be — created. I think the faculty in general were enthusiastic about supporting this idea. There were some members who felt that any distinction based upon race between potential admittees was wrong. And they made themselves known, but their views did not ultimately prevail.

A program then was created, a special admission program, and that was a program that was constantly under discussion every year, because we, as other law schools, were really in the dark how to go about this. The faculty originally admitted — I think it was, my general recollection was — about ten students, who were graduates of that CLEO program, and then it increased every year. They tried to help the students, and originally they had special tutorial sessions for them. They tried to get some of our third-year law review students, and so on, those who were known to be outstanding students, to assist. I think we tried every conceivable method that you can think of to try to assist the students. After a while, after the program had been under way for several years, some of the minority students began to resent getting special treatment and felt that it put them in a position that was somewhat degrading; so some of those special arrangements were canceled as a result.

GALM: It seems there was also some resentment upon the majority students?

MCQUADE: Well, yes, that was another whole problem. Of course that was the ultimate *Bakke* situation. The majority students, yes, many of them resented the fact that — they felt that they were being disadvantaged because the Black students or the minority students were getting special attention. So it was a source of a great deal of tension in every respect.

The faculty had to face the problem of how to select the students, whether there should be any kind of special grading assistance, and so on. They really looked at all of the courses and the methods of examination, and so on, at the time when the minority students were first admitted. I shouldn't say that — limit it to them — [because] they're always looking

at that whole program, I think; but at that time it caused them really to rethink a lot of things that they had been doing traditionally.

After a while, just to take the minority program as a whole, when it was evident that it was successful in large part, the students themselves were engaged in making the selections. All of this was of course at their own request. They were given the opportunity to do some preliminary screening of candidates who would be admitted to the program. Because it was their contention that the student who was admitted to the law school should be one where there was a good chance that he or she would return to the community, and let the minority community benefit by the additional education that that person had obtained, and they felt that they were in a better position to make that judgment than white nonminority faculty members.

We also, at about that time, began to appoint a second assistant dean whose whole responsibility was that minority program, because there was the problem of the admission of the student, the selection of those to be admitted. Then, even after that hurdle was overcome and the student got into the school, they nearly always needed financial aid. I mean practically, because if they didn't need financial aid they were suspect by their own peers as not being likely to return to the community, so nearly all needed financial aid.

And they had just tremendous personal problems. Many of them came from very difficult home situations, and they needed a lot of counseling because they didn't come from a tradition that encouraged people to go to advanced schooling. They had a lot of peer pressure within their own groups, as I understand it, from people who rather looked down upon them for attending school, who were from their old neighborhoods or whatever. So there were just a whole multitude of problems. It turned out that that was really a very important factor in their education, aside from the actual classroom attendance. So we did in fact appoint an assistant dean for that purpose.

GALM: Do you recall who that was?

McQUADE: I think that Anthony McDermott was the first one who was appointed for that purpose. I can't remember how long he stayed on, and then we had Roger Cossack.

GALM: I also came across the name Martin Kahn.

MCQUADE: Martin Kahn, he was — the thing is that I can't remember now. Martin Kahn, that's right. He, I think, succeeded Tony McDermott as the assistant dean for special programs. Then ultimately Michael Rapaport came in, and he is still in that capacity. Although now there is no longer the need for the separation of the two kinds of students, and he's just the assistant dean for admissions generally. He now has the whole program. Because since the *Bakke* decision, race is simply taken into consideration as one factor among many in consideration for the admission of, I think, it's forty percent of the students. Sixty percent of the students are admitted in the regular traditional way of law school admission test grades and scores in college. The others are given special consideration, and among the things, as I say, is race and what else they have done in their lives that would set them apart as making them specially good candidates for admission to the law school.

GALM: What are some of those factors?

MCQUADE: Well, some people have done remarkable things. I mean, they've run their own business, or they've lived in exotic places, performing sometimes dangerous jobs. They have, of course, perhaps advanced education. What can I think of? Oh, some of them have been in the Peace Corps, and they've done very remarkable things in the Peace Corps. I really can't begin to tell you, but it's just amazing what — some of them are active in other disciplines. We have M.D.'s and dentists and nurses and so on.

GALM: Are a few slots allotted for elderly people, too?

MCQUADE: Well, yes, they do have, they nearly always have some who have completed their careers in one way or another, and we've had — I remember we had a woman who was admitted, I think she was well in her sixties. So we had just a whole variety of people, and the feeling was that that helped everyone else, because they brought a variety of experiences to the classroom which educated their fellow students, and their faculty members sometimes too, because law schools try to get a mix. It's a lot more advantageous if you can discuss a legal problem from a whole variety of points of view and backgrounds and experiences rather than everybody being the same and sitting around nodding in agreement. You don't get that variety of opinion and the intellectual stimulation and the review of

a social need or whatever, because that's very important to understand in considering a legal problem.

GALM: How did the special admissions program affect the bar scores?

McQUADE: Well, I think many of our special admittees did not do very well on the bar initially, and even to this day that's still a problem. I think in general, with some exceptions of course, most of them didn't finish in the — most of the special admittees, if they finished, finished in the lower part of the class. And traditionally the people in the lowest part of the class have the hardest time passing the bar, and so I think that they didn't do — and there's still a problem there.

GALM: Does that have an effect on the reputation of the school itself?

