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Town and Gown

Adjunct law professors bring a world of experience to the teacher's desk

A unique symbiosis between the Law School and Buffalo's professional legal community is being strengthened, as the school brings more working lawyers into the classroom to teach what they know best — how to practice.

These adjunct professors now number around 35, says Barry B. Boyer, the Law School's recently appointed dean. That's about as many part-time adjuncts as there are full-time faculty, though the faculty's teaching load is, of course, heavier.

"We're very lucky that we have adjuncts who are willing and able to help us, despite the fact that we're not able to compensate them very much for all their hard work," Boyer says.

"Some of our best teachers are adjuncts. They are among the top lawyers in Buffalo, some well-known nationally. Many are our former students, in some cases teaching decades after their own graduations.

"They tell me they teach for love, not for money, and that they are delighted they can be of service. We want them to know that we realize they are making a significant donation of time and effort which all of us at UB Law



Albert R. Mugel

greatly appreciate."

Besides filling gaps left by the state university system's budget crunch, adjunct professors add in several different ways to the Law School curriculum, Boyer says, bringing experience and expertise to the students.

"Many bring their daily experience in conducting trials and being in the courtroom," he says. "Others have ex-

pertise in specialized areas that we don't have in the full-time faculty. And, to help us get through periods of shortage, some teach main-line courses."

UB Law Forum spoke with seven longtime adjunct professors about the job, its challenges, and the reasons they keep coming back for more.

Albert R. Mugel '41, a founding partner of the Buffalo law firm Jaeckle, Fleischmann & Mugel, taught full time at the Law School from 1948 to 1954, except for a period of service in Korea. Ever since, he has taught part time — generally future interests and estate planning, his areas of specialization in practice.

Mugel joined the faculty at a time when there were only a half-dozen full-time professors at the school. He remembers it as an era of small classes and much personal contact. Now, he says with some regret, "The school is larger, the classes are larger, and you don't get to know the students the way you used to."

Every semester while I'm getting ready, I say to myself, 'Why am I doing this?' But I always come back saying, 'That was fun.'

Still, he calls the adjunct relationship "the best of both worlds — dealing with students and dealing with the practice of law."

James R. Magavern



Goodell Says Jail Retains Cell County

New York State Law Digest



The hours aren't bad, either, he says. In delivering his three credit-hours weekly, he always schedules them on Friday and Saturday mornings — perfect for working around a busy schedule at Jaekle, Fleischmann.

"I thoroughly enjoy the teaching experience," says **Paul Ivan Birzon**, a partner in the Buffalo law firm Birzon & Zakia. "It gives me some sense of balance to what often is the drudgery of day-by-day practice."

Birzon, whose first association with the Law School came as part of a trial clinic program in 1963, began teaching part time when he was asked to take over a course in Agency. "Which was really quite interesting," he deadpans, "because I never took Agency in law school (at Columbia University)."

But he studied, then embarked on courses in Criminal Substantive Law and Criminal Procedure; his practice concentrated on criminal law at the time. Now, practicing in matrimonial and civil litigation, for 13 years he has taught one section of the course in Evidence.

"I don't talk about war stories," Birzon says of his teaching technique. "I avoid them at almost all costs. Except there is one particular case I use that best illustrates the point I want to make in one part of the class; but otherwise, I don't feel war stories are particularly enlightening. They usually just stroke the professor's ego. Undoubtedly, it's a case he or she won."

Birzon says teaching "forces you to do your own homework and keep up with developments in the law. You also learn from the class. They have questions on issues you thought were well settled, but their questions raise issues that you hadn't thought about — but should have."

James L. Magavern '59 does a lot

of work in state and municipal law, as well as health care law, as a partner in Magavern & Magavern. He carries that experience to the blackboard teaching the upper-level course State and Local Finance — a course that draws not just law students, but political science and management students as well.

Magavern taught part time at the Law School starting in the early 1960s — "basically freshman courses, Civil Procedure, Torts, Contracts" — and joined the faculty full time for a few

semester while I'm getting ready, I say to myself, 'Why am I doing this?' But I always come back saying, 'That was fun.' Every year the students ask better questions, and I always learn something."

Magavern, too, says he avoids telling "war stories" in class. "I'm usually somewhat hesitant to get into personal experience," he says. "On a couple of occasions I've done it, and the students seem to have liked it." One situation, though, he lived through as county attorney — Erie County's contentious 1976 fiscal crisis — and it's too rich to pass up. "To me," he says, "that has lots of lessons for local finance."

