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Interview with Ronald Brown - Professor of Law

Ronald Brown
Nova Southeastern University

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This is Julian Pleasants and it is June 21st, 2010, I am at Nova Southeastern University, and I’m speaking with Professor Ron Brown. When did you come to work for Nova? And why did you choose to accept a position at this university?

RB: I came to Nova in the fall term 1976. Seems like a long time ago. I had just completed a graduate program in legal education and was interviewing with various law schools. And I had interviewed with the team from Nova Law School, which had just completed its second year or was in the process of complete its second year, at the AALS Conference, that’s the Association of American Law Schools Conference in Chicago. And they had invited me to come down. And so I stopped at Nova as part of a tour of a number of different law schools I had been invited to see and had an interview here for the weekend. It was wonderful to come down from the northeast. I was then
living in Philadelphia and a teaching fellow at Temple University. And I came out of the cold, bitter northeast and it was a welcome and enjoyable change.

JP: That’s always a major factor when people are recruited to the State of Florida. You get them down here in the winter time.

RB: Definite plus.

JP: Different view of the world.

RB: Also, it’s easily connected to other places. I was interested in being on the eastern seaboard, and not being isolated was a big plus for me too.

JP: And who would have been the dean at that time? And who would have officially hired you?

RB: Larry Hyde was the dean, and the offer in the law school faculty is made by the faculty through the dean. So it’s by full faculty vote, although it was a very small faculty then. It was I think 11 people.

JP: Because there was just one class.

RB: No, there were two classes at that point. They were about to accept their third class. And since law school has three years that would have been -- the year I
got here was the first year that it became a full-fledged law school because it had all three classes.

JP: Did you have any concerns about starting in a brand new law school? Or was that something that intrigued you?

RB: I had both. I had gotten advice from faulty members and the dean of Temple, who described Nova as both a speculate adventure, which indeed it was and we heard that later from an accreditor, and that also made it an adventure. It was not just going to be a cog in a traditional ongoing venture; it was to be part of the development of we hope something new and exciting. And those early days were the wild westerly. It was new and exciting and we were trying to create something more than just one more law school that looked exactly the same.

JP: And in the beginning you were in Parker I guess.

RB: We were in the Parker Building. That’s right.

JP: And the facilities would have been totally inadequate, I would assume.

RB: Well, they were interesting. It was a very small law school and we had a small library on the second floor, although at that point it was the biggest library in the
university and it was just developing. But the Parker Building was the science building, and on the third floor they had a laboratory where they grew germ-free rats. They were fed every day at noontime, which emptied out the building because whatever they were feedings the rats may have appealed to the rats, but it did not appeal to anybody else. So when they did the noon feeding, everybody was out on the lawn or out back. It was quite a game changer.

There were a limited number of classrooms. The biggest problem was that they were not well sound-insulated from each other, so you had to learn to speak up and get the students to speak up, otherwise you might be drowned out from the class next door. But for a small group, it was intimate, we were all together, and that had some advantages. The early days it was much more like a commune. And I remember, this was the `70s, and it was by law school standards probably the closer to a commune to the hippie environment than anything any of the traditional law schools had ever seen.

JP: This is an interesting experiment in a way because the law schools were the only factoring members who had had tenure. Is that right?
That’s right. Or the opportunity for tenure. And Abe also had tenure because the board of trustee decided that to keep things on an even balance, if he was going to deal with us he had to have the same. Although as someone once said, tenure on the titanic does not provide the stability one would expect from that word tenure. It was relative to the whole venture. And if the titanic went down, the tenure of the titanic might not be a good thing.

But this is an interesting development because this is a traditional law school on a nontraditional campus.

Well, it was a law school that was more traditional than any other part of the campus. But it did not set out to be -- well, the very first dean, Peter Thornton, was the most traditional person you could imagine. He came from Notre Dame, he started with a catalogue made by cut and paste of other traditional law school catalogues, and so it was an odd choice to pick Peter.

My understanding, although I don’t have this firsthand, is he was picked because it was supposed to be Jerry Prince. And when Prince’s wife died, he decided he was not striking out for Florida alone under the
circumstances. He suggested his friend Peter, and Peter came and took over. So they started with the most traditional, conservative possible dean, which was an odd choice, to try to fit within a nontraditional university. And it would have been far better if they had picked someone with a nontraditional vision who had the ability to help develop that in a way that was credible.

And so that was the beginning of creating internal conflicts, both between the university and the law school and inside the law school because at one point you were encouraged by the whole venture to be creative and innovative, and then the next moment you were told that you were being measured by traditional standards and you never knew which way it was going, and that’s a conflict that continues till today.

JP: But part of that had to do with accreditation, I assume.

RB: Yes, although accreditation did not demand that the law school be totally traditional. And some nontraditional places or less traditional places have succeeded. But hiring a dean, first Peter and then Larry Hyde who replaced him, Peter’s first job was to hire a faculty, and the faculty’s first job was to decide they had
no confidence in Peter, so Larry took his place. And Larry had come from the National Judicial College at Nevada where he taught judges. He had never been a law school professor.

So you went from someone who had a very traditional Notre Dame view of legal education to someone who had essentially no view of legal education, and that made it difficult to have any leadership in any particular direction, other than what are the accreditors asking for. And we would just guess because almost all of the faculty that was hired was young. I came from a graduate program and therefore I had had two years of supervised teaching and research experience before getting here. That made me one of the more experienced people here and it meant I had as much law school experience as the dean, which was probably not a great way to go. If you look at the way most other new law schools are started, what they do is they get a very experienced dean, and that really helps.

JP: Now, Thornton had retired at Notre Dame? Is that right?

RB: What he had done is he was at Notre Dame but I believe he had to retire to come down and take the job. And then when he left here, he left because he and Abe
essentially never got along, which is not surprising at all. If you were to do a survey and say, let’s start with Abe and let’s canvas the United States and pick the person who least --

JP: And who are we talking about? Abe Fischler?

RB: Abe Fischler, who was the president. Pick the person least likely to get along in an educational venture, you probably would have picked Peter. So no surprise it didn’t particularly work.

JP: Now, Did Thornton hire the first faculty member?

RB: Yes.

JP: And then Hyde comes in and hires the next group?

RB: Larry was one of the first faculty group, and so he was here and he was the only person with administrative experience, although not administrative in law school. And so he was the dean who with the faculty hired the next group. In law school the dean is more like in a corporation the president, and the faculty acts as the board of directors. So it’s not like the dean of arts and sciences where the dean of arts and sciences may have all the power. And that’s one thing that makes for an entirely different academic environment.
JP: So in effect the faculty determines who is the dean and how long the dean stays?

RB: Not exactly. In a traditional law school, yes. That’s been less so here, and that’s because the dean has to be a faculty member. And so when you say the dean stays, the dean is a faculty member, so if the dean stops deaning then the dean simply returns to the faculty.

JP: But I mean as dean.

RB: As dean it’s supposed to be a cooperative venture. There is some disconnect in this university because that understanding is not fully understood, and it’s led to some less than functional events with the university and the law school.

JP: Was there one time sort of a situation where there were three deans that were interchangeable? I’m not sure how that developed.

RB: Well, what happened was we were in interim position. Larry stepped down. We’ve had a few situations where we were between deans. You have to understand, in a law school world the time it takes to get a dean generally is maybe more than one year. And so you end up with an interim period wherein a dean has left or stepped down for
one reason or another and you haven’t got the new dean yet. So you have to fill the gap. Average deans don’t last that long and we need more than the two hours we have today to go into why that happens. But frequently, deans last not much longer than the average dean search, and so having interim periods between deanships is not unusual.

When Larry stepped down, under pressure from the accreditation and the fact that he really didn’t have the background that a dean needed at that point, we had two people step forward who were most experienced – Bruce Rogow and Don Llewellyn – who were willing to take over if they could share the responsibility. Neither of them wanted to take on the whole responsibility. So at that point we had co-deans, as they were called, the in-dean and the out-dean.

Don ran things inside, and very well. Don Llewellyn came to us from -- he had been a professor at William and Mary, and then visited at Rutgers and Temple and came down here. I knew him from Temple before he came down. And he left here to go head the tax program at Villanova, from which he just retired. And Bruce, who was primarily a litigating locally but had some teaching experience in
Miami, and Bruce took care of the outside part. So that was the first co-dean.

We hired Ovid Lewis to become the dean and he took over from the co-deans. After Ovid moved over to central administration to be vice president, Ovid wanted to be both vice president and dean of the law school and the faculty felt that he couldn’t be on both sides and he had to pick one side or the other. And so he decided to go with the central administration and so the law school then had a gap and the question is how to fill the gap. And at that point we didn’t have a single person to take over but we had a group who was willing to try and had somebody from each end of the faculty called factions, but we had different viewpoints.

