

4-1-1997

Notre Dame Lawyer - Spring 1997

Notre Dame Law School

Follow this and additional works at: http://scholarship.law.nd.edu/nd_lawyer



Part of the [Ethics and Professional Responsibility Commons](#), [Judges Commons](#), and the [Women Commons](#)

Recommended Citation

Notre Dame Law School, "Notre Dame Lawyer - Spring 1997" (1997). *Notre Dame Lawyer*. Book 6.
http://scholarship.law.nd.edu/nd_lawyer/6

This Book is brought to you for free and open access by the Law School Publications at NDLScholarship. It has been accepted for inclusion in Notre Dame Lawyer by an authorized administrator of NDLScholarship. For more information, please contact lawdr@nd.edu.

NOTRE
DAME

LAWYER

SPRING 1997



1997: A Year in Celebration of Father Mike McCafferty

Dear Notre Dame Lawyer and Friend,

Once again, the pages of the *Notre Dame Lawyer* are filled with good news from the Law School. You will read about our nationally ranked trial advocacy programs, the scholarly achievements of our faculty, and the outstanding works of two of our alumni.

Also in this issue, you will learn about the many Law School events designed to bring you together as Notre Dame Law School alumni. Specifically, I draw your attention to the Law School Continuing Legal Education (CLE) calendar for 1997, listed below. To kick off Reunion '97 Weekend, this year on June 5-8, Cathy Pieronek in our office has planned a 10-hour Professionalism and Ethics Institute featuring many of our nationally renowned law faculty. Additional CLE programs in legal ethics and professionalism are planned for three home football weekends this fall.

If you are unable to come back to campus, however, rest assured that plans are under way to have the dean and other members of the Law School community come to you. Scheduled events include receptions and speaking engagements in California (both northern and southern), South Bend, Detroit and New York City. Tentative plans are in the works for activities in Denver, Philadelphia and Washington, D.C., as well.

Please feel free to contact Cathy or me with your suggestions for future Law School-related events either on campus or in your hometown. Your insights and suggestions are greatly appreciated. We can be reached at:

Law School Relations Office
118 Law School
Notre Dame, Indiana 46556
Phone: (219) 631-6891
Fax: (219) 631-4789

We look forward to hearing from you.

Best wishes,



Kitty Cooney Hoye
Editor

On the Cover

The stained-glass window featured on the cover is from the St. Thomas More Chapel in the Notre Dame Law School. The window is dedicated to Father Michael Dillon McCafferty, C.S.C. '73, a member of the law school faculty from 1978 until his death in 1987.

The window is the work of the Conrad Schmitt Studios of New Berlin, Wisconsin. Helen Hickmann designed the art and Robert Johnson fabricated the window.

From the Conrad Schmitt Studios archives comes the following description of the elements of the window:

Central in the triple window is Our Lady of Grace. She is flanked in the side lancets by the Seal of the University on the left and by the Seal of the Congregation of Holy Cross on the right.

The other eight medallions are symbols taken from the Litany of the Blessed Virgin, and wherever possible have to do with learning and the law.

At the upper left is Queen of Peace, signified by the crown and the dove with olive branch. Below the University seal is Mother of Good Counsel symbolized by a lily, scroll and pen. At the base of the left lancet is Mirror of Justice, signified by the scales.

In the center lancet, above Our Lady, is the Morning Star, signified by the five-pointed star of the Epiphany. Below Our Lady is the Spiritual Vessel, symbolized by the vase and lilies.

At the upper right is Queen of Confessors, symbolized by the crown and crossed keys. Below the Seal of the Congregation of Holy Cross is Virgin Most Merciful, signified by the lily and broken sword. At the base of the right lancet is Seat of Wisdom, symbolized by the lamp of learning.

1997 Calendar of Events

- | | |
|---------------------|---|
| May 18, 1997 | Commencement |
| June 5-6, 1997 | Professionalism and Ethics Institute
Reunion '97 Continuing Legal Education Seminar |
| June 6-8, 1997 | University Alumni Reunion '97 |
| June 13, 1997 | McCafferty Celebration
golf outing, Mass and dinner |
| September 5-6, 1997 | Law School Advisory Council Meeting
football: Georgia Tech at Notre Dame
(stadium re-dedication) |
| September 20, 1997 | Continuing Legal Education in Ethics
NDLS Class of 1972 mini-reunion
football: Michigan State at Notre Dame
(senior alumni game) |
| October 17-18, 1997 | Notre Dame Law Association Meeting
football: Southern Cal at Notre Dame |
| October 25, 1997 | Continuing Legal Education in Ethics
football: Boston College at Notre Dame |
| November 22, 1997 | Continuing Legal Education in Ethics
football: West Virginia at Notre Dame |