McQUADE: Well, of course it does, really, no matter how much one tries to ignore that fact. It certainly doesn't enhance the reputation, and that's something that we've been very much aware of over the years. When we've had a particularly poor time on a bar examination, the faculty usually has taken steps to try to look into why we were not successful on a particular bar and try to determine which were the students that failed and look over their academic records, and so on, to try to not permit that to happen again. So it's a big factor in the law school's looking at itself.

Even though in some ways the faculty has felt over the years that the California bar examination is not the best way to determine the admission of lawyers. You know, in many states if a person graduates from an accredited law school and otherwise meets whatever kinds of standards the state sets, they are admitted on motion. But in California, because California allows these unaccredited law schools and also has a provision where a person can study law on their own under the supervision of a member of the bar, the state has this very difficult and lengthy bar examination, and so it's difficult for anybody, no matter what school they graduated from, to go through this three-day program of bar examination. Even the best people sometimes can fail, because they don't have the physical stamina, or they get nervous, or just a whole variety of reasons. It isn't because they don't know the material; some people just have a terrible time with that exam.

Over the years, I remember particularly, Dean Maxwell tried to get the Legislature to consider changing the bar examination so that graduates from the accredited schools could be admitted on motion or in some easier

way. But, as they call it, the “Abe Lincoln syndrome” prevailed, and they’ve never been able to change it. They’ve changed the bar examination to some extent now and [have] divided it into two parts, and so a person can pass one part and retake only the part they didn’t pass. I mean, they have modified it to that extent. Also I think they have now what they call generally a clinical component. But in any event, it’s still open to people who have graduated from unaccredited law schools and whose legal education is, perhaps, not the best. It certainly has to be determined that they have the ability to practice law, and that’s not evident from their legal education, I guess would be a better way to put it.

GALM: As I think you mentioned, one of the factors in admissions that seemed to have created problems from the very beginning was the personal interview.

MCQUADE: Yes, that has been a problem. I think very early on when we started the minority program, my general recollection is that because of the CLEO program, and so on, everybody who was being admitted was pretty well interviewed one way or the other. But as time went on, and when the program became known, of course we had a tremendous number of applicants, and it became very difficult for the faculty members who were passing ultimately on the applications to be sure that there was no bias on the part of the students who were interviewing the candidates for admission, because faculty members weren’t present at those interviews. And as always happens in situations like this, various factions of the students became predominant in the students who were doing the interviewing, and [there was] concern that it wasn’t being conducted on an impartial basis. And so that created a problem over a period of time. Of course as the Hispanics became an evident minority and began to require that they get some consideration under this program, then we had a similar kind of situation among the Hispanic students, and so we had the Blacks and Hispanics.

Then ultimately the Asians were asking for some consideration for special admission also — not so much because they [had] the same problems. Their problems were rather — they came from an intellectual background. They had financial problems. Another problem that they had was that lawyers in their culture were quite alien, because their culture was one of

respect for the older person and traditional values. They never would argue and raise another point of view, and so this was a kind of a whole new idea for the Asian culture. So, anyway, they were awarded a small number of places, because eventually what happened was that each year the faculty would meet to try to determine the numbers of students that would be admitted in the minority program for the following year, and as time went on, that had to be broken up into so many Blacks, so many Hispanics, so many Asians. Then there was always a little allotment for “others.” And “others” I think turned out to be — I think we had some Indians for a while, and then we had some people from Appalachia — just a variety of other kinds of people. But primarily the minority program was, as I say, geared of course to the Blacks and the Hispanics.

GALM: You mentioned Appalachia. Did they ever consider the poor urban white as a special —

McQUADE: Of course, they were always eligible to apply for admission, and were included among the “others” for any special consideration. There were not a lot of scholarship funds available, but they were eligible to apply. And the scholarship situation was one that they could apply for, and if they could get the money, then that was fine. But the feeling was that in general they didn’t need any particular admission program because it was just a matter of money; and the law school wasn’t handing out the money: it was the university administration that was handling all that.

GALM: So, in other words, the cultural or sociological disadvantage didn’t seem to be that great or great enough to —

McQUADE: That’s right, that’s right. Because we had many poor students, really. I mean every student seemed to be living on the edge of poverty anyway. You know, generally speaking, a state university has a lot of students who have terrible financial problems. Aside from minority people, the others had great, great financial difficulties as well.

GALM: I wonder if you could summarize what you feel were his [Dean Maxwell’s] accomplishments as dean?

McQUADE: Well, I suppose he really restored the school to an accepted status, to say it in the . . . simplest terms. Prior to the time when he came in as acting dean, and subsequently his appointment as dean, the morale

of the law school faculty and the students and the staff, to a large extent, was really almost totally destroyed. And he, by virtue of his leadership, restored people to being proud of the law school. He recruited faculty, and I can imagine that must have been a tremendously difficult job to convince people to come to Los Angeles to a school that had had such a short, but rocky, history. He expanded the educational policies and offerings of the school to bring it up to date with the advances in legal education during the period since the close of World War II, which, as I understand, was really a time when legal education made tremendous changes, both in the method that was used and in the breadth and scope of its coverage. He enlarged the building by adding the north wing. He was just a wonderful person, and everyone who was fortunate enough to be around him, I think appreciated that opportunity. I think I may have said previously he had the marvelous ability of inspiring people to go beyond what they thought they were capable of by his own complete confidence in them and his willingness to help and listen in a most unobtrusive and kind way.

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