So once again, Bruce came in as the outside man. He was once again the out-dean, but he is not a person for internal administration. Joe Smith took over the internal operation and Steve Wisotsky was the so-called minister of finance and produced some interesting results. At least it was a nice odd number so you could break ties, but the following year Joe Smith took over as acting dean, which simplified things.
And Joe did an outstanding job, particularly considering that Joe first of all had no administrative experience but was willing to work like hell and was very bright, but he was also probably the first blind dean in the country. And dealing with all this while not being able to see any of it is truly amazing. Just becoming a successful law professor would have been enough to make him an amazing person, but a successful year as dean, that was truly amazing.

JP: You do know this sounds like some sort of television drama. Hopefully this is not very typical of law schools.

RB: I think it probably is that if you get below the surface. Remember the famous Woodrow Wilson statement on being elected president and someone said -- pardon me, elected governor before his presidential, “Well Governor, now you’re in big time politics. How does it feel?” And he said, “No, I was president of Princeton. That was big time politics.” So I’m sure it’s the same.

Now, Joe stayed as acting dean while we did the dean search. Feldman was president, and following what’s not an unusual procedure, what he wanted from the faculty was three names so he could pick one. And then I believe by
the time the actual decision was made, although I’m trying to remember, whether Feldman had actually left and it was Ovid who made the choice. That part is a little uncertain, but we came up --

JP: Is it --

RB: No, no, this was Roger Abrams, and we got Roger from Case Western Reserve and we sent over a field of three, including Joe Smith and Roger. And the choice went for Roger, bring in an outsider, get somebody new. And the interesting thing is that Roger’s mother-in-law had once been Abe’s secretary when he was at the Harvard Graduate School of Education. So it’s a small world. They discovered it during the interview I think.

JP: What kind of Dean was Ovid Lewis?

RB: Ovid was -- the word stimulating is a great term. I met Ovid in Chicago at the conference. I was on the dean search committee. And when you listen to Ovid, Ovid brought in all kinds of social science material and it was always something happening and he was spewing off ideas. So he was exciting and fun and a good-hearted --

JP: Good, bright, learned man.

RB: Yes. Yes, absolutely.
JP: And then after that, what else transpired in terms of deanships from then to the present?

RB: Roger was the great outsider. He was very good at pointing out all the good things internally that we had lost in the drama and he came up with the term, he said, “I’ve discovered the rock and roll law school, and what you guys need to do is let people know how good things are here. People have never heard of it.” And so we needed to get things out and he was very effective with that.

JP: One of the things I think was important in the development of Nova was the getting of this law school because people had no idea literally what was going on out here. And once you get the law school, you have connections with the community, you have connection with the state.

RB: It was a big plus. When I came down here for my interview as an innocent, I got off the plane and got into a cab and said, “Take me to Rolling Hills Country Club,” which is where they had me scheduled to stay. And the cab driver went, “Where is that?” And I said, “It’s in Davie.” He said, “There’s nothing in Davie.” I said, “Yes. Here’s the address.” He said, “What’s it near?” And I said, “Nova University.” He went, “I’ve never heard of that.”
And we had to call the dispatcher and they looked it up on maps. As you say, it was unknown. It was just a speculative venture at that point and had not made a reputation.

And finding it from the airport, it did give me pause. I will admit. And then the trip over here to see what was then a war surplus landing strip with a few isolated buildings also gave me pause, but it was the possibilities and people were excited, people were fired up about doing things and what could become of things here because it could be what you made of it.

JP: Now, the early board, you know, the old Oatmeal Club, they were really very passionate about what they thought could be achieved here.

RB: Well, we didn’t have much contact with them. Abe kept people apart. He was a believer in the Balkans. No department knew what any other department was doing.

JP: So it was a little safer, easier to control that way.

RB: I guess. We had enough of our own issues, and there weren’t many people out here. So it was not our big concern.
JP: And the evolution of the law school has been I think critical to the development of again the relationship between town and gown.

RB: I think so, particularly because we have so many folks out there who are now part of the structure. And it’s great. My kids realize we can’t go anyplace that someone’s not going to come up and say, “Professor Brown, it’s so good to see you,” and start telling me what they’re up to.

JP: Yeah. Now, what about the original circumstances as a faculty member? What kind of office space did you have? Did you have a computer?

RB: No. In 1976 people did not have computers. People did not know about computers. I had to try to talk my way into a typewriter. That was a different era. All the typing had to be done by secretaries, and trying to get enough secretarial help was the big problem. We were in the Parker Building it was. There were some regular offices, but there were some that were carved out of empty space.

I was in a space with Marc Rohr, where we each had an office, but because the venting was not complete, they
could not put the dividing wall all the way up to the ceiling. It was really a partition. So poor Marc had to listen to me talking to students about future interests at infinitum, and that’s not the kind of thing that interests most people in the beginning.

By the end I think I had pretty much driven him over the edge. But it was the kind of situation where if someone wanted something done in their office, like they wanted it painted, what you did was you went out and got a bucket of paint and you painted it. It was pretty much self help. It made part of the commune kind of feeling.

JP: Because at this point the university almost went under a couple of times.

RB: Oh, there were lots of points the university almost went under. Poor Ovid when he got here once got to the bank with his paycheck and got a telephone call. I don’t know if he told you the story. Have you interviewed him yet?

JP: Yeah.

RB: Got to the bank and he got a call saying, “Don’t cash that check. Come back. We gave you the wrong check.”
So there were times Ovid wondered what we had gotten him into.

JP: When you started, what kind of salary, what kind of benefits did you have?

RB: I don’t recall.

JP: The salaries, were they comparable?

RB: They were comparable to -- they weren’t Ivy League salaries, but they were comparable to other institutions which we were competitive with. They were probably a little lower than Miami, but they were higher than a number of the places I knew people at. For example, I had an offer to go to Arkansas to take the place of a character named Bill Clinton who had run for the attorney general, and it was a better offer than the Arkansas offer. Of course I always do wonder, because I would have been working with Hillary running the clinic, how that would have turned out.

JP: It would have been interesting.

RB: It would have been interesting, yeah. I could have been in national office already, or in federal penitentiary. But it’s one of those quirks that make you wonder.
JP: How were the benefits when you started?

RB: Like I said, I don’t remember the details, but they were comparable. Well, at least as far as I know. But remember, back then I was a kid who did not pay such close attention to things. There’s nothing. A time later on comes and you have children and then all of a sudden you start looking at that kind of thing. But back then we could compete.

JP: What courses did you teach and how much did you teach?

RB: We always taught regular law school loads, which is two courses a semester, although there have been semesters where I’ve had to do overloads to help cover or have done three or so, but it’s two courses per semester. I’ve always taught property. I’ve been teaching property now since ‘76, which is a few years. Back then what did I teach? Property and uniformed commercial code, both of which I still teach, although I’ve taught a lot of other courses in the run between those.

JP: Now, when you started out, could you sort of give me a typical day teaching and what your other responsibilities were? Because obviously you’re really
just getting started in law school, so it’s going to take a communal effort to get this thing up and running.

RB: Well also I’m just starting as a law professor who has never taught property before.

JP: You have to do a little research.

RB: This year I helped -- we had two new faculty who are teaching property for the first time, and watching them struggle. What that takes is because you have to teach a law school class, you don’t lecture. If what you were doing is planning a lecture, that would be easy because you know what you’re going to say and once you planned it you can say it. But a law school class is interactive, so you don’t know what’s coming. You’re trying to stimulate them to think, but then that means turnaround happens and you have to be prepared so you are studying all the time. You can relax after you’ve done it ten or twelve years.

Actually, the rubric is you have to teach a course three times to make it yours. I’m sure that’s in all fields, but particularly in law school where it’s supposed to be interactive, because you don’t know how far afield it’s going from your notes and if you say more than a few times in class, “Well, I’m not talking about that because
it’s not in my notes,” you have lost credibility. So the first year was time that was not spent preparing for class or doing class or going to meetings. We had a faculty meeting every week and it seemed like every week we would start from scratch because keeping notes was not a great strength of the early administration.

So one summer after we had been here a couple of years, Joe Smith took all the notes from all the faculty meetings home and put together a code so we would not have to start from scratch every week going, “Does anybody remember how we dealt with this?” And that was the beginning of organization.

JP: What kind of students did you have in the beginning?

