

**PROPOSAL TO CREATE THE BAUCUS INSTITUTE AT THE
UNIVERSITY OF MONTANA SCHOOL OF LAW**

Adopted by the Law Faculty, April 17, 2015

Procedural Background

University and Regents policies govern the establishment and review of academic institutes. See BOR 218; UM 103. "Such entities organize distributed resources in response to identified needs and opportunities to develop new knowledge or serve society." UM 103.I.A. In particular, an institute is "[a] multi-disciplinary entity with responsibility for a variety of independent but related educational, research, and/or creative projects," and "has an indefinite duration." UM 103.B.

Proposals for the creation of a new academic institute may originate from various sources, including one or more faculty members. See UM 103.II.A. A proposal initially goes to the Provost, who seeks review by the Deans and other Academic Officers most affected by the institute, and subsequent approval by the Faculty Senate, the Provost, the President, and the Board of Regents. See UM 103.II.B. Every institute or other academic center is subject to a similar review and approval process every five years. See UM 103.III.

Guidelines for the establishment of a new center require a proposal to address its purpose, productivity, organization, relationship to the University, and resource needs. Each of these elements is addressed below.

I. Purpose and Objectives. Throughout his long and distinguished career in public service, both as a United States Senator representing the State of Montana and as U.S. Ambassador to China, Max S. Baucus has promoted economic growth while seeking to ensure a livable and just world for ourselves and future generations. The Max S. Baucus Institute at the University of Montana School of Law will further that legacy as it positions the University of Montana to serve as a global leader.

By bringing together leaders in the fields of academia, government, law, and business, the Baucus Institute will provide a forum for the exchange of ideas in a setting devoted to problem-solving rather than opposition. At the same time, the Institute will help students and faculty from Montana serve the public good at the state, national, and international levels. Through interdisciplinary programs, the Institute will foster collaboration among all units of the

Montana University system, advancing the University's strategic goal of Education for the Global Century.

The Baucus Institute will focus the resources of the University of Montana by drawing on traditional areas of strength, in fields ranging from environmental and natural resources law to business and entrepreneurship to forestry and American Indian studies, while promoting new initiatives in areas such as global education and energy law.

II. Activities & Expected Productivity

As the Institute develops and fundraising allows, it is anticipated that Institute will engage in the following areas of activity and productivity.

A. Teaching. The Baucus Institute will bring academic, policy, legal and business leaders to teach in a variety of expected areas, including international trade law, tax law, economic development law and policy, and other subjects related to Ambassador Baucus' work for Montanans and the United States. Such subjects may include legislation, the federal budget process, agriculture and rural development, health care reform, and public lands. The Institute will coordinate the Law School's study abroad program in China and, in conjunction with the Law School and the Office of International Programs, will explore opportunities for the creation of certificate or degree programs in fields relating to global development.

1. Student Fellows. An initial emphasis will be to establish a student fellows program to engage Montana students at UM and other institutions in projects with government and business at home and abroad. "Baucus Fellows" will be selected from the best and brightest students in the School of Law and other undergraduate and graduate programs in Montana. Opportunities may include a law student working a summer on Capitol Hill in Washington, D.C., a business student working a semester abroad on international trade issues, or an undergraduate working on an economic development project in rural Montana.

2. Faculty Fellows. The Institute will provide funding for faculty at UM and other institutions to teach undergraduate, graduate, and continuing education courses related to the Institute's purpose and objectives.

3. Practice-Based Curriculum. The School of Law will integrate the work of the Baucus Institute into new practice-based curricular opportunities, consistent with the School's distinctive approach to skills-based legal education. The Baucus Institute will help fill critical coverage needs in international trade and entrepreneurship law. In addition to seminars offered by visiting faculty sponsored by the Baucus Institute, the School of Law will develop related clinical opportunities in economic development, legislation, and other areas associated with its work.

4. International Programs. The School of Law also will extend its current study abroad programs in China and Ireland to incorporate international trade and other issues associated with the Baucus Institute. The China program in particular will benefit from

Ambassador Baucus in the near term, and may expand into a broader exchange program bringing Chinese lawyers and law students to Missoula for courses.

B. Scholarship.

1. Baucus Papers. The Baucus Institute, with the Mansfield Library Archives and Special Collections, will provide a gateway to research critical moments in Congress over nearly four decades reflected in the Baucus Papers. Working with the School of Law's two academic journals, the Montana Law Review and the Public Land and Resources Law Review, as well as other campus-based scholarly outlets, the Institute may work to publish topical articles which related to various aspects of Ambassador Baucus' career in public service. And, working with the School of Business Administration and selected programs in the College of Humanities and Sciences, the papers will be used to identify important milestones in economic development stimulated by Ambassador Baucus.

