The University of Arizona
Instructions and Approval Sheet
Proposal for New Academic Organizational Unit
or
Re-organization of Existing Academic Unit(s)

Directions:
1. Provide information regarding the proposed unit in the form requested on the attached pages. Respond to each item individually using "not applicable" where appropriate.
2. Obtain signatures of the proposed unit administrator and department or committee head.
3. Forward the original and one copy to the college office for the dean's signature and retain a copy for departmental files.
4. The dean should forward the original to Curriculum and Registration, Academic Programs, Attn: Sandra Beeler, CCIT 337, and retain the remaining copy for college files.

Note: In some situations signatures of more than one dean or department head may be required. If you have any questions, please contact Sandra Beeler, CCIT 337, 621-1847.

Initiating college, department, or committee: The University of Arizona James E. Rogers College of Law

Description of the proposed organizational unit change:
- New department ( )
- New committee ( )
- New laboratory, center, institute, or bureau (X)
- Reorganization ( )
- Other ( )

Title: The William H. Rehnquist Center on the Constitutional Structures of Government and Judicial Independence

Unit Administrator (title and signature) Director To Be Selected

Department Head ____________________________ Date ____________

Dean ____________________________ Date ____________
I. Description of the Proposed Organizational Unit

A. Identify the name of unit(s) affected by the change and its place in the organizational structure of the university.

The William H. Rehnquist Center on the Constitutional Structures of Government and Judicial Independence at the University of Arizona James E. Rogers College of Law, ("The Rehnquist Center"), will be a scholarly research center managed under the auspices of the James E. Rogers College of Law.

The concept of a center to advance scholarship on the constitutional structures of government, the separation of powers, federal-state relations and the judicial branch of government, honoring the work of William H. Rehnquist, evolved over the years that the late Chief Justice of the United States was involved with the College, serving as a Distinguished Jurist-In-Residence for more than a decade, and becoming a strong friend to the College and its students. In June of 2005, he gave formal permission to pursue the establishment, at an appropriate time, of a Center in his name devoted to these purposes.

B. Explain the nature of the change; i.e. formation of a new unit or reorganization of an existing unit.

The Rehnquist Center will be a new non-academic unit ultimately funded through a combination of federal government and private dollars.

This proposal seeks authority to establish The Rehnquist Center in FY2005-06, using existing human and physical resources, as well as the approval to pursue third-party funding, through the federal appropriations process and a public fundraising campaign, to independently sustain the Center as soon as practicable, at the latest in 2007-08.

II. Purpose and Activities of the Unit

A. Explain the rationale for the change and the relationship to the Mission and Scope Statements adopted by the Board.

The mission of The Rehnquist Center fully comports with the strategic directions articulated by the Arizona Board of Regents, the mission and strategic goals of the University of Arizona, and the core missions of the James E. Rogers College of Law.

Establishment of the Rehnquist Center will address the Board’s strategic directions, especially with respect to:

- Promoting learner-centered education by enriching the intellectual capacity of the University or Arizona, engaging students in scholarly
activities, and inviting multi- and interdisciplinary collaboration between students and scholars;

- Strengthening graduate education by building a stronger and more diverse intellectual community at the James E. Rogers College of Law;

- Building collaborative and interdisciplinary models which will have a long-term impact on both student participation and learning, and pedagogy in the area of constitutional law; and

- Developing and maintaining relationships with governmental, educational and national and international constituent groups.

The Rehnquist Center will support the University of Arizona's mission to discover, educate, serve and inspire, as well as its strategic goals.

- Creating an exceptional learning environment for scholars and students across the nation and the world who are seeking to strengthen the rule of law and the vitality of democratic institutions and who are interested in the federal system of government and its structure;

- Becoming a place of possibility for nonpartisan scholarship that can meaningfully inform policy decisions, political discussions, and public education efforts about the third branch of our national government; and

- Attracting the world's best thinkers and scholars, creating a highly credible, nonpartisan forum focused on the role and structure of the judiciary within a constitutional system, and developing models for linking legal scholarship to societal need.

With respect to the College of Law, the existence of a non-partisan, scholarly research center, focused on significant constitutional issues and devoted to improving understanding of constitutional law and the role of an independent judiciary in our constitutional system, will enhance the College of Law's ability to meet its core missions of:

- Imbuing students with the skills, knowledge, and ethical and professional values they will need in order to practice law in a multicultural society and to work in a broad range of settings, including: state, local, tribal, and federal agencies, publicly-funded law offices, legislatures and the judiciary; private law firms; legal departments of for-profit and non-profit organizations; and business generally.
• Producing scholarship of state, national, and international import that analyzes, critically reflects upon, and furthers developments in law and practice in its professional, societal, and global contexts;

• Excelling in classroom teaching, clinical instruction, and other teaching formats, particularly by integrating pedagogy with scholarship and locating legal studies within broader theoretical, societal, and global frameworks;

• Serving the College’s various communities and offering students opportunities to develop the empathy and resolve they will need to sustain a lifelong commitment to community service and active citizenship; and

• Creating and nurturing a lively and supportive professional and intellectual environment that promotes the fulfillment of these missions by faculty, staff and students alike.