RB: They were very varied. I mean, you have particularly students who were trapped in the area and there was no prior opportunity to go to law school. Terrific. We had some, particularly people who had been out a few years, and the married people, the just absolutely terrific. And we had a weak end of the class too, and it meant that they required more work, more attention, which when the school was small was easier to
do, but you also had to be tough and say no to people who weren’t making it.

JP: So many of your earlier students would have been older than recently graduated seniors?

RB: In the beginning we had more older students even though we only had a day program. But we had a lot more second career or third career people. I mean, that’s not so unusual particularly in a city school. When I was teaching at Temple, my first class was a night class and we were supposed to start out talking about interviewing, and the student I called on turned out to be a psychiatrist. Well, glad I didn’t know that before I called on him because the idea of a young lawyer teaching interviewing to a psychiatrist sounds a little crazy, but that’s the kind of thing you get into with older students.

JP: But later on you began evening classes?

RB: Yeah, much later on.

JP: And is that a central part of the law school today?

RB: It’s a part of the law school. How central, I’m not sure. But it serves a need for the local community. We get an interesting group of students. I like the night
class because I like teaching the older students. It’s a nice change from the day where the kids seem to get younger every year and their experience is more limited.

JP: Now, you had provisional accreditation from the ABA in 1975. Exactly what does that mean? And I assume that the first class would have graduated in ’77. They were able to take the bar and get licensed.

RB: Yes. We’ve never had a class that had to wait like many schools do. But provisional accreditation means two things. One, it means you get inspected every year. So instead of every seven years you put together a report, you’re putting together a report every year and having a team come in every year, which means we went through lots of inspections.

JP: Were you involved in that?

RB: Yes, everybody was involved. Everybody has to be involved in the self study, and I shared some and other people shared others. It was a time-consuming but necessary operation and you’re not guaranteed that it’s going to develop into something permanent, although once you get provisional the odds are it will. But in order to make progress, one of the things you need to do is get out
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from this burden of preparing for and going through an inspection every year because that’s so terribly time-consuming.

So in a way it’s a self-defeating process because what you’re trying to do is show progress, but you’re leaping through these administrative hoops that take all your energy or a huge part of your energy, preventing you from making progress. So getting out from under that was great. The final accreditation was in San Francisco and it was great to hear it announced. I was the only faculty member who was at the meeting at the time, but it was worth waiting for.

JP: And that was not until 1982?

RB: Mm-hmm.

JP: Is that a normal length of time for a new law school to be accredited?

RB: Not unusual particularly for a private school. State schools seem to have an easier time because they have the stability or what we thought back then was the stability of the state.

JP: And two of the problems would have been obviously physical space and the library.
RB: Well it all came down to money. And the problem was something we talked about earlier, the Goodwin Trust, which was in the early days of the law school. The law school brought in a donor, the Goodwin Trust, because the trustee’s daughter had gone away to law school, desperately wanted to come home, and he heard there was this new local law school starting up and so he came looking. And he was also at that point empowered to appoint beneficiaries for what was called the Unit Trust, which was a new tax - I don’t want to use the word scam - a new tax invention where the beneficiaries are appointed after the decedent dies.

I’ve heard various stories about the admission. I don’t know whether any of them are correct so I won’t repeat them online, but she became a member of the class and the university got made a beneficiary. But the uncertainty about this new tax thing about how it would be taxed led to ongoing litigation which the trustee dragged out leading to disaster circumstances. The problem was on the one hand we had this tremendous amount of money allegedly coming in so that anybody you asked for money said, “You don’t need my money. You got this, we saw it announced, you’re rich.”

JP: But you didn’t get it.
RB: We didn’t get it. And meanwhile the trustee was spending it all on litigation. And so we were very cash poor and that made you dependent on tuition, which is what the ABA is very leery of because if you’re dependent on tuition there is the temptation to just process students to get their money. So that led to a big delay. And the fact that we were cash poor, our facilities were inappropriate and also they had to be temporary because we were in a building that had been donated by Parker as a science building. And allegedly, Parker would occasionally walk into the building going, “What is this law school doing in my science building?”

JP: And at one point you guys were over on the east campus.

RB: We were looking for space. And I forget how it turned out, but someone put us in contact with the operating engineers. They had a building there, an office building they had built on spec with money from their pension fund which they were seeking to invest. And they had their headquarters there too, but they were seeking to move out of that and move into their new palatial headquarters. And so they had this office building which was a tower and adjacent, really a union meeting hall. And
when Ovid went over and looked at it and I went over and looked at it with Karl Krastin, I don’t remember if you remember Karl, he may have been before your time at UF.

JP: Yeah, I do.

RB: Karl had taught at UF for years and then had gone to be dean at Toledo, and when he retired as dean at Toledo came down and joined our faculty. He had actually had been Bruce Rogow’s con law professor. And we walked through, Karl started jumping up and down in excitement because it was essentially a shell of a building, and the union hall, which was a huge open space, meeting space, they looked at that and went, “This would be perfect for a library.” Well, we later found out why it wasn’t perfect for a library, but that’s another story. But it was great space for it.

So we got the office tower, made a deal with the operating engineers. I’ll let Joel Berman tell you about the details of that if you can get it out of him. But we moved into that space and built it out as a law school and it worked great. It had a lot of advantages being on the east side of town near downtown and we were together as a group. And Ovid later went out back and discovered the Baudhuin, school, which was a school for the deaf, which
was still sticking to an outmoded theory of educating deaf children and therefore was not attracting very many deaf children.

And Ovid introduced them to the right people and worked a deal where the Baudhuin School, became part of what’s now the university, and I’m not sure what branch it’s in whether it’s part of the University School or part of the health sciences, but children from that were mainlined into the University School and given special treatment and that’s how we get our specialty in such things as --

JP: It seems to me, Abe Fischler told me that this option on the new building was very favorable to the university. I don’t know whether the guy gave him the building or gave it to him at a very inexpensive rate.

RB: No, it wasn’t given. That one’s for sure. They didn’t give anything away. But it was a good deal because they were ready to move on and it was a --

JP: So it worked out.

RB: It worked out, yes.

JP: At every end of the spectrum. So it worked out for the university in terms of cost.
RB: And as I recall, it was structured around a lease purchase because at one point we had to put together an explanation for the ABA, the accreditation agency, about how this made it our building rather than temporary facilities, and demonstrate that it was our financing device, and that was successful. Ovid did a terrific job. He deserves a lot of credit.

JP: Let me go back to this Goodwin Trust. The Attorney Della-Donna, as you know better than I, had created a situation that he was one of three trustees and the second one was his secretary I think, and the third would have been his daughter. Is that right?

RB: I do not recall who the trustees were, but he was in control.

JP: And so what was happening was he was in effect charging the trust for his services excessive amount of money and trying to control that trust when the university believed legally they were entitled to the money. Is that the issue?

RB: Well, I have to tell you I have not examined the documents firsthand, but the story that I heard and what was reported as the basis for his debarment was that he was
churning the trust, which means creating activity such as litigation so that he could keep billing it and --

JP: Billable hours.

RB: Right. Rather than pay out the trust, the beneficiary keep the trust going as a sort of annuity for him because part of it was this trust was a new and untried thing, so there was a dispute with the Internal Revenue Service about how it should be taxed and they wanted to report a decision. But he took this as an opportunity to drag it out.

JP: Well, I have read the Florida Supreme Court did disbar him and that’s essentially what they charged. Now, once this money is released it changes everything for this university in essence.

RB: Well, it has a big positive impact, but the problem is during the time this was going on, the trust corpus shrank. And so it was not, when we finally got the money, the major impact that it would have been if we had gotten it originally. So the university never ended up with that feeling of we’re rich and we’re off to the races as a well-financed institution. It was still hand to mouth for a long time.
JP: But it in effect saved the institution from going under.

RB: It was one of the things that did. Whether or not it had that total effect, I’ll let the business people tell you.

JP: How did your work responsibilities and your teaching, how has that changed over the years? How has the law school evolved? If you would look at it from ‘76 to today, how would you talk about the changes at the law school?

RB: It’s much larger. When I came to the law school we had 17 faculty members, and that was appropriate for the student body. We now have over 60 and so it is by comparison huge. So it’s much less personal than it used to be. It used to be by the time someone graduated I had had them for at least two semesters and for many students four semesters. So we knew everybody well. Now I can sit at graduation and watch students go across the stage and with many of them wonder if I’ve ever seen them before. And likewise with that big a faculty, there are people I barely recognize.

JP: How many students now?
RB: There are about I guess it’s 1,200. It’s between 1,000 and 1,200. It varies from semester and semester. You start with a full house and it goes downhill. As you lose some, some graduate midyear and we don’t take in more students midyear. It makes it medium-sized by today’s law school standards because law schools in general have gotten bigger. But it’s much less personal and much less focused. On the other hand, being bigger gives you more resources. You can have more variety of course, you have more variety of students. So it’s both a plus and a minus. It’s a tradeoff.