2. Max S. Baucus Chair. The School of Law plans to fundraise with the goal of eventually endowing a chair for the areas associated with the work of the Institute. In addition to teaching duties, the Chair will enjoy access to the Baucus Papers, the Law, Business, and related faculty, and related programs to support scholarship.

C. Service. The Baucus Institute will provide multiple opportunities for service within Montana, nationally and internationally. Initial, envisioned activities include:

1. Montana Economic Development Summit. One of Ambassador Baucus' signature achievements in the Senate was convening national and international business and policy leaders at a half-dozen Montana Economic Development Summits. The Baucus Institute will bring this world-class gathering to the University of Montana Campus and/or its affiliate campuses including Montana Tech, which has hosted past summit and which Ambassador Baucus has indicated will host at least one more summit. The Montana Economic Development Summit, or a variant thereof, provides a significant opportunity for cross-campus collaboration with the School of Business Administration, Departments of Economics, Political Science, and Computer Science, natural resource programs and others on campus. The summits have been supported through corporate fundraising partnerships.

2. Baucus Lecture in Tax Policy. For more than six decades, the Montana Tax Institute has featured a distinguished national tax faculty attracting leading tax practitioners from the region. The Baucus Institute will build on this tradition by sponsoring a Baucus Lecture in Tax Policy, which will provide a broader perspective on tax law and policy to complement the in-depth focus of the Tax Institute.

III. Advisory Council & Organizations Involved

A. Advisory Councils. The Baucus Institute will be advised by a national advisory council and a steering committee.

1. Advisory Council. The Advisory Council will provide programmatic advice and will be comprised of a bipartisan group of national and international thought leaders in the areas of the Institute's focus. The Advisory Council will function similar to the Board of Visitors of the School of Law and the Deans of the School of Law, the School of Business Administration and School of Humanities and Sciences will serve in an ex officio capacity on the Advisory Council.

2. Steering Committee. The Steering Committee will provide strategic and development advice, particularly in the initial fundraising phase of the Institute's development and construction of physical space, and may be reduced eliminated once the Institute is funded and operational.

B. Other Organizations. The Baucus Institute will seek to complement and, where appropriate, integrate with the activities of several campus centers of excellence related to its work. While based at the School of Law, the Baucus Institute will work with the School of Business Administration and the World Trade Center on trade and economic development issues, the Mansfield Center on Asia relations, and other related programs. The Baucus Institute also will develop relationships with relevant local, state, tribal, and federal agencies, as well as non-governmental organizations, concerning trade, tax, and economic development law and policy.

IV. Reporting Line. The Baucus Institute will be led by a member of the Law Faculty who will serve as Director of the Institute. The Director will report to the Dean of the Law School. The Director will be assisted by, and most day-to-day operations of the Institute will be carried out by, a full-time, non-faculty Assistant Director. The Advisory Council will provide programmatic and other advice to the Director and the Dean of the Law School.

V. Relationship to the University of Montana Strategic Plan & Academic Programs

A. Education for the Global Century. The Baucus Institute will offer globally-oriented programs for students in its courses and on-campus events, as well as through the Baucus Fellows, complimenting the goal for Education for the Global Century.

B. Discovery and Creativity to Serve Montana and the World. The Baucus Institute's focus on public policy and service will advance knowledge and practical applications of developments in trade, tax, and economic development law and policy.

C. Academic Programs. Within the School of Law, the Baucus Institute offers important synergies with the Montana Tax Institute, China Program, and current faculty covering tax law, business, natural resources, and legislation. Across campus, the Baucus Institute will make significant contributions to the academic program at the School of Business Administration, political science and other related programs, as well as the World Trade Center and the Mansfield Center.

VI. Similar Programs in Montana and Surrounding Region. Montana and the surrounding region offer several successful models for university-based public policy institutes, though none with the distinct focus and connections the Baucus Institute will offer.

A. *Mansfield Center (UM).* Established in 1983, the Mansfield Center is dedicated to increasing mutual understanding between the U.S. and Asia, particularly Japan, China, Korea, and Vietnam. Reflecting the Mansfield legacy, the Center seeks to incorporate an ethical dimension in all its work and, recently, has also dedicated increased attention to public policy and leadership, as well as to the teaching of critical languages and cultures.

B. *World Trade Center (UM).* The stated purpose of the Montana World Trade Center (MWTC) is to promote international trade and economic development in Montana through public private-partnerships, business networking and student education.

C. *Montana Economic Developers Association (Missoula).* The Montana Economic Developers Association sponsors educational seminars, workshops and conferences to advance the economic development profession. The Association conducts research to stimulate the interchange of ideas and experiences between individuals with mutual goals and interests. The association also develops network and communications systems to disseminate information and acts as a clearinghouse and contact point within Montana for other state, regional, national and international economic development organizations and agencies.