B. Identify the basic goals and objectives of the new reorganized unit.

The basic goals of The Rehnquist Center are:

1. To contribute meaningfully to the improvement of both scholarly and public knowledge about the judicial branch of government, constitutional federalism, separation of powers and the evolving role of the judiciary, all issues which inform its effectiveness and strength as part of the American democratic process.

2. To serve the public with a nonpartisan body of scholarship, and improved capacity to deliver public education about American constitutional law.

3. To further the late Chief Justice Rehnquist’s commitment to the vitality and institutional health of the judicial branch of government through non-partisan study, discussion, and education.

C. Describe the activities, projects, and programs that will be conducted by the new or reorganized units. Identify the curricular implications of the activities, projects, and programs.

• The Center will assess research in progress in the areas of constitutional federalism, the role of the judiciary, and the separation of powers.
• The Center will identify leading American and international jurists, legislators, officials, scholars, lawyers, and institutions capable of producing meaningful, non-partisan scholarship on the structure and role of the judiciary.

• The Center will design and establish a Scholars-in-Residence Program for a diverse group of individuals who can, both independently and collaboratively, expand the research base for structural federalism and the role of the judiciary.

• The Center will create a Rehnquist Student Fellows Program to train exceptional graduate students.

• The Center will assist in the identification and preservation of historical research on structural federalism, the role of the judiciary, and the separation of powers.

• The Center will produce and widely disseminate scholarship and research to appropriate persons and institutions, through publications, an annual Rehnquist Forum, a Rehnquist Center Journal, conferences, and other methods.

• The Center will improve understanding of the structure and role of the judiciary among key audiences, including educators, journalists, and other information disseminators.

• The Center will provide training to international jurists and lawyers on the nature and scope of the American judicial system, in conjunction and collaboration with existing rule of law, civil society, or good governance programs.

• The Center will offer technical assistance to government entities and institutions where appropriate.

• The Center will build national and community networks and capabilities to increase constitutional literacy and improve public understanding of the structure and role of the judicial branch of government.

• The Center will produce constitutional literacy materials.

• The Center will pursue long-term funding support for judicial education projects.
D. Identify the Units that will assume responsibilities of any units that are recommended for elimination.

No units are recommended for elimination.

E. For instructional units, project the number of majors for the next three years.

Not applicable

III. Resources

A. Faculty and Staff

1. List the name, rank, highest degree, and estimate of the level of involvement of all current faculty and professional staff who will participate in the new or reorganized unit. Also indicate the position each person will hold in the new unit.

In the initial year (FY06), a portion of the time of two current professional staff members will be devoted to the project to establish the Rehrquist Center. They will continue to work with the new Center staff in years two (FY07) and three (FY08), although at a reduced level of involvement, to ensure continuity in the development of third-party support. The employees are:

- Vicki Fleischer, Associate Dean for External Relations, J.D. - 25 FTE
- Nancy Stanley, Associate Director for External Relations, J.D. - 25 FTE

Neither of these employees will hold titles associated specifically with the Center.

In FY07, FY08 and subsequent years, the Center will be staffed by the new employees identified in the budget. Beginning in the second year (FY07) and on an ongoing basis thereafter, faculty from the Rogers College of Law will participate in an advisory capacity to the Center. In addition, faculty members will work with visiting scholars, jurists and student research fellows on specific projects, participate as speakers and panelists in seminars and conferences, and publish related scholarship in the Center’s publications, both electronic and paper. The specific faculty members and their involvement will vary depending upon the research interests of the visitors and research fellows and upon the topics of the seminars, conferences and publications. The core law faculty members who are expected to participate in an ongoing, regular capacity at approximately 10 FTE are:

- Toni M. Massaro – Dean and Milton O. Riepe Chair in Constitutional Law – J.D.
- Barbara A. Atwood – Mary Anne Riskey Professor of Law – J.D.
- Robert J. Glennon – Morris K. Udall Professor of Law and Public Policy – J.D. & Ph.D.
In addition, the scholarly and interdisciplinary focus of the Center (i.e., the judicial branch of government, the constitutional structure of government, separation of powers, and federal-state relations) will serve as a natural magnet for participation by faculty from other University departments.

2. List the clerical and support staff positions that will be included in the new unit.

In the initial year (FY06), a portion (20 FTE) of the time of two current employees (administrative assistants) will be devoted to the project to establish the Center. See Item III, A, #4 for a list of the new staff positions to be assigned to the Center.