JP: Quality of the students today?

RB: As in the old days, they vary from the top who are terrific. I don’t think we get as many who shouldn’t have been in law school but we do get some, although every law school does. We have for many years what’s called AAMPLE, which is an alternative admission program where students with questionable credentials are allowed to try to prove that they can be successful in law school by taking two short courses. If they succeed then they get into law school, and if they don’t then they know it was not the right fit.

JP: Good idea.
RB: It’s a very good idea and it’s good because it provides realistic information for the students. Student decides, “I always wanted to go to law school because I know I can do it.” Based on what information? Why don’t you try this out? This way you can see if you like it because law school, it’s hard, it’s a tremendous amount of work, it’s difficult material. Some people find it dry. This way you can try it out and see if it fits, first of all if you do like it, if it stimulates you or drives you crazy or bores you, and whether it suits your talents, whether you are successful at it or whether it’s not the right fit.

And so for students, when I’ve taught it, I tell them it’s like trying on a suit of clothes, that you don’t want to force the suit to fit when you’re trying it on because afterwards it’s not going to work out, you get home and realize it was a mistake. So it’s like a suit of clothes. If you worked hard, did the job and it fits, that’s terrific, then you have that information and you get the chance. On the other hand, if it doesn’t fit then it’s better to know and leave it at the store and get something else.
JP: Now, the student body would be certainly over a period of time more diverse, there would be more females.

RB: Yes. As a matter of fact, I think there are more females than men. Yes. And it is more diverse, tried very hard to get a diverse student body, provide access to everybody who’s capable and to make sure that undeserved parts of the communities have an opportunity to be served.

JP: Seems to me that’s been one of the important goals of this university that they had tried to deal with a diverse community. The Hispanic community previously had not been very well served in many cases. So this is part of the university and also part of the law school.

RB: Oh yeah. All minority communities. The Hispanic, black, American Indian, whichever. Make it accessible and effective.

JP: Now, as the law school has evolved, what would be your status on a national level? I did a little bit of background and I don’t know exactly how they arraign, but this would be basically what? Third tier?

RB: Well, depends on who is doing the ranking and for what purpose. If you take the U.S. News and World Report, then U.S. News and World Report we’re fourth tier. But
U.S. News and World Report primarily focuses on the most important thing is income and student credentials. And that means the higher you want to be, the more you have to keep people out.

JP: So it’s selective.

RB: So it’s selective. It’s based on the student credentials. Number one, that’s inconsistent with the university’s mission, which is to make education accessible. And two, what you discover is that it develops into a game that law schools play to develop those credentials.

For example, one of the newest games that’s been discovered is law schools that want to move up, what they’ll do is take a very small incoming class and then try to get a big transfer class second year so they balance. So they’ll even tell people that they reject first year, go to someplace else with easier standards. If you succeed first year, then apply to us as a transfer and we’ll take you. Well then their LSAT stats don’t count in this ranking stuff. So it’s a predatory approach used to generate higher stats to move them up, where it means that the students that they eventually are taking don’t have those stats. But it’s a game that they’re playing.
JP: But you would see the law school as qualitatively and quantitatively much better than when you came?

RB: I don’t know whether I would describe it that way because I think that the quality of education has always been very good, and so we definitely maintain that. I think there had been periods when we got distracted by the press to look like everybody else, and got distracted by the need to not focus on our students, but produce writing like everybody else writes and look like everybody else writes. And so we’ve lost the initial incentive to be innovative and different, or not to be innovative and different for its own sake but to be willing to be innovative and different if that would be more productive.

So there are times we strayed from that, but I think the core education has always been good. I think it was good from that first year and I think we’ve stuck with that. And whenever we stray from that and get back to the mission, as we are now, I think it’s very effective. As we take a look at our current bar stats, we way outperform what would be expected from our incoming stats.

JP: What percentage would pass bar exam?
RB: Oh, I don’t remember the exact number. In the last bar exam we, of the schools that had any significant number of students taking the bar, came in second, which is quite amazing to come in way ahead of UM and UF when particularly trying to compete against the state schools for students where the tuition differential is ghastly. As a father with kids in school I can tell you about that tuition differential. It’s a tremendous amount. So competing for students against the state system, it’s hard. If a student came and asked us, “Is it worth the stay here? If I’ve done well in my first year, is it worth it to stay here if I could go to the state school and save $30,000 a year?”

JP: What is the tuition now at law school?

RB: Tuition now at law school is about $30,000 a year I think, at all private law school. Private law schools are pretty much the same with minor differences.

JP: What would it be at the University of Florida?

RB: I think right now it’s about $3,000 for instate.

JP: That’s a huge difference.

RB: Or at Florida State or FIU. Yeah, a tremendous difference. And if you’re talking about students leaving
school in debt, the difference between being $100,000 in debt or not in debt is a tremendous factor to be considered. So we have to offer a value that’s in addition. And I think we do to a large extent, but it’s still tough to quantify.

JP: Do you have scholarships available?

RB: There are, but not as much as we would like. And convincing people we need more money despite the fact that we have the Goodwin money, that’s the trick. So that kind of fundraising is critical for the university.

JP: So how do you attract the better students?

RB: Well, that’s the difficult question. What you try to do is offer them quality education, show the success produced, that there are opportunities for a great experience. But that’s the challenge. That’s what our administration is now formulating its newest strategic plan to do.

JP: Do you offer special courses that other institutions do not?

RB: The core of legal education is the same in every law school and pretty much interchangeable whether you’re at Ivy League school or at fourth tier schools. The books
are interchangeable, pretty much the courses, and if you sat in the class you’d have a hard time if you were just brought in blindfold and say, “Where are you?” you’d have a hard time telling.

But there are some special programs that we offer, programs for joint degrees with the European Union schools, in Barcelona, Spain, in Rome, in Italy, so they can get degrees from both places and be licensed to practice both in the European Union as well as here, or at least be exposed to that as background. That’s a big plus. And the quality of the programs, we have very good clinics and I think very good core education.

And one of things we’ve done, which other law schools don’t, is make sure that our first year courses are the smaller sections. Traditionally first year courses are taught in huge classes with very little -- it’s interactive education but interaction is different when the class has 150 than when it has 50. So for the last 25 years, we have put our small sections and more resources into the first year to make sure that students get a really good foundation, and then they’re more equipped to handle larger classes and move onto the skills course. So that’s a tremendous difference and big plus.
JP: Do you have any of the three-two programs where the kids can start law school early after say their junior year in college?

RB: Not that they can start it early. There are very few of those that are effected. But we have joint programs with the undergraduate programs for students who do well who can be accepted when they start college, and if they do a certain level they go right into law school. And I believe they have one with the medical school too.

JP: Yeah.

RB: But cutting down law school in size, and I know there is a move to do that, but the problem is law students will tell you that law school produces, when you count how much you get to cover in law school, what they realize in the third year are particularly what they realize in their first year of practice, is how much they wish they had more law school and maybe less undergraduate school. But the basic model that you need to have an undergraduate experience and then you get three years or the equivalent of three years, in law school it’s pretty much locked in by the accreditation agencies.
So while you can play with that, for example, could you make law school two years by changing the calendar? Yes. And as a matter of fact, our students if they go to summer sessions can graduate a semester early. So it’s two and a half years. Is that a significant difference? Depends on the students. I sometimes think that that does them a disservice because students tend to burn out. And so for some students it works great, but for a lot of students, taking that last chance at a summer vacation to do something different, the last one they have before they get shipped off to the home at the end of the their careers is something that they shouldn’t miss and particularly because starting second year, the last thing you want the student to be is burned out.

JP: First year is always tough.

RB: First year is always tough. First semester is the toughest. And then getting them started second semester, they come back and go, “Oh wow. We did it.” You go, “No. Open the books and let’s get started because you have now learned how to take the baby steps. Now we’re covering more.”

And law school is like that. First semester is primarily you cover a much more limited amount of time but
you emphasize skills, and second semester you cover more, and third semester, any time after second semester, now you’re covering twice to three times as much information because they should have the skills from first year. And if they don’t then they’re in deep trouble. But that means they got to be prepared.

And law school will not work for a student trying to use what worked in undergraduate. If you let things slide and try to pull an all-nighter in law school, all you end up is taking an exam you’re not prepared for and tired. You can’t do that. You have to keep preparing because it’s more like a bulldozer or a steamroller. It’s just going to keep rolling.

