

The University of Kansas Law Review

Logan's Legacy

*Robert C. Casad**

Judge James K. Logan's decision to move to senior status on the Tenth Circuit Court of Appeals marks another milestone in the career of a remarkable man who, through the years, has distinguished himself as a lawyer, law professor, dean and jurist. It is fitting that the University of Kansas Law Review should memorialize this milestone with this special issue of the *Review*. His friend and fellow circuit judge, the Honorable Deanell Tacha, will comment on what Logan's tenure has meant to the Court of Appeals for the Tenth Circuit, and indeed to the federal judiciary in general, for Logan's influence has extended beyond the region of the Tenth Circuit. I have been asked to comment, on behalf of the faculty, about what Jim Logan has meant to this Law School.

The video shown at the Law School's centennial banquet in the fall of 1993 (as later modified) declares that "the School's modern era began in 1961 with the appointment of thirty-one-year-old Jim Logan as the School's sixth dean." Speaking as one who was a member of this faculty both before and after Logan became dean,¹ I can attest to the truth of that statement. Jimmy Green was the founding dean of the KU Law School, but Jim Logan (I don't think anyone ever called him "Jimmy") was the founding dean of the *modern* KU Law School. During his tenure the whole character of the Law School changed. To

* John H. & John M. Kane Professor of Law, The University of Kansas.

1. That same video contains the statement that "Logan brought Bob Casad to the school." That is true, but not in the sense that most who hear that statement probably think. He was not the dean when I was first appointed. The statement is literally true, however, because it was he who arranged for my initial appointment as a visiting assistant professor, a position that was changed to a tenure-track appointment later in that first year.

some extent the change reflected changes that the society and the University underwent during the decade of the sixties. To a great extent, however, the changes reflected the philosophy and character of James K. Logan.

The Law School's fortunes and morale were at a very low point in the 1960-61 academic year while a search was being conducted to find a new dean. Chancellor Wescoe, then in his first year as chancellor, apparently decided that the situation was serious enough to warrant taking some risks. He named a thirty-one-year-old assistant professor to the deanship.

Logan chronicled his deanship in a series of annual reports that were published in the *University of Kansas Law Review*.² Reading them, one can get a sense not only of what actually happened during those years, but also of the vision and aspirations of our young dean. Logan himself was a superachiever: Honor Man of the University as a student, he won a Rhodes Scholarship. He was a magna cum laude graduate of the Harvard Law School. The thirst for excellence and achievement was the hallmark of his personality, and he was absolutely confident in his ability to reach his goals, which often seemed impossible to those around him. Reading his dean's reports in the *Law Review*, one can see that he was trying to impart that same craving for excellence, and confidence in its ultimate attainment, to the whole institution: faculty, students and alumni. Logan was never one to hide his light under a bushel. Those dean's reports are unabashed statements of what he and the School accomplished and planned to accomplish. His occasional resort to hyperbole can be understood if one recognizes what he was trying to do: reshape the image of the Law School in the minds of insiders and outsiders alike.

In his 1964 report, Logan offered his "Reflections on Becoming and Being a Great Law School."³ A law school does not have to be a national law school, like the Harvard Law School, to be great, he wrote. He discussed what he saw as the elements that make up a great law school and the prerequisites for achieving that stature. Of those prerequisites, there is no doubt about what he considered the most critical.

First, outstanding professors or those who will become distinguished, must be identified, attracted and retained by the school. Only a small number who seek to enter teaching each year, or who might be attracted to law teaching,

2. 11 KAN. L. REV. 1 (1962); 12 KAN. L. REV. 1 (1963); 13 KAN. L. REV. 1 (1964); 14 KAN. L. REV. 1 (1965); 15 KAN. L. REV. 1 (1966); 16 KAN. L. REV. 1 (1967).

3. 13 KAN. L. REV. 1 (1964).

have the background and demonstrated qualities of excellence which obviously promise greatness.⁴

He recognized the great difficulty facing schools such as ours in attracting and keeping outstanding people in the face of competition from long-established schools offering great prestige and tradition. He was not daunted, however. We can do it, he said, but to do it we needed a substitute attraction to offset the prestige and tradition of already great schools.

This substitute, it seems to me, must be in the atmosphere of the school. The school must acquire a sense of mission, a feeling of youthful vigor, a compelling drive for action, experimentation, and betterment which brings out the best in existing faculty and attracts others who find at least as much thrill in building a great tradition as in maintaining one.⁵

These comments were not just hot air. He meant every word, and much of his effort and energy was devoted to the generation of the atmosphere he described.

The generation of the atmosphere was not the only memorable change in the School initiated during Logan's seven-year tenure as dean. Admission standards were established and raised. The KU Law Society was founded. A fundraising program was established on a solid basis. Clinical programs were established and expanded. The degree was changed from LL.B. to J.D. Faculty salaries were greatly improved, and Logan instituted the first "program fee" to be earmarked specifically for faculty salaries. Our first endowed professorship was established. Logan convinced the University administration to change the University's long-range building plan to provide a new building for the Law School, not just the renovation of old Green, which had been originally projected. These and many other accomplishments are described in the annual reports in the *Law Review*. Important as they were, however, I feel that Logan's greatest and most lasting contribution, from the standpoint of the existing faculty, was the "atmosphere."

The atmosphere engendered during the years of Logan's deanship made our School attractive enough, despite the very unsatisfactory physical conditions of old Green (now Lippincott) Hall, that several new professors possessing those extremely high qualifications that Logan insisted on were induced to join us, both while he was dean and in the immediately ensuing years. With the erection of new Green Hall, achieved during the deanship of Martin Dickinson, we acquired a building in which the atmosphere of a modern law school could thrive.

4. *Id.*

5. *Id.* at 2.

What had been an atmosphere developed into a spirit and a tradition that is by now well established, and that spirit has enhanced our ability to attract still more new professors fitting Logan's description and excellent students, the other critical requirement of a great law school.⁶

The School has been blessed with a succession of able deans who have built on and expanded the foundations laid during the Logan years, and who have added signal achievements of their own. The Law School today comes very close to being that great regional law school Logan foresaw. I believe the faculty today appreciates what the Law School is and what it took for us to get where we are. We all have every reason to be very grateful for the fact that once, when the Law School's prospects seemed to be at their nadir, a brash, bright, capable and supremely confident assistant professor with great vision was chosen as our dean.

6. As Logan put it, "Even great professors cannot make a Louis Brandeis out of a Mortimer Snerd." *Id.* at 3.