NOTRE DAME LAWYER



Spring 1997

From the Dean

- 3 *NDLS Spring Events and More*

Perspectives

- 10 *Kevorkian and Women* — M. Cathleen Kaveny
11 *How Many "Rights" Make a Wrong?* — Douglas W. Kmiec

After Hours

- 16 *Dean Pratt* — *Guide on the Road to Rhodes*

Faculty Notes

33 Alumni Notes

- 37 *In Memoriam*
38 *Cheer, Cheer for Old . . . Wherever!*

Law School Briefs

- 40 *Justice Antonin Scalia Visits NDLS*
43 *McCafferty Celebration*
44 *News from the Admissions Office*
News from the Legal Aid Clinic
45 *News from the Career Services Office*
46 *News from the Development Office* —
A Call to (the) Order
47 *News from the Kresge Library* —
Information Technology



38

Editor: Kitty Cooney Hoyer
Managing Editor: Cathy Pieronek

Contributing authors: Lisa M. Bolanz,
Sanford M. Brook, Janis L. Johnston,
M. Cathleen Kaveny, William J. Kemp
Jr., Douglas W. Kmiec, David M.
Morrissey, Cathy Pieronek and Thomas
J. Shaffer

Principal photographers: Matt Cashore
and Richard Pieronek

Notre Dame Lawyer was designed
and edited by Publications and Graphic
Services for the Notre Dame Law School.

Notre Dame Lawyer is published for
the alumni and friends of the University
of Notre Dame Law School, Notre Dame,
Indiana. Address correspondence to:
Notre Dame Lawyer
118 Law School
Notre Dame, Indiana 46556
Telephone (219) 631-6891
Fax (219) 631-4789