D. *Wheeler Center (MSU).* The Burton K. Wheeler Center for Public Policy in Bozeman, MT, promotes the discussion, analysis and eventual resolution of critical issues facing Montana and the region. The Center holds conferences, sponsors research and lectures, publishes conference reports and maintains a Web page for Montanans and others who are seeking solutions to some of today's most pressing issues and problems.

E. *Alan K. Simpson Institute for Western Politics and Leadership (Wyoming).* The Alan K. Simpson Institute for Western Politics and Leadership is a program of the American Heritage Center focusing on the acquisition, preservation, and research use of the papers of prominent individuals, businesses, and organizations that have provided leadership – political, economic, social, and cultural – for Wyoming and the Rocky Mountain West.

F. *Frank Church Institute (Boise State).* The Institute, which is housed within the College of Social Sciences and Public Affairs at Boise State University, emphasizes the ideals of Senator Church including a strong belief in the rule of law, eloquence firmly based on reason, and an unwavering faith in the American political system. The Frank Church Institute's mission is to "promote civic engagement and understanding of public policy with focus on foreign relations." The Institute is non-partisan, but it seeks to "provide a forum for open and informed discussion characterized by civility, tolerance, and compromise." The Institute seeks to fulfill its mission through the sponsorship of the annual Frank Church Conference, the Frank and

Bethine Church Chair of Public Affairs, and the Frank Church Scholarships at Boise State University.

G. Henry M. Jackson Foundation (Washington). The Henry M. Jackson Foundation was founded in 1983 to continue the unfinished work of the late Senator Henry M. "Scoop" Jackson in the areas in which he played a key leadership role: international affairs education, human rights, environment and natural resources management, and public service. Through its grant-making and strategic initiatives, the Foundation seeks to perpetuate the Jackson legacy for the benefit of future generations.

H. Udall Center for Studies in Public Policy (Arizona). Established in 1987, the Udall Center for Studies in Public Policy sponsors policy-relevant, interdisciplinary research and forums that link scholarship and education with decision-making. The Center specializes in issues concerning: (1) environmental policy, primarily in the Southwest and U.S.-Mexico border region (2) immigration policy of the United States and (3) Indigenous nations policy.

I. Panetta Institute for Public Policy (CSU- Monterey). Founded in 1997 by Leon and Sylvia Panetta, the Panetta Institute serves the entire California State University system plus several other schools. Under the direction of Leon and Sylvia Panetta, the Institute provides a variety of study opportunities in government, politics and public policy, and sponsors a range of other programs.

J. See also: *Dole Institute of Politics (Kansas); Harkin Institute for Public Policy & Citizen Engagement (Drake); Edward M. Kennedy Institute for the United States Senate (UMass-Boston).*

Among these centers, however, the Baucus Institute is unique. Physically housed within a law school and located in close proximity to one of the two World Trade Centers in America based in an academic institution, the collaborative opportunities with graduate level programs, such as the joint JD/MBA program, developing expertise in areas such as rural health care delivery, and long-standing leadership in areas such as forestry and conservation, present deep connections to Ambassador Baucus' congressional legacy. Moreover, the existing Mansfield Center represents not a competitor, but a real chance for UM to take a national lead in Asian affairs and, potentially, a unique position in Asian legal affairs and comparative legal training for foreign lawyers.

VII. Five-Year Budget

A. Faculty & Staff Requirements (Current & New)

1. **Director (Faculty)** - \$10,000 stipend per year
2. **Assistant Director/Adjunct Professor (Non-Faculty)** - \$50,000 salary plus \$15,000 benefits per year
3. **Endowed Chair** - \$100,000 + per year, plus approximately \$30,000 in benefits.

B. Program

1. **Faculty Fellows** - \$20,000 per year
2. **Student Fellows** - \$20,000 per year
3. **Annual Symposium/Lecture Series** - \$20,000-\$50,000

C. Facility Needs. The Baucus Institute will be housed in the Law School in a renovated section of the building now known as “faculty row”. The Institute space may include offices, flexible classrooms with the capacity for both larger groups and smaller “breakout” sessions, a larger auditorium for conferences, lectures, and other gatherings, and indoor and outdoor space for dining and socializing. The classrooms and conference spaces will be managed by the Law School but will also be available for use by other campus units. It is estimated that the renovation of the Law School to create the new Institute space will cost approximately \$3-5 million. During the fundraising and construction phase, the Institute will be housed within existing law school facilities.

IX. Funding Sources and Sustainability After Five Years. Funding for the Institute will come from a combination of private sources and revenue-generating programs. Construction costs for the physical plant will be financed through private donations. Private donations will also be sought to endow the Faculty Fellows and Student Fellows programs and to fund a lecture/symposium series or other scholarly programs. Initial funding for personnel costs will be paid out of Institute fundraising, with an expectation that revenue-generating programs in the form of advanced degrees and/or professional trainings will cover personnel costs within 3-5 years.