JP: Well, with the singular exception of Bill Clinton, who notoriously would stay up the last two or three nights before his exams at Yale.

RB: Number one, I have no doubt that he stayed up those nights, but that doesn’t mean he wasn’t doing the work beforehand.

JP: Probably.

RB: Secondly, I think you would discover he is not your average bear.
JP: No. I wouldn’t think so, no.

RB: But you could imagine if what it takes for a person like him to stay up night after night, studying to make it work. So does everybody else.

JP: How has technology changed the teaching of law?

RB: It provides means of access. So, for example, one thing I do is -- well, the law school is a member of the Center for Computer Assisted Legal Instruction, which is known as CALI. And I’m on the board of editors of CALI. And CALI, one of its main functions is to encourage and enable to produce interactive computer lessons, which can be use in conjunction with or independently from a course.

And so primarily with my colleague Joe Grohman, we produced lessons in the property area. Now, that’s a big plus because what I do for students is here are the lessons that I want you to go through in interactive computer education during the course. Now, I do that for freshman. They’re required to do it. And for upperclassmen, I offer it as extra credit because I like to use the carrot rather than the stick; it’s better. Freshman, there is a mandatory curve. So if you got to figure in grades and then apply mandatory curve, calling it extra credit
wouldn’t be accurate. So it’s required, I tell them it’s required.

So this adds a whole extra element to education because it approaches it from an entirely different perspective. You have the computer drilling them, the computer has infinite patience which no human has, so that’s one way it’s helped. Things that I make available, I use TWEN, which is The Westlaw Education Network, as a means of communicating with them, posting materials. So, for example, the old days when if you had a statute that you wanted them to work with, you might have to photocopy it and produce it and hand it out. Now the connections are posted online. For example, I used a title insurance policy in my last real estate transactions class. It was just posted on TWEN for them to download and then they can take notes on it, they can produce it, they can work with it again, wear that out, make yourself another copy.

JP: The sources, LexisNexis, I mean, the sources of all the court cases, almost everything is available, isn’t it?

RB: Oh, everything they want is readily available. In legal research they become expert at that so that the
process of getting information and making it available to them is just unlimited. It’s so much easier to manager.

JP: Most things are online now, property transactions and all that other — has the county put those online?

RB: Results are online. I mean, there’s tremendous amount of information, but sorting through that and then dealing with the big challenge in education now is how to deal with the distraction of computers. Suddenly there’s a wave, should we be not allowing them to have computers in the classroom because they are distracting. And I run the middle range, which is you can bring your computer to classroom as long as it’s not creating a diversion. If I look up and I see you’re distracted or your computer is distracting anyone around you or whatever you’re doing with your computer distracts me, then you lose the privilege to bring it and that’s the way it is. So once in a while I have to give someone a warning, yes. Have I actually had to tell people, “Your computer is no longer welcome in this classroom”? Yes. And that usually settles things. They take notes the old way. Print your notes out in advance, use a pen, and sometimes they discover that really helps them.

JP: Actually writing it down.
RB: Yes. That’s a good interactive experience. So I’m waiting to see if the psychologist produced any research that helps us decide when to use computers and when not. I think it’s so individualized, but it’s so obvious in class if a student is distracted. They’re online, they’re doing something else. And I tell them, “You’re not invisible. I can see you.” Students have a hard time realizing that.

JP: Well, there’s this new book out that says using all this texting and using the internet is destroying our cognitive function. We are getting interaction only with basic information. We’re not thinking about what we’re absorbing and that we lose these critical facilities.

RB: And I’ve also heard about research that shows multitasking definitely produces worse results, and that people who multitask regularly produce worse results even when they’re not multitasking because they’re used to that level of stimulation and then have trouble focusing. So that’s the next challenge for education in general. Legal education is not different. But the computers to the extent you can make them part of the process and not a distraction, they offer a lot of assistance, particularly
this interactive preplanned educational experience. I think at this point that’s the best a computer is.

JP: And part of is it because it’s a repetitive process.

RB: Yes.

JP: They can learn on their own speed.

RB: And repeatedly. And they can use it to fill in gaps in their education, they can use it for an introduction, to new information, they can use it to reinforce information they’ve already taken. And particularly because it’s something different than their other preparation so it breaks up the monogamy.

It’s like cross-training physically. If you always run, your body adapts to the running and then it becomes not quite as beneficial. But if you run and then the next day you climb, because the body is doing something different, then you get more out of the climbing exercise as well as the next time you run. I hate to run. But that’s the difference. So having that for them to do as opposed to the normal preparation, which is reading cases and statutes and then discussing it, really strengthens the educational process.
JP: I guess the old system of writing briefs still has its value.

RB: Absolutely. Because the legal system is based on precedence, what came before, what preceded? And being able to understand those precedents is critical. And the only way to understand them is to force yourself to process them, keeping in mind that many of them are written by people who are so far from being Shakespeare. And they’re written for a limited purpose — to decide the case, not as an education vehicle, but they have to learn to deal with that.

So the brief performs three functions. First of all, it produces a result from which they can study and then from which they can also build, because it’s a tool. Two, it forces them to really process by thinking it through. And three, as you indicated, the writing process. And I think writing, at least for our generation, is a particularly good way to learn, but typing may be for them too, although I’m not too sure. But not only thinking through the case but processing it helps it get into more long-term memory so that they can then utilize it.

And so briefs will always be with us for those who want to be effective. Because if a student gets to the end
and they’ve got three hundred cases they’ve read, how do you deal with that? How do you build?

JP: Yeah. How do you remember specifics from that case when you’re talking about precedence?

RB: Absolutely.

JP: Plenty of time you’re dealing with a court that talks about all deliberate speed, sometimes it’s kind of hard to know exactly what the court was implying.

RB: Well, and remember our language is an inexact thing, that even an interpretation, particularly interpretation of statutes, and interpretation of contracts and deeds are something that I’ve particularly focused on over the years.

JP: That’s why I ask that question because I notice that that’s been one of your specialties.

RB: Building something out of the English language is like trying to build an internal combustion engine out of silly putty. Every word has multiple meanings, and even if you’re using the same word, the phraseology and sentence structure can make such a difference. And with our modern students, the focus that we used to have on sentence structure, you ask a student today, “How would you diagram
that sentence?” they look at you like you have just splashed down from the planet Crouton because they have never heard of that. I recently wrote on a student paper that’s a comma splice. Never heard of that. This is a different era based on what they get out of their earlier education. But they still need the same things if they’re going to use those tools to interpret the written word. And that is so much what lawyers do.

JP: Well that’s why I say, that’s the essence of law anyway.

RB: Yes.

JP: That’s the whole purpose of trying to define in your case what does a constitutional movement mean and how is it going to be interpreted, what’s the court going to do with it. If they don’t understand that, they can’t function really.

RB: That’s right. They have to understand the tools and the limits, and so if they’re looking at what somebody else wrote and seen the possibilities and then marshal in the arguments in favor of each one is critical, but also doing that to what they’ve written themselves so they can see the possibilities. And then if one of the
possibilities is not what is acceptable to them or their client being able to utilize language to head that off, that’s the skill we’re trying to teach in such a limited time period.

What comes out of legal education over and over is the two pressures – one, the pressure to somehow get students out faster because this idea of having them take minimum four years of education prior and then three years of law school is a long period of time and expensive. But at the same time, three years of law school is really six semesters of 14 weeks, which is really only 84 weeks. Now that’s not three years. That’s a year and a half.

So we’re really already talking about a limited educational experience, and there’s so much to cover because the law has expanded. The amount of law that existed when the three years of law school became the standard was maybe five percent of the amount of law that exists now. There was a time when you went to law school you learned all the law you needed because it was a limited amount. But not today. There’s so many courts and so many legislatures cranking things out.

JP: Well let me go on to 1989. 1989 you moved to the main campus to the Shepard Broad Law Center.
RB: Yes.

JP: How did that change the situation for teachers and students?

RB: Well, it made it closer to home so the drive was easier. It was a nice, new building. The campus was much more limited than it is now. Other buildings on campus was -- this was one of the few big buildings and the Parker Building, which are much more limited by comparison, people call that the Taj Mahal. And particularly with the bridge there, which Ovid called the Bridge of Size. But it was a nice change but instead of the law school being isolated from the university it made it part of the university. And I think that was a good idea.

We’re not that far from downtown and the business communities of Fort Lauderdale or Palm Beach or Miami, we’re certainly no further from the Miami or Palm Beach communities. We’re right near the highway, easy access to good roads. I think being on the campus made it feel entirely different because it opened up the possibility of a real university experience and encouraged interaction with other departments. And there has been a push to do that, to interact.
So far it’s still developing, but I think that’s a real plus. For example, some of the organization we also have student organizations, we have some business students in them too. That wouldn’t have been able to happen in the old days.