Spring 1997

Law School Focus

5

Training Tomorrow's Advocates



Faculty Profile

12

Professor Frank Booker: A Colleague's Reflection

14

Our Professor Forever

15

Far-Sided Vision: In Class with Frank Booker

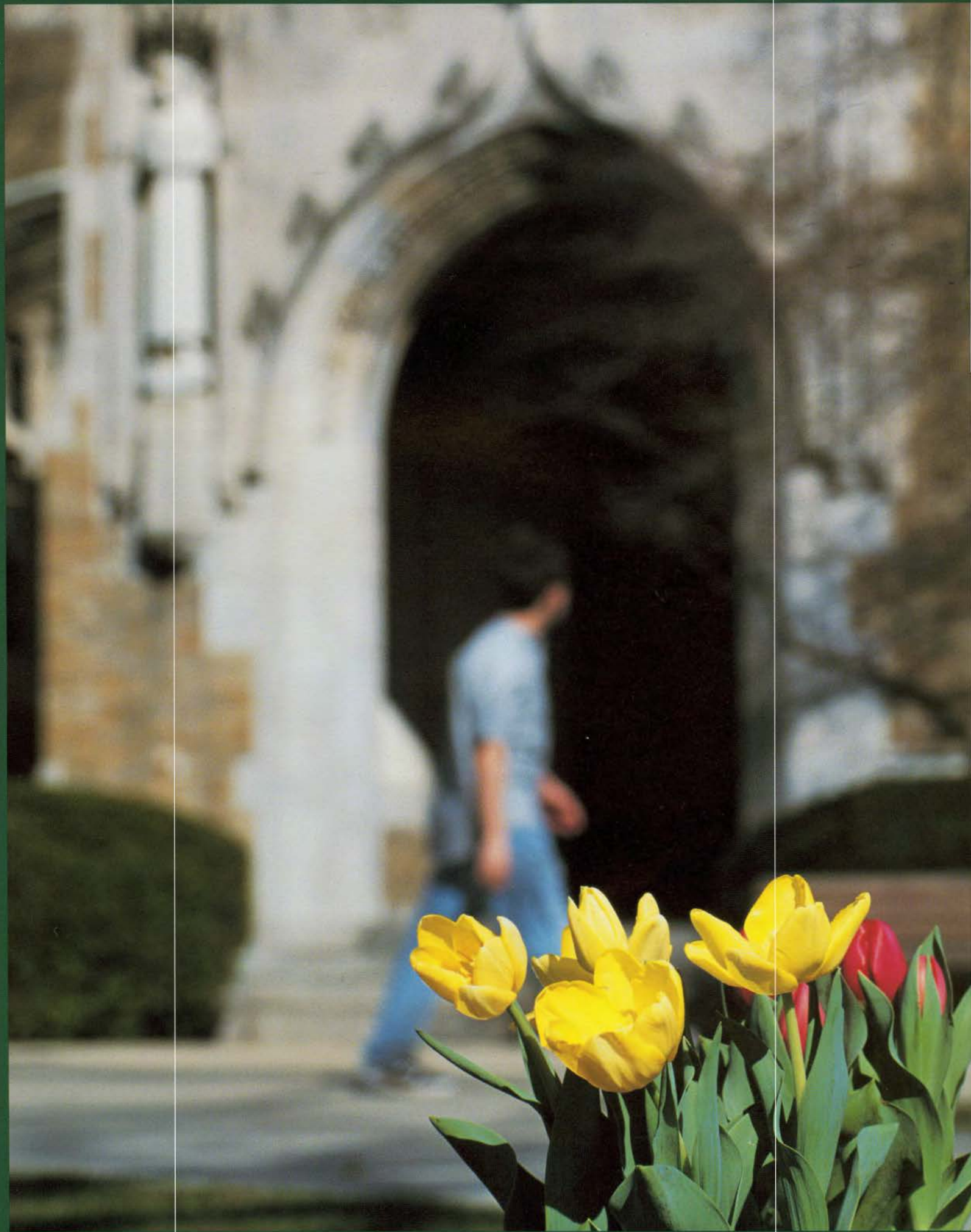
Alumni Profiles


22

Turning Scholarship into Service —
Rosi Lozada '96

26

A Lifetime of Leadership —
Judge Willie G. Lipscomb Jr. '75





F R O M T H E D E A N

Spring has finally arrived in northern Indiana. After a bitterly cold and snowy winter filled with the usual slushy roads and slippery sidewalks, signs of new life are beginning to appear everywhere. The misery and darkness of winter are almost forgotten as we enjoy our beautiful campus during this time of year.

This year marks the 10th anniversary of the death of Rev. Mike McCafferty, C.S.C. Father Mike's contributions to the life of NDLS went beyond his scholarship and administrative skills. He started the tradition of Sunday evening Mass in the Law School, and served as an inspiration to countless law students and residents of Dillon Hall. NDLS has decided to dedicate 1997 to a celebration of his life and spirit.

Graduation is less than a month away. We are pleased to tell you that over 70 percent of the Class of 1997 has secured full-time employment, and most of the rest seem well on their way. Thanks to all of you who have helped in this process in so many different ways.

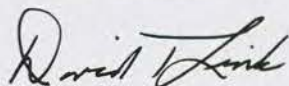
This issue focuses on our trial advocacy programs. Judge Sandy Brook, the chief judge of the St. Joseph County Superior Court and an adjunct associate professor of law in NDLS's trial advocacy program, wrote the feature article. We are deeply indebted to him and to all of the trial advocacy faculty and trial team coaches for helping prepare our students to become skilled courtroom advocates. The related insets featuring our trial-advocacy faculty will, we hope, serve as a tribute to these individuals — many of whom serve as adjunct faculty in addition to pursuing their full-time occupations as local judges and attorneys. The successes of our programs stem primarily from their unwavering dedication to our students.

We also are extremely proud of the two alumni profiled in this issue. Judge Willie G. Lipscomb '75 of Detroit has distinguished himself as a jurist and as a community leader, both with his innovative handgun-violence intervention program and with his exemplary devotion to the young people of his community. We are very pleased that the University's Alumni Association has chosen to honor him with its 1997 William D. Reynolds Award for his commitment to improving the quality of life for young people. Rosi Lozada '96 also has brought distinction to NDLS by being selected to receive a two-year Skadden Fellowship. The grant will enable Rosi to work with the Florida Immigrant Advocacy Center in Miami. Each of these unique individuals is a prime example of how our graduates fulfill the charge given to them at commencement to find ways to turn their scholarship into service.

We have enjoyed hearing from those of you who appreciate this magazine and the programs being created by our Law School Relations Office with generous assistance from the Notre Dame Alumni Association. We know that many of you — no matter how far from South Bend you live — would like to be active participants in the life of NDLS. Whether through helping the Admissions Office recruit students, helping the Career Services Office in its efforts to guide our students who are seeking employment, participating in a continuing legal education program, or organizing a social or business function for Notre Dame lawyers in your area, we welcome your involvement. In this issue, you will find a new section containing news from the various departments within the Law School, with descriptions of our activities and suggestions for ways in which you can become more active with NDLS either on campus or in your home town.

Let's continue working together to keep the spirit of Notre Dame alive everywhere we are. Best wishes from all of us here.

Yours in Notre Dame,



David T. Link
Dean

Training Tomorrow's Advocates

by Sanford M. Brook
Chief Judge, St. Joseph County Superior Court
Adjunct Associate Professor of Law

♦ ♦ **L**awyer." To those not in our profession, the word often conjures up images of ambulance-chasers, and is likely to bring to mind a particular quote from Shakespeare.