"I've never tried to teach outside my area of practice. I'd feel like a fish out of water," says **George M. Zimmermann '49**, whose does corporate and tax work as a partner in the Buffalo firm Albrecht, Maguire, Heffern & Gregg.

Zimmermann has been teaching part time at the Law School since 1951, including courses in Contracts, Corporations and Agency & Partnership. For the 1992-93 academic year, he is teaching the upper-level courses Counselling Small Business and Financing Small Business. Until it was discontinued in 1991, he also led the Small Business Clinic, which had students doing work for actual clients from the community.

"My teaching and my law practice fit in very well together," Zimmermann says. "The experience I have in practice helps me in teaching, and what I force myself to learn by teaching, to keep up to date with new developments, helps in my practice."

"The students make you think about things that you might not otherwise have thought about," he says. "When you meet with students, you're meeting with some very bright minds."



Sheldon Hurwitz

years in the late '60s.

"I enjoyed it," he says, "but thought I wanted long term to do something a little different." He has continued as an adjunct professor ever since.

"I like the Law School," he says, "and the opportunity to do this is something I welcome. I enjoy the process; I enjoy getting to know the class. Every

Elizabeth F. Buckley '80 teaches two courses at the Law School, Sales and Secured Transactions in the spring and Commercial Paper in the fall. Both are open to third-year students, and both attract classes of 100 or more.

"There's so much interaction in the large group and on an individual level, says Buckley, who has her own limited law practice. "I always thought it would be very routine, very mundane, and it's not. Every year it's a different course, because of what the students bring to it."

Buckley, who started teaching at the Law School in 1988, previously practiced with Jaeckle, Fleischmann & Mugel and Neighborhood Legal Services. She is experienced in a variety of commercial law areas, and says that makes for effective lessons.

"I've been there," she notes. "If we're talking about repossession ... well, I was out in the field repossessing tractors one time.

"When I look at cases, I don't just look at it in terms of the Uniform Commercial Code. I think in terms of, 'How would I prove this?'"

"If you think about it, there are very few areas of law where there aren't influences on insurance," says **Sheldon Hurwitz**, senior partner in the Buffalo law firm Hurwitz & Fine and an adjunct professor of insurance law at UB Law.

That's why, eight years ago, Hurwitz approached then-Dean Thomas Headrick with a proposal for an Insurance Law course. Co-taught by Hurwitz and his law partner Dan

Kohane, the course — offered in the fall semester — covers such topics as general liability, property insurance and the history of insurance.

"The room that we have holds 87 seats, and it's always filled," Hurwitz says. "It has become very popular. Every semester we have taught it, it becomes a sell-out."

The team teaching approach works very well for the instructors, Hurwitz says, because both know the syllabus

experiences to the course. It stimulates your own thinking."

Richard Sullivan, a partner in the Buffalo firm Sullivan, Benatovich, Oliverio & Trimboli, says he has two former students now working for his firm as associates. As one of three people who teach New York Practice at the Law School, he's in a position to recognize — and occasionally recruit — talent among his students.

"I enjoy being around the students,"

says Sullivan, a graduate of the University of Notre Dame Law School. "Teaching keeps me on my toes and makes me concentrate on changes in the law. It keeps me young and active."

Sullivan has taught New York Practice each semester, spring and fall, since 1980. The format, he says, is "much more substantive than procedural. I present them with a problem that they are to analyze as if they were attorneys. Then they draw up a complaint and an answer, both parts, as if they were first year associates.

"The rules of civil procedure in New York are different from the federal rules. It clearly requires a specific course if you intend to engage in any degree of civil practice in New

York State."

Sullivan, too, sees a real-world benefit in the contributions of adjunct professors to the Law School.

"I think students enjoy adjunct professors because they bring a different experience into the classroom," he says. "You can bring the daily practice of law into the classroom, and I think they really appreciate that." ■

The Law School community gratefully acknowledges the outstanding service contributed by the following attorneys who taught during the past two academic years:

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| <i>Paul A. Battaglia</i> | <i>Hon. Joseph P. McCarthy</i> |
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| <i>Dan D. Kohane</i> | <i>Edwin H. Wolf</i> |
| <i>James Magavern</i> | <i>George M. Zimmermann</i> |

cold. If either he or Kohane has to be in court, the other can cover the lesson that day.

And teaching has its benefits for the practitioner as well, Hurwitz says. "One, it makes you keep up to date on everything that's going on in insurance. And two, the students are very bright. UB gets a lot of people who are older, more mature, and they bring their own