JP: Is there a need for more undergraduates on this campus?

RB: Interesting question. I think that would change the character. I’m not sure where you would put them, but I think that would be a plus. I mean, we’re an interesting institution because the University School is over there, on the other side of the campus you got a big group of high school students and you see them on campus, which is nice. It’s nice to be within walking distances of where my son is in high school. But I think the point of having more undergraduates that would be a plus too. I think it would produce more activity, more of the typical college thing, although that’s developing now too, concerts and so on.

JP: For so long this was a graduate university really. It started out that way.

RB: Absolutely. The undergraduate came last.
JP: And yet at the beginning, the founders saw this as cradle to grave because they had the University School, they had Broward Junior College, they would have seen this as a broad-based universal university literally from the first grade through Ph.D.

RB: Yes.

JP: But somewhere along the line the undergraduate part was not emphasized as much, and so the argument now is that should be perhaps the next goal of this university.

RB: Well, I think the lack of emphasis was historical. It was where the opportunity was. I remember the first person we had go from Family Center to law degree graduated, Julia Rose, years ago. It was an interesting phenomenon. The undergraduate part definitely is the weak link at this moment, although it seems to be developing. And interestingly, the kids who graduate from the University School, which is a very good prep school although luckily not preppy, but do not tend to go to the university and that’s not particularly encouraged. Even university administrators will say, “We know you’ll go away, but we hope you’ll come back for graduate school.”
JP: Talk about how the campus and the facilities have changed from the time you started to the present.

RB: My first year here we had a student come in from Montana, and she had not visited the campus. She had just applied from a distance and she described coming to the edge of the campus, looking at this war surplus landing strip and sitting down on the edge of the campus and crying. It looked like exactly that. To put it into perspective, I was on the university building and grounds committee and the question came up, should we put in speed bumps. And the decision was with all these pot holes, who needs speed bumps?

JP: Well, you know, at one point when Feldman came, one of the things he felt needed to be done, and he put in all the trees and tried to do landscaping and thought that was pretty critical for people who are coming to visit the campus and may decide to enroll.

RB: Right. The original conception, at least Abe’s view, seems to be that the less campus there was, the better. And this was a real change. And I think that it was insightful to focus on the campus and its development that luckily has continued through Ray’s administration. He has been able to grow buildings out of thin air, it’s
wonderful, because it is necessary to give the place credibility, to anchor it.

And humans need to get together to really develop. We are pack animals. We need to be part of the pack. We can be isolated only to a certain extent successfully, and then we need to get together to have that stimulation for growth, and I think you’ve seen that from the big online schools, which have discovered they can be entirely online. They have to have these satellite campuses or people to get together or the educational endeavor fails. But rather than a room in an office building, which is what the online places have, having this real substantial campus that people can come here and look at and go, “Wow, this is something. We are the real deal.” And a build from that is important and is a good change.

JP: And I think I guess the new library was critical and I guess also Huizenga School of Business, all of those added to the general sense that this is a university instead of sort of isolated segments.

RB: Yes. And particularly the library, because the library is the heart of a university. And one of the things that we felt a loss of when we moved from the east side was when you’re on the east side, you’re within a
short hop to the downtown library, the main library, and that was a normal stop and a common lunch place for faculty members. You went down to the library. There were books. Faculty members need books. So moving west we felt that sense of loss, and then putting the new library next to us was a wonderful addition. There’s nothing like a librarian walking up to you and saying, “I’ve got a clipboard and blank paper. What can I buy for you?” Yes. Yes.

JP: That is not a normal question one gets at universities today.

RB: No. No. But we’ve always had good relations with the library, both the internal library and the central library, the positive feeling of we want to do a great job, we want to be effective. That has permeated. And that helps tremendously with the spirit of an academic environment because you need that. And our library particularly provides our tech support and to develop us into computer savvy people who are using this all the time. That’s essential as well as the books.

JP: And now you have eating places here on campus and you have a workout facility and you have a theatre.
RB: Building the Student Center was another big plus and made it possible to develop real on-campus teams like the basketball team, which has been a big spirit-builder I think. There’s a person who came from University of Connecticut where there was real basketball scene. Real basketball here is a nice thing. My son is now up at Duke playing basketball in their summer program. We can appreciate basketball and its role on campus and it’s nice to feel that. It’s not the academic endeavor. It’s not in place of it and we wouldn’t want that to happen, but it certainly does provide an element which makes the academic endeavor work because the spirit is such an important part of education.

JP: Which had been missing before.

RB: Yes.

JP: Because if you look at this campus even 20, 25 years ago, that was not really part of the campus.

RB: Even 15 years ago. We’re talking a short time span here. And putting the Dolphins on campus was fun and having them and getting to know players or players’ kids has been a nice plus, but it’s not the same as your own team.
JP: What has been the biggest difference between being a private and a public university?

RB: Well, not being at a public university I can’t tell you. I can speculate that the advantage of a private university is it’s easier to make changes, it’s easier to be flexible because you don’t have the reporting chain or the oversight chain. You don’t have the legislature questioning or critiquing everything you do because you have to go ask them for money. On the other hand, it’s nice to have a legislature to go ask for money because they always happen to be thinking of the bottom line, although every place does, but you would like to get to the point where you don’t have to have that be such a big factor in decision making.

JP: So this has essentially been run on tuition.

RB: Yes.

JP: There is not much in the way of any kind of base element of funds that had been given by graduates. I mean, it’s a young university so you don’t have this alumni giving. You might have say a few --

RB: That’s right. We don’t have enough dead alumni. That’s our problem. But the other thing is unless you have
those things that make people feel connected, then getting their money is very difficult. It’s those things that make you feel -- we’ve all been to a number of institutions. Now which ones would get the money? It’s the ones you feel emotionally connected to, and you might give money because of self-interest. I want them to succeed because it burnishes my reputation, but it doesn’t take long before you’re beyond that.

If you have money, why would you want that institution to succeed rather than some other one? Because we all get so many solicitations and they’re all worthwhile, but you have to have an emotional connection. And what makes the student feel emotionally connected? If what they did and went to class and got a degree, then the likelihood they’re going to feel emotionally connected, unless you had all inspiring teachers and a great core group, maybe you’d feel that. And I think in the beginning because it was so small we were all in it together.

In the beginning when I first got here, faculty and students, everybody was first name basis. And at some point, I did my usual introduction to class, which is, “Welcome to class. I’m Professor Ron Brown. If you are working hard, I’d be happy to have you call me Ron. If you
are not working hard, do not call me at all." And I realized there was one day where they could not call me Ron anymore. It became Professor Brown. I don’t know whether it was my age. I think it was more than the institution had changed, maybe they had gotten bigger, maybe times had changed, we’re out of the ‘60s, although I wasn’t.

JP: It was informal in the beginning.

RB: It was informal in part because it was so close, and in part because it was the era, and in part because we were all closer in age. When I started I was 28 and the students were older than the average students. So average law students starts at 21, 22. That was close, and ours were many of them older than the average. So the age difference was very slight. But it had also gotten more formal and that changed. So one year it was, “No, we’re not calling you -- you are Professor Brown, you can call yourself whatever you want.” But there are very few who would be comfortable and so I had to change that. And that changed in the general -- if you talked to the early students, they knew everybody by the first name. It was Bruce and Steve, and ten years later it was professor this and professor that.
We were talking about Nova’s reputation in the early days to the extent Nova had a reputation, it was limited to ask you described a diploma mill because what people in the other part of the country had heard was only that it was selling degrees without providing any support system to back it up. In other words, it would come into an area and run a course on the weekend but expect the students to go use some other library or somebody else’s resources. And the rumors was that it was not demanding too much from the students. And I was involved with the doctorate public administration program for a while and went up to Washington to run courses there or run the same courses here. And the classroom experiences was demanding, but that was my choice. I don’t know what was happening in other classes. But whether it was effective graduate education is questionable.

For example, I was doing the legal introduction to law and ethics of public administration, and so they were supposed to do background reading and then we spent one weekend on the structure of government constitution and the way the government produces laws and how laws are enforced, and one weekend on ethics, and one weekend on administrative law. Now, having taught administrative law
to law students that is tough and makes a whole semester, and most of them will tell you that’s among the toughest things. To try to cover it all in a weekend and give a test at the end of the weekend was -- well as they said, it’s not law school, these are not people being prepared to be lawyers. You’re trying to introduce them to the background to give them some perspective. But it was not the same kind of educational experience.