"Advocate." In its verb form the word, simply, states what good lawyers do. In its noun form, however, the word brings to mind images of Clarence Darrow and William Jennings Bryan facing each other in the Scopes Monkey Trial, or even Atticus Finch defending an innocent man in "To Kill a Mockingbird." In short, it describes a professional who deserves respect and admiration rather than the latest comparison with a shark, snake or other similar member of the animal kingdom.

Training tomorrow's advocates. This is the goal of the Trial Advocacy Program at NDLS. And by all external indicators, NDLS is accomplishing this goal remarkably well. In each of the past

five years, *U.S. News & World Report* magazine has rated the Notre Dame Trial Advocacy Program as one of the top 10 in the country. This year, the program received its highest ranking ever with its tie

"We have some of the strongest trial advocacy faculty in the country. Their wealth of NITA experience, as well as their practice experience, is unsurpassed. They all bring the NITA 'learning by doing' philosophy into their classrooms" — JAMES H. SECKINGER.

James H. Seckinger

Widely known as the leader in trial advocacy education and recently awarded the prestigious Francis Rawle Award for excellence in postadmission legal education, James H. Seckinger leads the outstanding trial advocacy faculty at the Notre Dame Law School.



Professor Seckinger holds degrees from St. John's (Minnesota), Vanderbilt and the Notre Dame Law School. While a student at NDLS, Professor Seckinger served as the articles editor for the law review, *Notre Dame Lawyer*. Upon graduation, he served as a law clerk for the Honorable William E. Doyle on the United States District Court in Denver. He practiced law in Denver for several years, serving as a chief deputy in the Denver district attorney's office before joining the Notre Dame Law School faculty in 1974. He is the author of numerous books and articles on trial advocacy, and

his problems and casebooks continue to be used in advocacy programs throughout the world.

For nearly 15 years, Professor Seckinger served concurrently as professor of law and director of the National Institute for Trial Advocacy (NITA). He has taught in NITA programs throughout the United States and in Australia, Canada, England, Panama, Scotland, Singapore and New Zealand. Recently, in preparation for its first war-crimes trial, Professor Seckinger traveled to Rwanda to educate government leaders on the mechanics of conducting criminal trials. Closer to home, Professor Seckinger continues to teach trial advocacy courses including deposition techniques, trial advocacy, evidence and professional responsibility.

for third with Northwestern University and New York University. In 1995, the American College of Trial Lawyers presented NDLS with its Emil Gumpert Award in recognition of the nation's most outstanding trial advocacy program. Program faculty members also have been honored nationally for their individual contributions to one of the nation's most outstanding advocacy programs.

The recognition brought by these external indicators, however exciting and prestigious, nevertheless does not fully reflect the impact that NDLS's trial advocacy program has had on the training of law students and trial lawyers both

nationally and internationally. Nor does it tell the whole story of the hard work and dedication of the small cadre of faculty who have brought the program to a level that demands such consistent national recognition.

In 1974, Professor James Seckinger (NDLS '68) arrived at NDLS to teach basic trial advocacy. Using his Notre Dame class as his laboratory, Professor Seckinger experimented with teaching techniques that, at the time, were considered revolutionary. His classroom theories included "learning by doing," use of video cameras and constructive critiquing. Consequently, in the mid-1970s, he

Gerard V. Bradley

Gerry Bradley is a *cum laude* graduate of Cornell University and a *summa cum laude* graduate of the Cornell Law School. He also did graduate work in American political history at Cornell. Immediately following graduation from law school, Professor Bradley joined the trial division of the Manhattan District Attorney's Office. Three years later, in 1983, Professor Bradley began his legal teaching on the faculty at the University of Illinois Law School. While at Illinois, Professor Bradley taught trial advocacy, criminal procedure, constitutional law, and religion and law. He also served as the director of its trial advocacy programs.

Professor Bradley joined the Notre Dame Law School faculty in 1992. In addition to teaching trial advocacy, legal philosophy, constitutional theory, and a course on the First Amendment, Professor Bradley directs the Public Defender Program. Under his leadership, nearly 50 students each year have the unique

opportunity to represent indigent criminal defendants at all stages of trial. As an added dimension to this program, Professor Bradley offers an ethics course focusing on the moral and ethical considerations of the adversarial process with emphasis on the criminal setting.



was one of a small group of professors, judges and lawyers who began to change dramatically the way in which leading law schools taught trial advocacy. Of course, the chief beneficiaries of his creativity were his NDLS students.

Today's Trial Advocacy Program has evolved beyond the one program taught by the one professor to a small group of students more than 20 years ago. The program now consists of four separate courses, and involves most

NDLS students at one point or another in their academic careers. Nearly 90 percent of each third-year class takes the basic trial advocacy course. Many of these students also opt to sharpen their skills further by taking one or more of the

Honorable Sanford M. Brook

A graduate of Indiana University and Indiana University School of Law, Judge Brook provides a unique perspective to the trial advocacy program at Notre Dame Law School. After graduating from Indiana University Law School in 1974, Judge Brook immediately went into private practice in South Bend. He later served as an assistant city attorney for South Bend and also as a deputy prosecuting attorney for St. Joseph County. He was appointed to the St. Joseph Superior Court in South Bend in 1986, and was made chief judge in 1996.

