



**“...we have our sights clearly set on improving our scholarly reputation as we continue to improve all the features by which an excellent law school is measured.”**

# Dean's Column

BY GUEST WRITER FRANCIS J. MOOTZ, III, Associate Dean for Research and Faculty Development

## THE SCHOLARLY MISSION AND ACHIEVEMENTS OF THE BOYD SCHOOL OF LAW

Past dean's columns have described the many ways in which Boyd has become part of the social and legal fabric of Nevada during the past 12 years of its rapid development as the first law school in the state. Through clinical programs, quality CLE programs and the education of skilled and ethical lawyers, Boyd has worked hard to contribute to the Nevada legal system and to local communities. We are proud of these achievements but we are equally proud to be recognized as one of the most productive and influential scholarly faculties in the country.

Brian Leiter, a law professor at the University of Chicago, has developed an influential ranking of the top 25 law faculties by measuring their scholarly impact. As a new school, recently suffering sharp cutbacks in state funding, it should be no surprise that Boyd has not been among his list of elite law schools.<sup>1</sup> Recently, law professors at St. Thomas University in Minnesota extended Leiter's methodology to determine the top 70 law faculties. Released in September, their study reports that Boyd ties for the 40th most influential scholarly faculty with schools such as Arizona State, Fordham and William and Mary and is ranked higher than schools such as Boston College, BYU, Florida, Georgia, Utah and Wisconsin.<sup>2</sup>

This study measures the performance of the entire tenure-track faculty and so this showing emphasizes the depth of scholarly commitment at Boyd. This achievement is particularly impressive because the faculty was shouldering the institutional responsibilities of building an entirely new law school while producing renowned scholarship. This study ranks Boyd higher than the more questionable *U.S. News and World Reports* study, which is based to large

degree on historical reputation, financial resources, and the grades and LSAT scores of incoming students. Although we have a very good ranking in *U.S. News*, we regard that as a lagging indicator that will follow the scholarly reputation of the faculty.

What does this superb performance by the Boyd faculty mean for Nevada? First, it means that students who are considering law school need not travel to another state to find an expert faculty engaged at the highest levels of research and scholarship. It also means that Nevada has resident experts who can assist the legislature, executive and judiciary, to bring the latest learning to bear on problems relating to the justice system. Finally, it means that local media can turn to Boyd faculty to help educate the public about novel and complicated issues by drawing on current research, thereby strengthening our democracy.

For example, Professor Jeffrey Stempel was just awarded the Liberty Mutual Prize by Boston College School of Law, in recognition of having written the best insurance law article of the past year. Stempel is a prodigious scholar, having written numerous articles, books and treatises that have helped to shape the law of insurance and to provide resources for lawyers and judges as they grapple with emerging issues. He is regularly quoted by local and national press in order to provide context for stories about insurance cases and reforms.

Professor Nancy Rapoport is sought after nationally as a speaker on topics relating to bankruptcy and legal ethics; she writes important books and articles in this practice area, and local and national media regularly look to her to explain the complex proceedings surrounding the economic

distress facing many Nevada business entities. One of Rapoport's commercial law predecessors, noted scholar Bruce Markell, accepted an appointment as a bankruptcy judge in Nevada and brought his expertise to bear during the past several years of economic distress.

Professor Chris Blakesley, named Barrick Distinguished Scholar in 2009, is an acknowledged expert in international criminal law, who lectures around the world and writes influential scholarship that helps shape national and international policy. He is frequently interviewed by national media on issues of terrorism. When controversy recently arose over the procedures of the coroner's inquest into the shooting death of Erik Scott and others by Metro Police, Blakesley was interviewed by the media and asked to explain what was at stake. He is now bringing his deep knowledge of comparative approaches to criminal law to bear as chair of a panel created by the Clark County Commission to consider revising the inquest process.

Having one of the country's top law school faculties in terms of scholarly impact is an important part of the mission of the Boyd School of Law, and we are proud that we have been successful. This is not to suggest complacency; we have our sights clearly set on improving our scholarly reputation as we continue to improve all the features by which an excellent law school is measured. ■

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**FRANCIS JAY MOOTZ** joined the Boyd faculty in 2008 as William S. Boyd Professor of Law. He teaches contracts, sales and other business dispute classes, in addition to jurisprudence seminars. His publications run the gamut from a sales casebook to books on the intersection of contemporary European philosophy and law.

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- 1 It is interesting to note that nearly half of the top 25 schools are public law schools that have benefitted from a long history of state support for excellence, including four of the California schools (Berkeley, UCLA, Irvine and Davis) and flagship public law schools at Michigan, Virginia, Texas, Minnesota, Arizona, Illinois and Florida State.
  - 2 Sisk, et.al., "Scholarly Impact of Law School Faculties: Extending the Leiter Rankings to the Top 70," September 30, 2010, available for download at the Social Science Research Network: <http://ssrn.com/abstract=1674764>.