

INAUGURATION OF DEAN GEOFFREY B. SHIELDS VERMONT LAW SCHOOL

On October 1, 2004, Dean Geoffrey B. Shields was inaugurated as Vermont Law School's seventh Dean. The *Vermont Law Review* is pleased to present Dean Shields's inaugural address.

INAUGURAL ADDRESS

Dean Geoffrey B. Shields

Judge Oakes, Judge Murtha, Justice Johnson, Chairman Cameron, Dean Kempner, Dean Wroth, representatives of institutions of higher learning, honored guests, faculty colleagues, and students:

An inauguration is a time of celebration: a time to look back and count our blessings, a time to look forward and mark our challenges, a time to have your new Dean share his hopes and aspirations for Vermont Law School.

I start, of course, from the vantage point of my experience, which is both geographic and professional. By that I mean that I love this part of the country. Since age 20, when I first came to Vermont, I have known that this is a place which makes my heart sing. I have spent many hours walking in the woods and canoeing the rivers of Vermont. My early work experience was here. I first came to appreciate experiential education through my work with The Experiment in International Living in Putney. I learned to appreciate the judicial process through my work as a clerk to Judge Oakes at his chambers in Brattleboro. Genie and I spent the first year of our married life here. Four years later, our first child was born here. And for the last dozen years we have had a farm in Guilford, Vermont.

So, I knew about the geographic location of the law school and what this mountain air does for the souls of those who come this way.

It took me longer to realize how my professional experience would be relevant to being Dean. I have attempted, throughout my legal career, to be a good legal craftsman and to be a good public citizen. Let me explain. As a lawyer, I have been interested in learning and applying my craft in both a competent way and in a way which has a positive impact on a larger public.

I practiced my craft, first as a judicial law clerk, later as a Senate staffer, and then for many years as a practicing lawyer. I learned the joy of becoming adept in an area of law and eventually the joy of working to find new and better ways to structure transactions and litigation in my field of practice. Later on, I had the great fun of working to structure a law firm. As chairman of the management committee I had the job of leading a large

law firm. I found that I particularly enjoyed recruiting accomplished partners and starting new areas of practice.

Throughout my years of law practice, I attempted to have a public impact, both through my practice and through my efforts outside of the practice. I sought out a job with the Senate Foreign Relations Committee because I was fascinated with the relationship between U.S. foreign policy and international business. I sought out my law firm because I wanted to work for Ray Garrett, who, while chairman of the SEC and before that a law school professor, had been a tireless champion of shareholder democracy and transparency of the securities markets. Later, I worked with others at my firm to develop a practice to serve non-profit organizations, enabling them to better serve the public.

Each year, while focused on my practice, I also spent hundreds of hours working pro bono for a variety of civic and educational efforts and organizations. For example, I started an organization to provide internships to inner-city high school students. I served as chairman of the board of a fine college. I coordinated the efforts of over 100 colleges and universities to expand the tax incentives for charitable giving. I negotiated the merger of three foreign policy organizations.

So, as I contemplated the deanship at Vermont Law School, I came to recognize that my work both in practice and as a champion of the non-profit sector might bring something of value to this place.

It is, of course, the mission of this school to train men and women in the craft of law. The law school strives to create professional lawyers who have absolutely first rate writing, speaking, and negotiating legal skills. It is also the mission of this particular law school to attract students and professors who wish to be public citizens. The range of our graduates' endeavors is very wide. But it is our goal and obligation to graduate students who wish to effect the public good, whether they become practicing lawyers, judges, prosecutors, or leaders of business or non-profit organizations.

It is Vermont Law School's goal and obligation to champion public citizenship infused with a deep concern for moral principles, a respect for open and honest debate, and civility. We are helped in this because we are in Vermont. So we know that if you are stuck in a rut in mud season and need to be pulled out, it matters not whether your neighbor makes more or less money than you do or has more or less education. We are in this world together and we had better look out for each other.

So, I come to you with a background as both a legal craftsman and a public citizen. I hope this background will help me make a contribution as Dean.

Now that I am here, I am delighted by what I have found. I find a law school that is still young, filled with energy and spirit. Many schools have become ossified, mired in bureaucracy and staid in their ways. Not Vermont Law School. I find a faculty with an appetite to use experiential education through the use of internships to supplement the case study method. I find a faculty eager to adopt the best methods of teaching from other graduate and professional schools.

I find a student body that is extraordinary. Every one of your stories makes me proud: the new woman student who drove an eighteen wheeler for twenty years before she decided that she needed “a new route” and went to Smith College and then came here; the successful Wall Street investment banker, who in mid-career decided to come here to prepare to be a campaigner for shareholder rights; the fifth-generation Vermont farmer who is here to learn trust and estates and land use law so he can assist with inter-generational transfer of farms and help preserve the region's family farms.

I find the alumni enthusiastic about their law school and dedicated to assuring its strength.

I find a unique campus. There has been careful stewardship of the resources of the community. We use less water in our classroom buildings than any law school in the country. Vermont Law School students and their partners provide a myriad of services to the community—from teaching in its schools to working as volunteer firemen.

