Fall 1998

Alumni Headnotes (Fall 1998)

University of Tennessee College of Law

Follow this and additional works at: http://trace.tennessee.edu/utk_lawalumniheadnotes

Recommended Citation
http://trace.tennessee.edu/utk_lawalumniheadnotes/32
Dean Dick Wirtz leaves indelible mark on the College of Law

During the fall of 1974, 34-year-old Dick Wirtz found himself in East Tennessee as the newest member of the faculty at the University of Tennessee College of Law. Just before the fall quarter began, he and his wife Peggy found a house in the Holston Hills area of East Knoxville and they and their young daughters Liza and Margy settled into a new routine.

“We had only one car back then, and Peggy needed that for the kids,” Wirtz recalled recently, “so I would take the bus to work and get off at Henley Street. I would walk down through what is now the World’s Fair site. It took about 10 minutes to walk to the law school building. I remember making that walk many times during the fall of ’74, with the leaves turning and the sun shining, and thinking to myself, ‘Boy, am I lucky.’”

Four years earlier Wirtz had graduated from the Stanford University Law School. He spent a year as a clerk for Judge Robert A. Ainsworth, Jr. of the U.S. Court of Appeals for the Fifth Circuit and then moved into practice as an associate with the Seattle, Wash., firm of Davis, Wright, Todd, Riese & Jones. By early 1974, however, he was ready for a change.

“I thought I might go into practice for myself,” he recalled. “Peggy and I had even found a spot in the far northwest corner of the state of Washington that looked like a great place. But my father-in-law, who was a law teacher, reminded me that I had once said I might like to teach. That enticed me to think about it.”

Wirtz made a few inquiries and eventually interviewed with UT representatives during the annual meeting of the American Association of Law Schools. “I was impressed,” he said. “There was a new dean named Ken Penegar and a lot of things were happening in his administration. It sounded exciting, and we were invited to come visit Knoxville.”

Wirtz said he actually turned down an offer from a more established law school (Illinois) in favor of UT. “I’m here because it had mountains, but more importantly because it was an opportunity to get in on the ground floor of something that I would be proud to be a part of. It turns out to be a lucky choice.”

Lucky, indeed. On July 1 of this year, nearly 24 years after those first walks down Cumberland Avenue, Wirtz stepped down as Dean of the UT College of Law, ending one of the more significant and successful deanships in the college’s 108-year history. He is returning to the job that is the dearest to him, a spot on the UT law faculty. But his record as Dean won’t soon be forgotten.

During his seven-year tenure as Dean and Acting Dean (1991-98), Wirtz led the UT College of Law through some trying times with the American Bar Association, a successful $7 million capital campaign, and the establishment of new academic initiatives that garnered national recognition for the College. In each of the last four years, UT has been ranked among the nation’s top 50 law schools by U.S. News & World Report.

“When you get right down to it it’s not the things that the Dean did, but that he was able to help,” Wirtz said. “Somebody else supplied the energy. All of our accomplishments over the past seven years have been the result of the effort of a lot of dedicated, committed people – faculty, administrators, staff and students. My job was to get them the resources they needed.”

The Dean did his job well.

With the support of the central university administration, the College corrected all of its problems associated with the ABA, so much so that in early 1998 the College received what amounts to a “clean bill of health” from the ABA. Whereas the College was on the brink of probation in January 1991 as the result of problems dating all the way back to 1984, an ABA team that visited the College during the fall of 1997 left so impressed only minor recommendations were cited in its final report.

Part of the solution to the ABA problem was the renovation of the existing law school building and the construction of a new addition. UT now has a state-of-the-art facility that ranks among the nation’s best. “The building really is quite remark-
able," Wirtz said. "Pat Hardin and the Building Committee did an excellent job."

The University, led by Chancellor Bill Snyder and Vice Chancellor John Peters, addressed the ABA's other concerns by increasing the general funding of law school programs, upping the budget for the Law Library, and raising faculty salaries.

On June 30 of this year the College's Cornerstone Campaign concluded. The College established an initial goal of $6 million and a Greater Challenge of $10.4 million. As of June 30, the College had received gifts and pledges of more than $7 million.

During Wirtz's tenure the College established two new centers, one for advocacy and the other for entrepreneurial law, that help students concentrate in the specific areas in which they plan to practice. "We are trying to make sure every student has a culminating experience like the ones offered in the centers where you do something very close to practice," he said.

When things go right, Wirtz said, deans tend to get more credit than they deserve. "The Dean doesn't really control very much, but he does have some say in setting the agenda. I feel good about what has happened."

Wirtz said the time was right for him to step aside and return to the faculty. "It's the natural end," he said. "My feeling is that the law school was ready for new leadership. Mine has been the loudest voice for a number of years, and I think it's healthy for the guard to change."

The ABA site visitation and the end of the Cornerstone Campaign provided the natural stopping point, Wirtz said. "I couldn't have left before those things were resolved, but I was wearing out."

Wirtz is looking forward to returning to the classroom. "Even in high school I thought I might be a college teacher," he said. "I almost went for an advanced degree in American Studies after college to prepare for a teaching career. I didn't go to law school with that primary aim, but some of us get teaching in our heads and it's always there."

