This year, Larry Church is marking his fortieth year on the UW Law School faculty. Church is one of the most lauded professors the school has ever had, widely acknowledged as a highly effective and original teacher whose focus is on developing his students’ capacity for analysis and logical thought.

Given that Church never set out to be either a lawyer or a teacher, the question arises: How did he get here? And further, what is distinctive about a teaching style that keeps Church’s students, in the words of one colleague, “anchored to their chairs”?

Learning and sports
Church was born and raised in Milwaukee in a family with a tradition of teaching. His father was a science teacher in Milwaukee for more than fifty years, and his father’s father had been headmaster at St. Albans School in Washington, D.C. His mother came from a “political and lawyerly” family in New Jersey, he says, noting that the message she handed down was to be sure to steer clear of politics. “It was never a temptation,” he adds, in the understated manner known to his more than ten thousand former law students.

Sports, rather than careers, were on Church’s mind when he was ready to go to college. In high school at the Milwaukee Country Day School, he had played football, hockey, and tennis, and his choice of Amherst College in Massachusetts...
had a lot to do with the athletic opportunities it offered. He played hockey throughout college, and soccer and tennis for a couple of years.

Church graduated *cum laude* with a split major in German and philosophy and a thesis on Friedrich Nietzsche. He then headed back to Wisconsin and the UW Law School. “This was in part because law seemed to be challenging and interesting as a subject of study and in part just to postpone choosing a permanent career,” he comments.

Law study turned out to be even more challenging than Church had anticipated. “Going into law school, I didn’t appreciate the fact that legal education is also intellectual education: it teaches one how to think rationally and objectively and how to express thoughts to others,” he says. “Law represents the junction of concrete rules and standards and social, economic, and political policy, and law school gave me a whole new perspective on both theoretical analysis and practical reality — especially because of the Wisconsin Idea approach of this law school and because of the extraordinary quality of its teaching faculty.”

On the list of his own outstanding UW law professors, Church includes Willard Hurst, Stewart Macaulay, Marygold Melli, Nate Feinsinger, Richard Effland, Orrin Helstad, Gordon Baldwin, Frank Remington, Sam Mermin, John Conway, Jake Beuscher (who was instrumental in Church’s joining the faculty), and Eleanore Jones Roe, one of the earliest female graduates of the Law School, who was also the aunt of Church’s future wife, Fredericka Paff.

“My three years of study here gave me a much better grasp of how the world actually works than my previous liberal arts study had provided,” Church says.

Church graduated from the Law School *summa cum laude* in 1963. He was Note Editor of the *Wisconsin Law Review*, Order of the Coif, and a co-recipient of the Salmon Dalberg Award, which recognizes an outstanding student in the graduating class.

**Travels with a law degree**

The new graduate considered applying to the Air Force JAG Corps for a stint in Alaska, but the mandatory four-year commitment seemed too long. Instead, he signed on for a two-year placement with the newly-created United States Peace Corps, which at that time had a specific lawyers’ program involving about twenty-five young law graduates placed in several African countries.

The decision was a fateful one. “I thought carefully about what country I wanted to go to and decided on Ethiopia. As it happened, Peace Corps lawyer volunteers in Ethiopia were assigned to teach in a brand new law school. This was a time of great optimism, legal and otherwise. The Ethiopian students were eager and enthusiastic. Teaching there was a lot of fun,
and because it was so enjoyable and stimulating, it was one of the reasons I later came back to teach here.

When Church returned from Ethiopia, he accepted a position at what is now Foley & Lardner in Milwaukee. “I was much impressed with the quality of the firm’s lawyers and enjoyed the rigors and challenges of law practice,” he says. “But in the end, the lure of teaching and the academic life proved irresistible, and when the opportunity came to join the Madison faculty, I took it.”

The beginning of Church’s UW Law School teaching career resembles a first-year teacher’s nightmare. “The campus was beginning its descent into turmoil over the Viet Nam war. Meanwhile, when I got here to teach in the fall — it was a more casual era then: I just showed up and asked what courses I should prepare in the next couple of weeks — Dean George Young said I would be teaching antitrust. I had never taken economics or antitrust, so I asked if I could teach something else. I wonder now if the Dean was merely setting a trap. He said, ‘Well, then, you can teach debtor-creditor law.’ I also knew nothing about antitrust, but I’d exhausted my defenses, so I had to do it.”

Church remembers being just one day ahead of the students in that course. “But I also taught contracts, criminal law, and property, which I did know something about, and I started to really enjoy teaching pretty quickly.”

The art of teaching
Church uses what he calls a “semi-Socratic method” in nearly all his courses. (The exception is when he is teaching international students, who overwhelmingly prefer that he lecture.) “Lecturing is much easier,” Church comments. “The teacher controls the whole course. But it’s not very stimulating. With the Socratic method, you never know what’s going to happen. It’s a challenge — a bit like sports. It’s just fun.”