3. Indicate the number of graduate assistants who will be assigned to the new unit.

No graduate assistants will be assigned to the unit. Effective FY07, the Rehnquist Student Fellows Program will be created to train exceptional graduate students (approximately six each year when fully implemented) in the constitutional issues addressed by the Center. However, these positions will be fellowships, not assistantships.

4. Project the number and type of new faculty and staff positions that will be needed by the unit during each of the next three years.

See Items II, A, #1 and 2 for a description of the staff to be assigned to the Center during its initial year (FY06).

Subject to identification of funding, the following positions will be created and filled in FY07:

- Director – Administrative Position – 1.0 FTE
- Assistant Director – Administrative Position – 1.0 FTE
- Librarian – Faculty Position – 1.0 FTE
- Grant Writer/Publications Editor – Professional Position – 1.0 FTE
- Webmaster – Professional Position – 1.0 FTE
- Executive Assistant – Classified Staff Position – 1.0 FTE
- Program Coordinator – Classified Staff Position – 1.0 FTE
- Business Manager – Classified Staff Position – 1.0 FTE
- Administrative Assistant – Classified Staff Position – 1.0 FTE
- Scholars-in-Residence (Visiting Researchers) – Professional Positions – 2.0 FTE
- Rehnquist Student Fellows – Graduate Student Research Positions – 3.0 FTE
- Visiting Jurists – Professional Positions – 1.0 FTE
Subject to identification of funding, the following additional positions will be added in FY08:

Scholars-in-Residence (Visiting Researchers) – Professional Positions – 2.0 FTE
Rehnquist Student Fellows – Graduate Student Research Positions – 3.0 FTE
Visiting Jurists – Professional Positions – 2.0 FTE

B. Physical Facilities and Equipment

1. Identify the physical facilities that will be required for the new unit and indicate whether those facilities are currently available.

No additional physical facilities will be required for the initial year (FY06) as existing space is available for the current employees identified in Item III, A, #1 and 2.

When fully functioning in FY07 and FY08, the Rehnquist Center, which is expected to occupy approximately 2,500 – 2,750 square feet, will be housed in the Rogers College facilities, which will be renovated and expanded to provide space for additional library resources, cutting-edge information technology, expanded classroom/meeting space, and facilities for visiting faculty, jurists and researchers. The renovation/expansion project is part of a separate building project for which the College has already received regental planning authorization. The renovation project is included in the budget at an estimated cost of approximately $1,100,000, which is based upon the current planning estimate of $400/square foot. Should the full funding for the Center be identified and become available prior to the completion of the new facilities, the Center will be temporarily housed in an alternative facility (e.g., rental space) to be identified at the time.

2. List all additional equipment that will be needed during the next five years and the estimated cost.

When the Rehnquist Center physical facility is ready for occupancy, the physical space will need to be furnished and equipped. Although this is anticipated to occur in FY07 and has been budgeted in that year, the budget will be held in reserve for FY08 if the facilities are not ready for occupancy in FY07. Likewise, competing equipment purchases budgeted for FY07 will be expended as employees are hired and visiting scholars, jurists and student research fellows arrive.

Start-up equipment and furnishings:

FY06 – None
FY07.
1. Central Server, Software and Installation - $20,000
2. New FTE (19) - Individual computing equipment (laptop, printer, scanner, wireless connectivity) and software - $60,000
3. Equipment for Video/Audio Conference Room (Projector/Screens/Computers & Installation) - $30,000
4. Furnishings (Conference Room, Library Collections Processing Room, Offices, and Library Research Room) - $115,000
5. Digital Microfiche Reader/Printer - $25,000

FY08:
1. New FTE (7) - $28,000
2. Furnishings for New FTE - $32,000
3. Library Display Cases (2) - $20,000

FY09 — Only non-capitalized replacement equipment is anticipated.

FY10 — Only non-capitalized replacement equipment is anticipated.

C. Library Resources, Materials, and Supplies

1. Identify any additional library acquisitions that will be needed during the next three years and the estimated cost.

The Rehnquist Center will house an exhaustive collection of American and comparative constitutional law treatises and periodicals. Scholars from across the country and around the world will visit the Center to research American, foreign and comparative constitutional law. Building upon our strengths in American constitutional law and Latin American legal materials, the Rogers Law Library will expand our American constitutional law holdings and purchase foreign and international constitutional legal materials to reflect the global nature of current constitutional law scholarship. (Some examples: The Constitutions of the World, 1850 to the Present - approximately $14,000; a digital collection of Supreme Court Records and Briefs - approximately $30,000.) We will also collect extensively in individual state constitutional and administrative sources (constitutional conventions and the organic statutes that create state governments, treaties, and statutes). In addition, we will collect personal papers of constitutional law scholars and jurists (as they become available) and digitize those materials as part of the creation of a digital Rehnquist Center collection.