In addition, Judge Brook currently serves as the program director for NITA's Teacher Training Program, which is held annually each June. This program "teaches the teachers" from around the world in the NITA "learning by doing" process. Specifically, he regularly teaches barristers and solicitors in England through NITA-UK; annually teaches advocacy to members of the Faculty of Advocates (barristers) in Edinburgh, Scotland; and teaches in the only LL.M. program in international advocacy at Nottingham Law School in England.



■

“My greatest reward as a teacher happens when former students become members of the St. Joseph County Bar. When I see the skills of former students who have stayed here to practice, I realize the impact that our hundreds of hours of teaching and effort must be making all over the country. My years of teaching are entirely self-serving — presiding at trials and motions is pure pleasure when lawyers conduct themselves as accomplished advocates and officers of the court” —

HONORABLE JEANNE JOURDAN.

other three more specialized courses that make up the remainder of the trial advocacy curriculum: deposition training, criminal trial advocacy and advanced trial advocacy.

Other opportunities are available for extracurricular skill development as well. Each year, NDLS sponsors two trial teams, consisting of a total of eight students, that compete in the American Bar Association's National Trial Competition, which is referred to by some as the "NCAA Tournament for Law Schools." Law schools from throughout the country compete first in regional, then in national competitions. NDLS teams have won several regional competitions, and in 1993, a team consisting of Dominique Camacho '93, Frank Kros '93 and Edward Sullivan '93 won the national championship.

Ancillary to the Trial Advocacy Program is a Public Defender Program supervised by Professor Gerard Bradley. This program operates through Notre Dame Legal Services, and affords students an opportunity to represent indigent criminal defendants in courtroom proceedings. Through Professor Bradley's program, approximately 50 students each year leave the classroom to use their advocacy skills in actual courtroom settings.

All of this success begins with the basic trial advocacy course, which forms the foundation for advocacy training at NDLS. The course is administered by Professors Seckinger and Bradley. Five adjunct faculty — the Honorable Sanford M. Brook, William Grimmer, the Honorable Jeanne Jourdan, Thomas Plouff and Thomas Singer — devote considerable time apart from their full-time occupations as judges and attorneys to work with the full-time faculty in teaching the students and in coaching the various trial competition teams. The curriculum combines lectures, demonstrations and small working groups in which



Honorable Jeanne Jourdan



A 1975 graduate of the Notre Dame Law School, Judge Jourdan also adds a unique perspective to the trial advocacy program at Notre Dame. Prior to her appointment to the bench, Judge Jourdan served as a deputy city attorney for the City of South Bend, and as both a public defender and a prosecuting attorney for St. Joseph County. She was appointed to the St. Joseph Superior Court in 1980.

Awarded the 1994 Judicial Education Award by the Indiana Judicial Conference, Judge Jourdan is committed to furthering the legal profession through education. In addition to her nearly 20 years of service to the Notre Dame Law School, Judge Jourdan also teaches in the NITA program. She recently received national honors as NITA's 1996 recipient of the Keeton "Teacher of the Year" award.

Thomas H. Singer



A practitioner in the South Bend law firm of Nickle and Piasecki, Tom Singer has over 35 years of trial practice experience. He received both his undergraduate and law degrees from the University of Michigan. He is very active in local, state and national trial lawyers' organizations, and has served on many commissions, including the Indiana Judicial Nominating Commission and Indiana Commission on Judicial Qualifications; the Indiana Supreme Court Committee on the Rules of Evidence; and as a board member for the American Judicature Society. Singer has been a faculty member at NITA

since 1975, was honored with NITA's Keeton "Teacher of the Year" award in 1990, and recently served as the program director of the Indiana Trial Advocacy Skills Workshop. He is a fellow of the International Society of Barristers, a fellow in the American College of Trial Lawyers and is listed in *The Best Lawyers of America*.

William T. Grimmer

With nearly 15 years of experience with the U.S. Attorney's Office, most recently specializing in organized gang- and drug-activity prosecutions, Bill Grimmer's trial skills bring added expertise to our trial advocacy faculty. A "double domer" with degrees in sociology ('72) and law ('75), Bill Grimmer started his legal career as a prosecutor in Cass County, Michigan, in 1975. Not long after joining the prosecutor's office, Grimmer started his "teaching" career by establishing an intern program for NDLS students. His desire to provide "real experiences" for law students carried over to his current position as an assistant U.S. attorney in South Bend, where he also supervises NDLS student interns. He has been a member of the Notre Dame trial advocacy faculty since 1990, and recently joined the NITA faculty.