Also I can understand why other institutions would object to someone taking a Nova graduate degree, but then expecting to come into their library and use their resources without charge, and why those places would be upset and lash out, which is essentially what happened.

JP: And how has that perception changed over the years?

RB: My observation is that first of all, some of the programs have established their own reputations. The law school particularly in the southeast but along the eastern seaboard has established itself as a very reputable place to go to law school and doing an excellent job. I think the medical school has also made a tremendous reputation, and the school of psychology is well known.
JP: So the merger with Southeastern was a big plus.

RB: I think so, yes. The fact that it’s an osteopathic medical school took a little getting used to because of course that’s the not exactly mainstream medicine, although it’s much more so now than it is. DOs are now interchangeable with MDs. But the general feeling at the time of the merger was if you’re gonna merge with a medical school, why does it have to be someone questionable?

JP: But now with the dental school and all of the other developments, that’s really changed.

RB: The dental school is much more traditional. I don’t know whether the education is traditional, but the appearance is much more traditional and I think that really helps. So the more things that make it look like it produces traditional educational product, whether educational process is the same, have helped and established it as nationwide.

JP: Why is it that most people know virtually nothing about Nova Southeastern? I was at University of Florida, people have no idea of what goes on down here at all. Even
some people in Broward County are still not quite sure what this institution is all about?

RB: Well, it’s very hard in Gainesville to hear about anything, except the Gators. So let’s put that in perspective. That’s a good question. For one thing, sport is a tremendous information purveyor, and it’s why so many of our colleges invest so much money in developing high-level sports teams. For example, FAU is spending a lot of money, USF is spending a lot of money, Central Florida, they have credible sports teams because if your team is competing in a conference, getting USF into the Big East where it could compete against Syracuse and Yukon was a tremendous plus because now in so many people’s minds, that makes it the equivalent. It makes it interchangeable. And that’s a huge leap. So much is name recognition.

For example, years ago someone did a ranking of law schools and they sent it out, and one of the schools they asked to have rated was Penn State, which at that time had no law school. And Penn State’s law school was ranked very high by the people responding to the survey because it had great name recognition from other things, particularly sports.


JP: You would just assume they would have a great law school.

RB: Absolutely.

JP: But they don’t.

RB: They don’t. The people who are doing joint law and something programs with Princeton are going to Columbia Law School and they have to commute against the river. It’s just been traditional for them. So that’s a real decision that the university has to compete.

Now, are there schools that have big national reputations despite not having big time sport teams? For example, University of Chicago. Well, it once had big time sports and then it got established. And once you’re established, then it’s a different story. But it’s much harder to make inroads particularly far from the home base. Second, there is that old reputation to live down. And how do you get recognition? They have billboards in the county and maybe that helps, and spots on NPR, but getting name recognition if you’re not going to have big time sports is a real challenge

JP: That was one reason for the Dolphins facility.
RB: Yes.

JP: I mean, just getting Nova’s name out there.

RB: Yeah. Although I’m sure how effective that is. For example, is the Giants or the Jets that are at Hofstra?

JP: Jets.

RB: Jets. Okay. How many people know that?

JP: That was part of the thinking in behind that deal. So there still is a gap to some degree between, if we could use this term in Fort Lauderdale, town and gown. I mean, there is a lot of interaction but perhaps, I mean, the art museum and all of that but maybe there needs to be more between university and the county and the city.

RB: Well, maybe. Nova is between clinics that they run and other activities they’re involved with and just the number of people in the area who are employed fully or part time with the university. I don’t think getting the name out in Broward County is the issue. I think getting the name out nationally is much more important. And I think getting the name out so that the undergraduate school is credible and attracts people I think is critical because so much of the way a school is thought of is based on the undergraduate school.
If you take a look at U.S. News and World Ranking, what’s the ranking based on? The undergraduate school. They focus on the undergraduates’ SAT scores. Well, the fact that the undergraduate is the latest addition, you might call it the weak link here, definitely affects the credibility of the whole institution. And in order to get people, really what you have to do is offer scholarships. And one thing that they ought to do is if they’re trying to attract very capable kids, the biggest opportunity is faculty kids. At that happens at the University School. There are a lot of faculty kids at the University School.

JP: Do they get free tuition?

RB: No. Up until this year, they’ve got 20 percent. This year, unless you had a third child there, you get a bump for the third child. But now they’ve upped it to 35 percent. Of course, my last one is about to graduate. But that’s a real plus. And you might have kids who otherwise would have left if they’re offered a good enough deal who will stay and see the class. Now, we do get a lot of very good, for example, secretarial help, way overqualified. Why? Because then they can get a tuition credit. And I think that’s a great idea. I think they ought to emphasize that even more. But those people don’t add particularly to
the spirit of the place. They add to the academic quality and they add to the classroom. So it’s a challenge.

JP: So in essence, one of the things, not only do you need more undergraduates, you need more qualified undergraduates.

RB: Yes.

JP: So that when they come in, their scores are going to be higher than they currently are.

RB: Right. And they need to project an image of how attractive the undergraduate program is so even if you’re not getting them, the word is out of “that’s a really great place to go.” And I think that’s a challenge that I haven’t seen any attempt to deal with it.

JP: Because a large degree, I mean, this school is not 50 years old yet so I mean obviously it takes time to get to all of these developments, and one of the things that’s developed lately, you finally get The Commons.

RB: Well, I think `64 is the creation so it is 50 years old, but just barely. Now 50, remember, is the old 40.
JP: So not quite. So party they were developing the physical campus, they were trying to raise money. It’s hard to do everything.

RB: Absolutely. You cannot do everything at once. You have to put things in order. It’s triage. And having a campus that’s attractive was critical before you can attract people because if people come to the campus, they look around and go, “What am I gonna do here?”

JP: Yeah. So is it public relations? What is it?

RB: Well, that’s marketing but that’s not my field. So I would defer to the professionals in that, but I think that’s where the need is. They’re somehow going to get the message out.

JP: Every university says now what we have to have is branding.

RB: Yes. Well, not just the university.

JP: But that’s become a critical issue for any university now.

RB: Yes.

JP: Particularly in the state system where there’s less money. You need more money from out of state
students, you need more money from alumni, and the way to get that is somehow to present to them, this is a superior institution.

RB: Absolutely. Or at least a recognized institution. You don’t want to get the reaction of, “Who are you? Which one are you?”

JP: That’s right, yeah.

RB: Absolutely.

JP: Talk a little bit about what you consider to be the major contributions made by two of the presidents that you would have worked with - one, Abe Fischler, and then second Ray Ferrero.

JP: Well, Abe got things rolling and kept them rolling when the odds were “that was impossible.” I think that’s the major contribution. And Abe has hung in there and continues to provide stimulation. Now, there are lots of things on which I disagree with Abe, and there are lots of decisions that I disagree with. But I serve on the board of the Family Center, the Mailman Segal Institute for Early Childhood Studies with Abe. And here is Abe, he’s now in his late 80s, he could be relaxing in retirement, and he’s in there on the board trying to fire people up
because there are children in Broward County who are autistic and not getting treatment early enough, and by god Abe is not going to rest until he can get treatment to as many as possible.

And that’s inspiring leadership and you have to look at Abe and go wow, you know. I got to take my hat off to him. There are times that I could have strangled him, there are times that I was absolutely opposed, but you have to recognize that that’s the kind of dedication and intensity that made the venture happen, otherwise it would not be here. I mean, there were so many times it could have just disappeared. And there were times that he kept it going by shifting things from one pocket to another, smoke and mirrors. I am sure.

JP: Are you aware of the relationship with NYIT?

RB: Oh yes.

JP: What do you think of that and why do you think it ended?

RB: Well, I think it came into existence because Abe needed a solution and that was the best solution he could come up with. And it ended when it outlived its usefulness. Now, NYIT still is operating, they’re a
successful entity, but they are a much more limited entity than Nova wants to be, and so I think it just came time to -- they needed an outlet because they needed to be able to offer programs outside the view of the New York Board of Regents, and we needed the influx of cash and the stability. So it was a, what you call it, marriage of convenience. And when the convenience ended, the two parties found they were not in love, and so that’s why it ended. And Ray, Ray is a visionary who was able to make a campus out of nothing. I don’t know if you saw the campus before Ray became president. I mean, the fact that he could make a library grow or the Student Center or the whole plan is just extraordinary. It took that kind of entrepreneur and generalship to do it.

Now what needs to come next to make the university then evolve into the next era, I think that will be something different because it takes different people to do different stages. But was he the right man for that era to turn this from the war surplus landing strip into the credible campus that could grow into the more and more credible university? Absolutely. And he was willing to do it and stay here when he could have just taken easy retirement. That’s terrific.
JP: He’s not the kind that retires.