The majority of library purchases will require continuing funding to maintain a current collection of treatises, statutes, etc. For that reason, the budget for library materials is included in the continuing budget rather than in the one-time budget. No purchases are anticipated in the initial year (FY06). During year two (FY07), the Library will expend approximately $125,000 for immediate expansion of the collection. During year three (FY08) and continuing thereafter, the expenditures are expected to increase
by another $200,000, bringing the annual expenditures required to expand and maintain the Rehnquist Collection to a total of $325,000.

2. List any special materials or supplies, other than normal office supplies, that will be required by the new unit.

There will be no special materials or supplies required.

D. Other Information

1. Identify any implications of the proposed change for regional or programmatic accreditation.

The addition of the Rehnquist Center to the Rogers College will enhance its capacity for the highest possible levels of research, teaching and outreach for an institution of our caliber. As a unique venue for research and intellectual exchange, the Center is expected to attract the most highly respected, national and international scholars, jurists and researchers in this field of study. The publications and seminars/conferences will not only expand significantly the body of work in this area, but also ensure a regularized avenue for the dissemination of that knowledge.

2. Provide any relevant information, not requested above, that will assist reviewers in evaluating the proposed change.

See attached cover letter from Dean Toni Massaro.

E. Financing

1. Explain the university’s plan for providing adequate financing for the unit.

No additional funds are being requested from The University of Arizona. All of the funding for the first year (FY08) has already been secured from general donations to the Rogers College of Law. Those funds will be used to support existing personnel as they develop additional fund sources and confirm funding agreements for future years.

For FY07, FY08 and future years, the College development office will work with the University offices of federal relations, advancement and development, as well as with a group of former clerks and friends of the late Chief Justice Rehnquist to seek additional funds from private donors, foundations, corporations, and the government to support the renovations and start-up costs, as well as the ongoing operation of the Center. Preliminary discussions with the various constituents revealed significant support for the establishment of a Center to honor Chief Justice Rehnquist and to address the need for a non-partisan center to promote scholarship and dialogue in this area of constitutional law. Having received initial commitments from donors that indicate that support will be forthcoming from a broad range of individuals, we are
confident of our ability to achieve sufficient funding to establish the Center. Should the funding not rise to the level projected in this budget, however, we will adjust the budget and the Center’s charge to reflect the reduced levels of funding.

2. Identify potential sources for external funding for the unit.

With the assistance of an advisory committee composed of Chief Justice Rehnquist’s former clerks, the College has developed a list of potential contributors who would be interested in assisting with the establishment of a center in Chief Justice Rehnquist’s name at the College. The College is also working with the Office of Federal Relations to enlist the support of Congress to provide federal funding for the renovation costs and ongoing operating costs of the Center.

Since the success of the Rehnquist Center will depend in great part upon our ability to secure third-party funding, we are gratified at the response we have received so far from the members of Arizona’s U.S. congressional delegation and from a wide circle of former clerks and friends of Chief Justice Rehnquist. We feel confident that we will be able to secure adequate funding for the establishment of the Center.

3. If state funds will be used, indicate whether new appropriations will be requested or existing appropriations will be reallocated.

No state funds will be used.

4. Complete the New Organizational Unit Budget Projections sheet, projecting the operating budget for the proposed unit for the next three years.

Attached.

5. Estimate the amount of external funds that may be received by the unit during each of the first three years.

FY06 – Sufficient general donations have already been received to cover the estimated $70,000 required for the initial year.

FY07 – Annual funding at the level of approximately $3,000,000 beginning in the second year is expected from a combination of private contributions and governmental funding.

FY08 – The funding described for FY07 is expected to continue.
IV. Other Information

A. For new centers, institutes, laboratories, and bureaus, indicate the sunset date as required by Regents' policy 2-301.G.

The Rehnquist Center would be subject to sunset review after five years (FY11).

B. Provide any other information not requested above that may be useful in evaluating the proposal.

See attached cover letter from Dean Toni Massaro.

NEW ORGANIZATIONAL UNIT BUDGET PROJECTIONS

The attached Table II should be used for budget projections for proposed new organizational units (departments, centers, institutes, etc.)

Instructions

1. Please submit an original copy of the budget.

2. Project the unit budget by indicating the initial base budget in Column I and the incremental changes in each expenditure area for each of the following two years (columns 1-5). Each column should include only new costs for each year.

3. Do not include projections for inflationary or routine salary pay changes.

4. On the TOTALS lines, list separately the reallocated state appropriated funds from the new state-appropriated funds. All reallocated funds are assumed to be permanent reallocations unless otherwise indicated.

5. For local funds, attach a separate list showing the major sources of local funds and a brief explanation of each source.