"To watch someone hit a baseball is one thing; to teach them how to do it is a whole other thing"

— WILLIAM T. GRIMMER.

all members of the trial advocacy faculty participate with the students.

The Trial Advocacy Program is based on "learning by doing" — the core of the method also used by the National Institute for Trial Advocacy (NITA), the nation's preeminent trial skills teaching program. This "NITA Method" program dissects a trial into its individual components, each of which then forms the basis for one in a series of advocacy exercises. One faculty member introduces each exercise by a lecture or demonstration. The students then perform the exercise, which is videotaped, in a classroom setting of 12 to 15 students led by a faculty member. Two levels of critique follow each performance: first, each student is critiqued by classmates within the classroom setting; second, each student meets individually with the faculty member to review the videotape one-on-one and discuss the exercise performed.

The course culminates with the students acting as counsel in a full-jury trial over which local judges and lawyers preside. The trials are conducted in a courtroom with students and friends performing as witnesses, and other trial advocacy students and local citizens serving as the jury. The course curriculum is challenging and often intensive, but the learning curve is dramatic.

NDLS's Trial Advocacy Program benefits greatly from the relationship between NDLS and NITA — or more precisely, from the association of Professor Seckinger and the other program faculty with both institutions. While a member of the NDLS faculty, Professor Seckinger served, for approximately 15 years, as executive director of NITA. This past fall, the American Law Institute-American Bar Association Committee on Continuing Professional Education honored Professor Seckinger with its prestigious 1996 Francis Rawle Award for his outstanding contribution to the field of postadmission

legal education. All of the advocacy faculty, both permanent and adjunct, teach through NITA nationally in public as well as in in-house law firm programs.

The other faculty who teach in the NDLS program also are recognized as prominent NITA instructors both nationally and internationally. Thomas Singer, recognized nationally as a trial lawyer and teacher, joined the advocacy faculty as an adjunct professor in the mid-1970s, and in 1990 received NITA's National "Teacher of the Year Award." The Honorable Jeanne Jourdan, an Indiana trial court judge, has served as an adjunct professor for nearly 20 years, and she, too, was honored with NITA's National "Teacher of the Year Award" in 1996. The Honorable Sanford M. Brook has been on the NITA faculty since 1988, and Bill Grimmer recently joined NITA in 1995.

The national success of Notre Dame's trial program and the national recognition honoring its faculty has led to international renown as well. Several years ago, trial lawyers in Canada, Australia, South Africa, Scotland, England and New Zealand looked to the United States — and to NITA in particular — for consultants to assist in developing advocacy training programs for their own national bars. Through the expansion of NITA to the international setting, Notre Dame trial advocacy faculty now teach and train lawyers throughout the world. Most recently, Professor Seckinger spent a week in Rwanda teaching war crimes prosecutors how to conduct proper and effective proceedings. NDLS students have benefitted greatly from the program faculty's experiences abroad — experiences that will become more relevant to the practice of law as the profession moves beyond a purely national focus to a more global focus.

Although the NDLS students experience a quantum leap in skill development during their semester-long participation



Trial Advocacy Ranking

NDLS's Trial Advocacy program was recognized again this year by U.S. News & World Report magazine as one of the best in the nation. The magazine ranked our program third, up from eighth last year, in its annual survey of faculty experts in particular fields.

NDLS tied for third with New York University and Northwestern University, just behind first-place Stetson University and second-place Temple University.

Thomas O. Plouff

Both public and private sector legal experience give Thomas Plouff the trial skills necessary to teach in the NDLS trial advocacy program. Also a "double domer" with degrees in business ('76) and law ('79), Plouff began his legal career as a litigator with the Federal Trade Commission in Washington, D.C. He later served as a trial attorney for the Justice Department in its tax division before returning to South Bend to serve as an assistant U.S. attorney from 1985 to 1993. Currently, he is in private practice in Chicago, specializing in personal injury, product liability and medical malpractice.

in the basic trial advocacy course, and can hone their skills through specialized courses or extracurricular activities, the true benefit of the program occurs after students leave NDLS and enter practice. Every aspect of law in some way involves litigation, and one of the greatest tools the NDLS program provides is a thorough understanding of the fundamentals of trial advocacy. The resources invested in the trial advocacy curriculum and the

dedication of the program faculty are testaments to Notre Dame's commitment to maintain one of the highest-rated advocacy programs in the country. But beyond the high ratings and awards and honors, the individual successes of our graduates every day in courtrooms all around the country are a testament to the skill and spirit of advocacy instilled by the faculty into every student who passes through the program.