Church explains the “semi” in “semi-Socratic” as follows: “I try to make the students address the policy issues behind all cases by asking them to indicate what arguments they think are persuasive (on both sides), and why this is so. If they run out of possibilities, I add some suggestions of my own.”

He adds, “I’m always delighted when there are questions. I did a lot of participating when I was a student, and I appreciate all manner of questions now — the more difficult, the better.”

Church finds teaching first-year students to be particularly enjoyable.
“For quite a few of the students, it’s a revelation of how to think and how to argue. The basic thing I try to teach them is that although whatever substantive knowledge they may get from any course is likely to turn out to be ephemeral, developing the capacity for rational analysis and policy debate, all in aid of thoroughly pragmatic representation of clients, is truly exciting.”

He finds it interesting that in the whole period he has been teaching, he has observed little difference in the personality or ability of students at the Law School. “For forty years they have consistently been steady, capable, and generally decent, showing an enthusiasm and a maturity that makes them a pleasure to teach.”

Church creates all his own course materials, preferring to choose and edit cases himself for class coverage. “Several years ago, I co-authored (in part with Fredericks) a standard law school cases-and-materials book: Legislative and Administrative Processes. I learned that you can’t just make the book what you would like for your class, but what many other teachers would like for their classes. You have to put in every detail, every case, every note; you can’t leave any part out, lest you limit the usefulness of the book to others. But I like to edit cases down much further than many other teachers would like for their classes. You have to put in every detail, every case, every note; you can’t leave any part out, lest you limit the usefulness of the book to others. But I like to edit cases down much further than many other teachers want to, and I like to concentrate on only a limited number of cases and issues in class, usually just one per day, so that some of the depth of possible argument can be appreciated. Thus, commercial casebooks are far too extensive and detailed for my purposes.”

Creating his own class materials has other advantages, too, Church notes. “Constitutional law and property are fields that are changing rapidly, and casebooks can’t keep up with them. In contrast, I can choose current cases to keep my own class materials up-to-date. And last, but not least, I can deliver materials that

A Look Inside Professor Church’s Classroom

By Kenneth E. McNeil ‘81

The greatest skill of a trial lawyer is to be succinct and to the point.

When I first walked into Professor Church’s property law class almost thirty years ago, it was the last place I thought I would learn that skill. Nothing seemed more complex — and boring — than property law.

I sat mid-way back in the class with that bracing mindset of just “enduring” this course. Then the bell rang.

And I began to watch in awe as the man at the teaching desk started with a crisp, fast-clipped, almost monotone style unlike any other in the law school. With a machine-gun-like relentlessness, he gave a laser-sharp analysis of case after case. There was not an unneeded word spoken. In just minutes he transformed cases as confusing as mush into clear-as-a-bell balancing of conflicting legal policies.

No dancing, no antics, no joking with students. Just the facts. Then the law. Then a balance of competing policies underlying the decision.

He never varied from that formula — week after week. I couldn’t figure out the reason for this teaching style. It was so different. Why was he doing this?

Here I am, over twenty-five years later, no longer in the world of the courtroom. I am juggling cases in a world of large, complex securities, antitrust, patent, energy, and accounting fraud litigation. But from Day One, the pattern is exactly the same: either the story is a mess or it is clear.

Professor Church understood that. He also understood the world of the courtroom — flooded with paper, distracting antics, and deliberate distraction. In that world, you have only seconds to get to the essence of your case.

So his style was to become a “model lawyer” in his classroom, focused only on the essential, completely avoiding distraction. He knew students cannot learn this skill from books. They must see it in action.

His recipe — first the cryptic facts, then the law, then the balancing of conflicting policies — is all about essence. And he gave us a crystal-clear example of why today’s legal situations are not really a morass. The “morass” is only the perception we have as lawyers when we have not figured out the essence of our own case.

Tell the next first-year law student entering Professor Church’s class this secret of his forty-year teaching style. But keep reminding the rest of us to emulate his sterling example as well.

Trial lawyer Ken McNeil ’81, a twenty-year partner with Susman Godfrey LLP in Houston, has played a key role in numerous nationally-significant commercial litigation cases throughout his career. He has served as Chair of the Antitrust & Business Litigation Section of the State Bar of Texas and President of the Wisconsin Law Alumni Association.

www.law.wisc.edu/alumni
are produced at the Law School at much less expense than that of commercial casebooks. The total savings to students over the years may be approaching a million dollars."

Church has taught more than fifteen different courses in his forty-year career, including legal methods, legislation, administrative law, business organizations, agency, the common law (to Mullahs in Afghanistan), environmental law, constitutional environmental law, law and population, Zambian law, contracts, criminal law, criminal procedure, and various seminars.

"I enjoyed them all, but you can't teach them all in the same year," he says. In recent years he has focused on teaching the American Legal System (for foreign students), Property, and Constitutional Law, which encompasses the structure of government (Con Law I) and individual and civil rights (Con Law II).