And I find a strong and growing external reputation. Vermont Law School is recognized year after year as having the number one environmental program in the nation. Last year U.S. News, for the first time, ranked law school clinical programs, and we made the “Best in the Nation” list. As I talk to other law school deans and hiring partners at law firms, I have been pleased to find that there is a very high level of respect for our faculty and our students.

So, I come to South Royalton and find a strong foundation. But, of course, great challenges lie before us. I delight in the opportunity to work shoulder to shoulder with you to address those challenges and to build upon the foundation I have found here.

Let me single out a few of the issues I am especially keen to address. As the only law school in the State of Vermont, we have a special obligation to serve this State and the Upper Connecticut River Valley. National Geographic has declared Vermont a “World Legacy Site” for its great beauty. Yet, this summer the National Trust for Historic Preservation declared the entire state of Vermont “endangered,” noting that strip malls and big-box stores threaten our villages. Lack of medical insurance and fickle markets threaten our farmers. Intensity of land use threatens our

wildlife. Global warming, acid rain, and mercury from power plants threaten our forests and lakes.

We have the opportunity to encourage good stewardship of Vermont and the Upper Connecticut River Valley. Our alumni make up twenty percent of the practicing lawyers in Vermont and have growing political influence throughout the state. With the best environmental law faculty in the land and with a dedication to public service, Vermont Law School and its alumni can and must make a major contribution in the effort to preserve our beautiful heritage. I pledge, as your Dean, to do all I can to marshal our resources to preserve and maintain the quality of the environment of this wonderful state and region.

While making a major effort on environmental issues, we must focus, too, on the ethical crisis facing our nation. I am appalled by the unethical behavior of many of our major business and political leaders. We are living in an era of purposeful deceit at the very highest levels of business and national politics. In business, this deceit threatens to undermine the essence of our free market capitalist system, which depends on transparency of risk in order to efficiently allocate investment. In government, this deceit threatens to undermine the essence of our democracy, which is based upon informed decision-making by the electorate and our elected legislators.

Let there be no mistake. We are in a time of great danger to the legitimacy of our institutions and that peril has been brought on by financial greed and lust for power. I pledge, as Dean, to work with leaders of the bar and the faculty to uphold the rule of law and to insist on the imperative of ethical leadership. We must demand transparency and honesty in government and business.

I look forward to addressing another challenge. That is the challenge of adding additional areas of focus to our curriculum. Twenty-five years ago, Vermont Law School placed its focus on environmental law. We have been able to make an extraordinary contribution to this area of legal training and public policy because we possessed the vision and foresight to recognize this as a priority before others and because we recruited extraordinary leaders to shepherd the program. We have an opportunity to add additional areas of focus.

I would like to see the law school continue in its early identification of important areas of legal education. For example, an area of particular interest to me is the law of non-profit organizations. I spent much of my practice serving these organizations. Non-profit organizations, as DeTocqueville pointed out more than a century ago, provide a check on the excesses of government and business and they add to the fabric of our society in a myriad of ways. As Dean, it is my desire to gain recognition

for Vermont Law School as a center of excellence in the law of non-profit organizations. In the spring I will be teaching a course on this subject and I will work to encourage the interest of our faculty and students in this vital area of the law.

While we have done much to adopt the best of experiential education, while our writing program is superb, while we celebrate and encourage intellectual pursuits outside the class room, there remains much to do.

I will work with the board and the faculty in the effort to lower the student-faculty ratio. I will work to increase the percentage of courses taught as seminars and other small group settings. I will bring to the faculty my observations about the changing nature of law practice. For example, an ever-growing portion of disputes are settled, not by courtroom litigation, but by mediation and arbitration. We will serve our students well by offering more courses in alternative dispute resolution. There is a great need for “legal entrepreneurs” and we may do well to develop courses to address entrepreneurial and business generation skills for lawyers.

Another challenge of great interest to me is the cultivation of financial resources for the Law School. Our students make great personal sacrifices in order to be here. The average student graduates with \$85,000 of indebtedness from college and law school. We must find ways to lessen the debt load and make it possible for those who wish to pursue public service not to be deterred by a crushing debt burden. In 2005 we will be announcing a capital campaign. Perez Ehrich and David Thelander, as the Chairs of our Capital Campaign Committee and Development Committee, and Scott Cameron, as Chair of the Board, will lead us in this crucial effort. I will be spending over half of my time in support of that effort.

If the entire Vermont Law School family is generous, and we reach out to make new friends for our cause, then we will raise substantial resources to address new initiatives, scholarship needs, and ways to offset our students' debt burdens.

And now, as I bring this address to a close, I wish to emphasize that I am confident that year in and year out our impact will grow. Our students will assume positions of great responsibility and our professors will contribute to finding the right answers to vexing problems. Each new class that arrives in the fall will flower in the springs to come.

And as a symbol of that flowering Genie and I have given the Law School several flowering crab apple trees, which have been planted around the campus. We have also given daffodil bulbs, which will now be handed out to you. I ask that on the way back to the Law School for the reception you plant these along the stone wall facing Debevoise Hall.

I hope to see you at the reception following this ceremony and I look forward to working with each and every one of you in the months and years ahead.