Kevorkian and Women

M. CATHLEEN KAVENY

*Most he's helped were female.**And therein lies a warning.**Assisted suicide poses a
particular threat to women.*

Nancy DeSoto was 55 and confined to a wheelchair because she suffered from Lou Gehrig's disease. On Thursday [October 17, 1996], her body was left at a suburban Detroit hospital by Dr. Jack Kevorkian. DeSoto was the 43rd person Kevorkian has assisted in suicide.

Perhaps more importantly, DeSoto was the 28th woman he has helped to die. We all have cause to worry about the ways in which growing social acceptance of assisted suicide might prove particularly dangerous to women.

For one, demographics suggest that most candidates for assisted suicide will be female.

- **Age:** Women in our society are more likely to live longer than men. About 60 percent of the population that is older than 65 is female; that number climbs to 75 percent in the over-80 age group.

- **Income:** Women are far more likely to end up poor. At present, three out of four poor Americans over the age of 65 are female. The historic wage gap between men and women means that many females will end up with little or no retirement income. Widows and divorced women who left their jobs to become full-time wives and mothers may be significantly disadvantaged by our Social Security and private pension systems. And more of them are entering old age every day. Elderly widows now significantly outnumber elderly widowers.

Other factors also conspire against women.

- **Health care:** The safety net constructed to take care of the poor, sick and weak is badly frayed. Medicare and Medicaid do not generally cover the costs of full-time at-home care. Hospitals provide less and less uncompensated care due to deep cuts in reimbursement.

- **Children:** As social support shrinks, the burden of caring for the frail elderly (mostly women) will fall more heavily

upon their grown children. And more working adults will be forced to balance caring for their aging parents with holding down jobs and taking care of their own children.

- **Depression:** Depression has been estimated to affect 15 million Americans at any given time; it is more widespread than cancer, heart disease or AIDS. Women are twice as likely as men to suffer its ravages. Particularly in elderly women, the problems it brings are not "all in the head." Depression can cause or exacerbate physical illness. Researchers have found that depression in breast cancer patients heightened their pain and the unpleasant side effects of their medication. Depressed patients stay in the hospital longer and are more likely to get sick again. Nonetheless, many people do not seek treatment for depression, in part because mental illness is still viewed as a stigma.

Taken together, these factors paint a grim picture. Elderly women — depressed, without much money, and in failing health — will find themselves increasingly dependent on their own overworked children. Is this a context in which they can make a free choice for assisted suicide? Probably not. Women have been socially conditioned for centuries to put the desires of others ahead of their own needs. Moreover, societies (including ours) have been conditioned to expect as much.

If physician-assisted suicide is legalized, it will quickly expand beyond the terminally ill to cover anyone suffering from a serious and debilitating health problem. In our current social climate, many elderly women who need constant care may believe that choosing their own deaths is the last, best sacrifice they can make for their grown offspring.

What should be our response to this troubling scenario? Most of us, I hope, would say that our first obligation is to change the conditions under which such women live, not to help them die. Depressed women must be diagnosed and quickly provided with effective treatment. Families caring for elderly and ill parents and grandparents must be provided with assistance and support. This is challenging and expensive work. If we legalize physician-assisted suicide, we may have just the excuse we need not to do it.



How Many “Rights” Make a Wrong?

D O U G L A S W . K M I E C

Mid-way through the oral argument before the Supreme Court on assisted suicide, a strange thing happened. Hearing the skeptical and probing questions of the Justices, it began to sink in that the Supreme Court might actually decline to invent a new fundamental right.

Following the argument, one reporter asked me in panicked voice, “What will happen now?” To his bewilderment, I simply reminded him of the statement from the constitutional convention that “in America, the people are King.”

My prediction is that the Court will decline to sanction assisted suicide — perhaps even unanimously. We, the people — a phrase that has a certain familiar ring to it — will then be left to navigate the ethical dilemmas posed by a medically prolonged life and the somewhat heightened possibility of labored death.

What are the choices open to us as a democratic people? In the popular mind, they are believed to mirror those tendered to the Court. In other words, state legislative assemblies could decide to either grant a right of assisted suicide or not. From a moral standpoint, however, the states have only one choice: to continue, as they overwhelmingly do now with one exception, to refuse to recast doctors as killers.

By a very narrow margin, Oregon voters in 1994 approved a highly limited form of physician-assisted suicide. The Oregon initiative was enjoined by a trial judge, however, on the theory that every state has a constitutional obligation to defend life equally. Allowing terminal patients to kill themselves as a result of undetected mental illness, insufficiently supervised physicians, self-interested relatives, or inadequately controlled pain, reasoned the court, puts them on an unequal footing with citizens in other medical contexts.