"Law teaching is a wonderful thing. I can think of no greater accomplishment than helping people to become what they want to be."

Wirtz received a B.A. in American Studies from Amherst College in 1961 and an M.P.A. from Princeton University in 1963. He worked with the Peace Corps in Washington, D.C., in 1963 and HARYOU-ACT, Inc. in Harlem during 1964-65 as part of America's war on poverty.

"It was frustrating because we were supposedly fighting a war on poverty, but it wasn't serious business," Wirtz said. "It was rhetoric. There were no resources. There was no war."

Wirtz met his future wife during the "war," and they both became discouraged. "I noticed the only people with any clout were the lawyers," he said. "I still wanted to do some good and thought maybe the way to do that was to get a law degree and get the clout that comes with being a lawyer."

Wirtz recalled that a lot of people, especially his classmates at Stanford, were thinking the same way. "I really thought I'd like to work in the public interest. I didn't have a clear conception of what that meant. It could have been a wide variety of things - environmental work, representing underrepresented people."

The Wirtzes were attracted to Seattle. "I must have talked to just about everybody there that was doing that type of work, but there just weren't any jobs," he said.

So Wirtz decided to join a law firm and begin learning his craft. "I
signed on, but my heart really wasn’t in it. And that’s never
good,” he said.

The switch from the legal profession to academia was diffi­
cult for Wirtz in the early years. “Scholarship was a struggle,” he recalled. “It took some of the enjoyment out of it. I under­
stood that it was important, but I never felt about scholarship
the way I did about teaching. I looked forward to teaching ev­
every day.”

But Wirtz did become a scholar and was promoted to associ­
ate professor in 1977. He was promoted to full professor in
1987. Shortly after his second promotion, colleague Neil Cohen
asked Wirtz to lunch. The dean at the time, Marilyn Yarbrough,
needed an associate dean for academic affairs after John Sebert
announced he was stepping down.

“Neil said ‘I think it’s going to be either you or me. I have a
bunch of projects in the works right now and this isn’t a good
time for me. I hope you’ll do it.’” Wirtz said. “And he was
right. She asked me to do it. One of our former faculty mem­
bers, E.O. Overton, who did a lot of things for the law school
before he retired, held the position that if the dean asked you to
do something, you ought to do it.”

So, with some misgivings, Wirtz took the job. He served as
associate dean from 1988 until Dean Yarbrough’s resignation
during the summer of 1991. There wasn’t time to hire a new
dean by the fall, so Wirtz was asked by the faculty to serve as
acting dean during the search. He wrestled with the decision
about whether to become a candidate himself.

“Being the dean ratchets up your responsibilities appreciably.
You are responsible for relationships with important constitu­
cencies of the law school that the associate dean for academic af­
fairs doesn’t have much experience with – the central
administration for one and the alumni for another. You get in­
volved with things that don’t exactly play to my strengths – like
budgets. So I had to decide if I thought I could do the job, and
then decide if I wanted the job.”

The problems with the ABA were about to come to a head in
early 1991. Nevertheless, Wirtz did “put his name in the hat”
and was ultimately hired.

“I had a lot of things going for me,” Wirtz said. “I had a year
of experience. I had three absolutely terrific people in the
Dean’s office – Mary Ann James, Pat Hurd and LaVau
Browder. The president and the chancellor had honestly de­
cided to make an investment in the law school. So we were off
and running.”

Wirtz’ tenure as dean was longer than that of the average
American law school dean, which is less than five years. When
word of his resignation as dean became public, he received
feelers from other schools looking for deans. He wasn’t
tempted, however.

Wirtz will miss being part of the team that included James,
Hurd, Browder and Associate Dean John Sobieski. “We’ve
been good,” he said. “I’ll be going back to a situation where
law faculty members are pretty much autonomous. That’s good,
but I’ll miss working with the team.”

The subject of teamwork calls to mind Wirtz’s wife, Peggy.
“When I took the job,” he says, “she had an important job in
her own field, the aging field. She’s the kind of person who gets
asked to help all the time, and she can’t say no. So her life was
full. But she said to me, ‘I expect there are some things it
would be useful to you for me to do, and I want to do them.’

“And she did, to an extent that I still wonder where she
found the energy. In retrospect, I would have made a hopeless
mess of the job without her. President Joe Johnson likes to say
that he really wanted her as the Dean, but since she wasn’t
available, he took me. It embarrasses the living daylights out of
her. But everybody knows what he means. It’s hard to find a
way to say it better.”

Wirtz also enjoyed his meetings with alumni, re-establishing
ties that in some instances had been broken. “We had alumni
across the state who felt some loyalty to the law school but re­
ally hadn’t had a conversation with anybody from the law
school in a long time,” he said. “I spent two years before the
campaign started going around the state talking to alumni with­
out ever asking for money. The alumni liked that, and I think it
paved the way for future visits.”

Alumni were very generous with gifts and pledges during
CONTINUED ON PAGE 7