An Intellectual Balancing Act

Judie Schwartz

Mark Sargent seems as enthusiastic about his appointment to associate dean for academic affairs as he is about the results of the presidential search he headed for UMAB last year. Of the university’s new president, Sargent says, “He’s absolutely the right person for the job.” His own new administrative responsibilities he expects to be challenging but “a lot of fun.”

The corporate law specialist says his main motivation in taking the position is “the real conviction that this is a special place.” He explains, “I’ve taught at four different law schools, and this one has by far the most positive culture, in terms of collegiality among faculty and students and commitment to excellence. I see the primary job for the associate dean as maintaining what we have here.”

This positive environment surely owes much to outgoing associate dean Dave Bogen and his predecessors, Alan Hornstein and Everett Goldberg. Like Bogen, Sargent agreed to a two-year term, “then we’ll see.”

During a year-long sabbatical, Bogen will be based first at California Western School of Law in San Diego, then at the University of Sydney in Australia. He plans to write about first amendment issues in the U.S. and explore developments in free speech Down Under, where a 1992 decision of the Australian High Court found an implied free speech guarantee although Australia’s constitution has no explicit clause like our first amendment. He will also be studying another High Court decision that has raised interesting issues involving aborigines and land use, according to Bogen.

One of Sargent’s priorities as associate dean will be to make it possible for faculty to engage in such intellectual pursuits. “We are committed to becoming one of the best public university law schools,” he points out, “and outstanding faculty scholarship is crucial to achieving that goal. We already have a distinguished record of scholarship, but I’d like to support faculty in their efforts to reach even higher levels. That’s a major priority.”

Doing so means finding ways to shape the schedule and the curriculum to ensure that faculty have time for scholarly work and that there is some congruence between their teaching responsibilities and their scholarly interests. All of this has to be achieved while still serving the law school’s primary mission of training lawyers. “It’s a big balancing act,” says Sargent. “You have to identify these as priorities and be involved in what we do that makes this a more vibrant place intellectually—our endowed lectures, symposia, our faculty workshop program.” This year’s lecturers will include Supreme Court Justice Sandra Day O’Connor and Yale corporate law professor Roberta Romano.

Scheduling may be the toughest part of the job. The school has an unusually complex curriculum and a large commitment of resources to the nationally famous clinical and Legal Theory and Practice programs. In addition, notes Sargent, “we’re attempting to develop new programs, including a securities dispute resolution clinic, a housing development clinic and a general practice clinic that will help develop ways to deliver legal services to lower income and middle income people, as distinct from the indigent.”

The idea for the securities dispute resolution clinic originated with Professor Richard Booth, who saw real learning opportunities for students in the area of mandatory arbitration. The objective would be to use means such as counseling and mediation in an attempt to resolve disputes between customers and brokerage firms before formal arbitration becomes necessary. “We’ve had tremendous cooperation from the National Association of Securities Dealers, the self-regulatory organization for the brokerage industry,” says Sargent. The school is currently exploring funding options for the clinic.

The new initiatives in housing development and general practice will be under the umbrella of the clinical program, now directed by Michael Millemann (see story on p. 6).

In addition to juggling curricula, Sargent will be deeply involved in preparation for the American Bar Association site inspection in 1995, and will be in charge of the day-to-day internal operation of the academic program. He also plans to continue directing the Law and Entrepreneurship Program and serving as faculty editor of The Business Lawyer. To be most accessible to students and his colleagues, the energetic new associate dean plans to split his time between his faculty wing office and the dean’s offices now located in the Baltimore Grand. Roller blades may become de rigueur.

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