He enjoys one-on-one work with students as well. "For a long time I have supervised the work of from five to eight foreign graduate law students every year, which is a source of great pleasure (and often very educational for me)."

A distinctive teaching style

Professor Chuck Irish met Church in 1972 in Zambia, when Irish arrived in Lusaka to begin work as a legal advisor to the Zambia Ministry of Finance. Church, then a lecturer at the University of Zambia Law School, came to the airport to welcome the new member of the expatiate community. They have been close ever since, and it was this connection that brought Irish to join the Law School faculty two years later.

Both Irish and Church regularly taught in the Law School's summer U.S. Legal Institutions program for international lawyers, and Church has accompanied Irish on several trips to teach in Asia. (Irish is founder and director of the Law School's East Asian Legal Studies Center.)

Irish notes, "Larry's teaching style establishes that students do in fact listen. He doesn't use any technology in class. He has a very laid-back demeanor: he's quiet, he doesn't speak very loudly; he sits, he doesn't stand or walk around. His casual style gives the sense that it is a fireside chat. But this is not the case: he has prepared very carefully. He spends a lot of time thinking about the presentation of the material, and his preparation is an important component in his success as a teacher."

Irish adds, "He is exceptionally creative. His ideas are sometimes wacky, sometimes prescient. Students are hanging on his words; he may say what is going to be the norm in two weeks or a year."

Associate Dean Walter Dickey '71 remembers Church's teaching from a different vantage point. "I was a student of Larry's in his first semester of teaching, in contracts," Dickey says. "He was a strong teacher from the start, much liked by his students. He showed the promise of the excellent teacher he would become."

Dickey particularly mentions Church's instrumental role in helping him to get a job in West Africa through the Ford Foundation after his third year of law school. "It profoundly affected my life and I very much appreciate the interest Larry took in me over thirty years ago," Dickey says.

Another graduate who reports Church's strong influence on him as a student is Houston trial attorney Ken McNeil '81, who was inspired by a query on Church's teaching style to recreate his first and subsequent impressions of Church for Gargoyle readers (see page 23). Chuck Irish, summing up his friend's career achievement, notes, "Over the years I've seen Larry in many different settings and he is uniformly well regarded. In his forty years at the UW Law School he has consistently been recognized as the most excellent teacher in the school — from when he was the youngest professor to now, when he is a senior faculty member. His continued success makes it clear that it's what passes from him to the students that's key. The students feel that they are getting something very valuable."
Teaming Up To Teach
Larry Church and Fredericka Paff are long-time co-teachers as well as husband and wife.

For more years than either of them can remember, Larry Church and Fredericka Paff, his wife, have co-taught one class each semester at the Law School. In the fall, they teach Constitutional Law I or II (“whichever one the Law School needs us to teach”), and in the spring, a seminar on the U.S. Supreme Court.

When they teach what is familiarly known as “con law,” Paff and Church lead the discussion on alternate cases. “Taking turns doing the cases makes it a lot of fun for us, and the students seem to like it too,” Paff says.

The origin of the Supreme Court seminar can be attributed to Paff’s personal interest in the Court: at the beginning of her career she was a clerk for Chief Justice William Rehnquist. Before he was appointed to the Court, Rehnquist was head of the Office of Legal Counsel at the U.S. Department of Justice. Paff, who had recently graduated from Stanford Law School and clerked on the Ninth Circuit, joined his staff. After Rehnquist was named to the Court, he hired Paff to clerk for him.

Throughout their professional careers, Paff followed Rehnquist’s work closely. “He was on the Court until only three years ago,” she says. “It made following the Court much more interesting.” She adds, “Chief Justice Rehnquist was an extraordinary person. He was very good at getting the most out of staff and making them feel that they were of considerable value.”

For their Supreme Court seminar at the Law School, Church and Paff start by having students choose partners. Each team then chooses a case on the current Court docket. Then, every week during the semester, a team presents its case, one student arguing the petitioner’s side for the same half hour usually granted advocates before the U.S. Supreme Court, with the other student getting a half hour in turn as respondent.

“Our experience is that the students do a really good job of preparing and arguing, playing it straight, as if they were before the real Court,” Paff says.

In addition, each student acts as one of the nine current Supreme Court Justices throughout the semester, posing questions as that Justice might be expected to do and even predicting how that Justice will vote in the case at hand.

“Inevitably, of course, the students (and the professors) ask their own questions of the advocates,” Church notes, “and each week the class takes its own vote on which side should prevail in the case under discussion, often disagreeing with the anticipated actual resolution of the case.”

Church and Paff limit the Supreme Court seminar enrollment to about twenty students. “If you get more than two students arguing a case before the class, or if you have too many students playing the part of one Justice at the same time, it gets a bit unwieldy,” Paff says. “If multiple Justice Scalias see the case quite differently from one another, it can sound as if his alter egos are having it out.”

Church comments, “For the students, the seminar offers a realistic introduction to appellate advocacy — which nearly always makes it both challenging and enjoyable for them as well as for us.”