RB: No. No, but he could have done other things. What would the situation have been without him? I’d hate to even consider that possibility.

JP: He is the kind of person who decides on something and then gets it done.

RB: Yes.

JP: He doesn’t equivocate. He just decides this is something we need to have and he figures out how to get it done. Is that correct?

RB: Well, I’m not sure I would quite say it that way, but what he does is collect the information, make a battle plan, and then proceed and marshal the forces, try to get the people that he needs to do things. And so he is, I think I good word would be determined.

JP: So this university now has a pretty significant impact on Broward County. You mentioned earlier the number of people hired, the number of clinics, the work with autism, all those sort of things.
RB: Yeah. The involvement in the educational process in Broward County. Yeah, it’s tremendous and it’s involved.

JP: The library, which turns out to be a public library.

RB: Well, in part. It is a joint venture. And what Ray has done is amazingly come up with ways to joint venture with a variety of people, public and private, to produce the results that were needed where going in it alone would have produced nothing. When you hit at wall and most other people would stop, Ray hits a wall and finds a way around it, over it, under it, rebuild the wall, remodel the wall.

JP: Like the art museum. That’s another example of his innovative thinking, and let’s see how we can get involved in some of these things and both the county and the university would benefit.

RB: Yes. Now, how that works out, we’ll see. But I don’t think that -- there’s no requirement that you have to bat a thousand. I mean, in no league is that the determination of who gets in the hall of fame. And the fact that he has been so successful on so many of these
things is extraordinary. And I hope the museum is one or whatever the next venture is another, but if you’re not willing to take a risk, you don’t make process. And risks do not always turn out the way you want them to, but you can’t make that make you afraid to take the next risk or you make no progress.

JP: What would you expect from George Hanbury, the new president?

RB: I think George will be certainly the stable influence that the university needs, particularly in these turbulent times. I think his picking Thomas Jefferson as his model for the university, I really appreciate that and I think it’s a great model and I think it’s what would bring us to the next step if it I can be accomplished. And I think that the idea of aiming high, what would we like to be like? UVA? Sure. Sure.

JP: They had a little bit of a head start.

RB: Oh, absolutely. And a little bit of state money too. But I think that’s the kind of thinking that makes a place really develop, that you have high standards, that you have high aspirations, and let’s go for it.
JP: So this new Academical Village, as he describes it, do you see that as sort of the cornerstone of a new type of university?

RB: I think it’s great. The Academical Village was Thomas Jefferson’s phrase. When I first heard that I went, “What is this?” and then googled it, and surprise. This is a term that Jefferson claimed for his design for UVA and it really would be terrific if we could do that. Now, it will be a different village than UVA. We’re not the old south here. It’s not the Wild West, but it’s the wild south where the cutting edge of development in so many areas are the cutting edge, it cuts both ways. But it’s much more of a fluid area, much more both exciting and risky, but I think developing an Academical Village that responds to these different situations has tremendous potential.

JP: What do you think of purchasing the country club?

RB: Well, I don’t know the details. Do I think that it would be cool to have the country club? Yes, particularly with its history as the site for the Caddyshack movie. Oh, I appreciate that completely. But it’s a nice addition.
JP: Well, the land will obviously be the most important aspect, would it not?

RB: Yes.

JP: For long-term development.

RB: Yes. It makes possible to have a campus that can expand and offer a lot of opportunity. Now, like I said, it’s a risk.

JP: Well, that’s what we’re talking about. In fact, it seems to me that studying the history of this university that has been the essence, that there have been numerous times from the very beginning, people are willing to take a chance. This is a little out there when they started only graduate education. I mean, this was something that was brand new. And it seemed like in very many cases starting the dental school, dental schools around the country were closing.

RB: Yes. That was the word.

JP: So here is an institution that has often not hit the mark, but most of the time has.

RB: And sometimes you have to wait.
JP: Well, to see. Yeah, exactly. To see the long-term benefit.

RB: That’s right. You have to have the patience to see whether your gamble turns out --

JP: But you mentioned earlier, you got to have some vision of what it ought to be, and if you don’t always succeed, at least you have that goal.

RB: Yes.

JP: Otherwise you’re stayed and you don’t change and you just sort of --

RB: Otherwise you’re just one more the bunch, then try to brand that.

JP: Yeah. We’re just mediocre like everybody else. What is the status you think in economic terms for this institution? I understand that in these very difficult times for state institutions, not a single person has been fired here, the money for apparently the library and all of the other assets of the university have been kept up, that there have not been drastic cuts like there have been at other institutions.
RB: Well, we haven’t seen drastic cuts. Now, they’re being very conservative now, committing. But things like at the University of Miami, they announce suddenly they were not going to contribute to pensions anymore and they’re creating a panic and an outrage there. What we had here was stability and calmness and an entirely different atmosphere, and I think that’s both a tribute to both George and to Ray. And I think that’s their approach that you have to get the information and then react appropriately and I think that really sets the tone for the future. But so far things have been very calm and stable and we hope they remain so. Everybody always wonders what’s going to happen next. They are strange times.

JP: You never know. What would be your most rewarding or positive experience the time you’ve been here?

RB: Well, I think the most rewarding is watch the students succeed, particularly when they come back to tell you, “Guess what? Here’s my story,” and how many they appreciate what they got here or what they got from me. I think that’s the best.

JP: What would be the most disappointing aspects?
RB: Oh, right now? Watching one of our graduates that I thought was a good kid plead guilty to the biggest Ponzi scheme in the history of the state. Just unbelievable. So that’s definitely high up on the scale right now.

JP: What about with the university? What has been most disappointing? Something that you would like to have seen done?

RB: I think there have been missed opportunities, missed opportunities for example in the law school to really do things that made us different and that we felt so constrained to look like the other schools that people were afraid to depart from the model. And I think that those missed opportunities are the most frustrating.

JP: What’s the future for Nova?

RB: Well, I hope it’s good.

JP: Do you see expansion?

RB: I’m sure they will continue to expand as long as there’s a market for it. I hope the law school will get bigger, because I think we’re at a point where it’s to me too big already and so getting bigger would just make it worse. I think that at a certain point you may keep
control but it then becomes a totally variable experience for the different people, that you cannot have a structured experience or education so you couldn’t say that person had a Nova legal experience and mean one thing because it could vary so much.

JP: So you would obviously hope they wouldn’t expand the law school just for the tuition money.

RB: Or for any other reason.

JP: Any other reason, yeah. But particularly I know there are law schools now, public schools who are running into problems and trying to raise tuition and trying to get more students, they’ll FTE, the more students you got, the more money you have.

RB: Right. But then it becomes a vicious cycle.

JP: Yeah.

RB: Because you have more students you need more physical plant and you need more teachers. And so you keep getting bigger and bigger and bigger and it grows out of control and I would hate to see that happen here.
JP: Are there some memorable events on campus that you would like to talk about? A hurricane? An athletic event?

RB: Well, there haven’t athletic events on campus.

JP: You wouldn’t have that.

RB: We could leave that out.

JP: What about speakers? Dalai Lama was here, McGovern and Anderson. I know the law school has had some good speakers over the years.

RB: Yeah. I’ve enjoyed speakers. Have they been events that altered my life? No. I enjoyed some of the people coming in, particularly if they were people I knew from before, but that doesn’t particularly -- the opening of the law school I thought was fun, the new building. There was a real excitement then, hurricane arriving three weeks later.

When we looked at the trajectory of Hurricane Andrew and they drew the arrow so it was coming right down 595, right to the campus with the trajectory the way it was done. And at that point we had been unpacking and people went, “Wait a minute. If my stuff is going to get blown in the ocean, it may as well still be in boxes.” So they
closed up and went home. And luckily at the last moment the hurricane veered south and we missed it. And it was a bizarre experience because the hurricane, it was like a line drawn. If you were on one side, life was normal, and the other side it was like being in the combat zone. And we had students who were commuting from Dade County who the bizarreness of the experience as you crossed the line back into normal life, and then they would go home back into this disaster area. It was very hard to cope with.

JP: Homestead was just devastated.

RB: Yeah. We thought okay, here we’ve had our new building, we’ve had it for three weeks. Gone. That would have been very disappointing particularly because I don’t think there would have been the funds to replace it or fix it. So that was a moment of big holding your breath. Then it went from the high to the low and then back to the okay.

JP: Ron is there anything that we have not talked about or discussed that you would like to talk about or bring up?

RB: Not particularly, no. I think we’re okay.

JP: Anything else?

RB: No.
JP: Okay. Well on that note, I want to thank you for your time.

[End]