The Oregon case is destined to go higher. Ironically, its first stop will be the Ninth Circuit federal appellate court that fashioned the assisted suicide right. So how the Supreme Court writes its opinion rejecting this claimed right becomes important. If the opinion to be released in the spring allows the states to make any choice — for or against assisted suicide — the Oregon decision mandating the equal protection of all life will be in trouble.

Unlike the Oregon trial court, none of the advocates before the Supreme Court defended life without qualification. The lawyers for Washington and New York argued merely that the Constitution was silent. President Clinton’s solicitor general, Walter Dellinger, made an even weaker claim, assuming the

existence of an implied “liberty interest” to kill oneself, outweighed only by the possibility of mistake or abuse.

Strategically, the opposing sides avoided an unconditional defense of human life because all knew that the Court had been severely compromised by the abortion cases. The Ninth Circuit appellate judges grasped this, too, which largely explains why they felt free to create a right of assisted suicide in the first place. “There are compelling similarities between right-to-die and abortion cases,” wrote the appellate court. The assisted suicide advocates agreed, arguing that there was “no principled way” to distinguish abortion from assisted suicide.

They’re right. There is no principled way. There is only legal obfuscation. For example, the solicitor general merely asserted that abortion is unique, involving a woman’s personal autonomy. But this played directly into the hands of the assisted suicide advocates who urged that “the end of one’s life is more personal and significant than a decision regarding reproduction.”

And if that did not make the abortion/assisted-suicide analogy plain enough, the right-to-die crowd went one better. Yes, they said, abortion is unique, but in a way that advances assisted suicide since “the interest of the separate life that is aborted has no counterpart in the decision of a dying person.”

The likely outcome in the assisted suicide case is a victory for democracy and judicial restraint, but it is also more. When Justice Kennedy observed that the Court will not “declare unconstitutional the law of 50 states,” it was as if the previously unheard cries of the unborn would not let the Court make the same mistake twice. Lost generations of grandchildren were seemingly shielding the fragile last moments of their grandparents.

As I say, it’s now up to the people to safeguard all human existence. If we fail, the Court may be unable to evade the ultimate question of whether this Nation reveres the “unalienable right to life” or the democratic embrace of its destruction.

In scripture, it is written, “It is I [the Lord] who brings both life and death.” The people in America may be King. Will we possess the wisdom to know we are not God?



Professor Frank Booker

A Colleague's Reflection

by Thomas L. Shaffer '61
Professor of Law

Professor Frank E. Booker, who retired in December after a total of 26 years on the Notre Dame Law School Faculty, is fond of "Far Side" cartoons. He got a calendar one year that provided a new Far Side for every day. Frank copied several pages and sent them around to the rest of us, always with a sentence or two of reflection and fraternal correction.

On February 18 of that year, probably a day when our northern Midwestern climate dampened the human spirit and invited professorial grumbling over some now-forgotten faculty squabble, the cartoon showed one of Gary Larson's woebegone males in a woodland pond with a snake. The man's clothing was on the bank on one side, the snakeskin on the bank on the other side.

Frank's addition that day: "Try to give others a fair hearing. I believe the things that unite us are much more important than the things that divide us. Truly, we are all in this together."

The sentiment says a lot about Frank's 26 years as a Notre Dame law teacher. He is both unusual and exemplar in his wisdom, his communal spirit, and his willingness to put his shoulder to whatever wheel needs a pusher, as

the wheel of collegiality needed that day in February.

He came to Notre Dame in 1968 with a Eugene McCarthy bumper sticker on his van. Along the way he became a Reagan Republican — possibly through what some of us think as the baleful influence of Professor Charlie Rice and the late Professor Ed Murphy. Nevertheless, liberal or conservative, he has not stopped being the open, tolerant person who annotated Larson's snake.

Before Notre Dame, Frank had been an army sergeant, a Missouri lawyer, and a tenured full professor at the Stetson Law School in Florida. He is a descendant of railroaders, Baptist ministers and Cherokee Indians — not the typical background for a Domer. But, as the Larson handout showed, he does not balk at being in the middle of what is going on in faculty argument, educational change or the broader American Catholic culture that hovers around all Notre Dame teachers.

Frank takes pride in the southern identity he developed as a law student at Duke — where he was a member of the law review, a moot court champ and a student assistant to the dean — as well as in being a Florida lawyer and teacher. He once volunteered to educate his Yankee colleagues with copies of a "Southern Redneck Dictionary" that included "shonuf," "nawth" (as in, "The Nawth came

Professor Thomas L. Shaffer is the Robert and Marion Short Professor of Law at NDLS. He served as dean from 1971 to 1975.

down heah in the wah of Nawthin aggression"), and "cheer" (as in, "Lay it rat cheer").

He stands out as a Notre Dame law teacher who provides more than daily wisdom. He is willing to take on jobs nobody else wants to take on. In the early years of our foreign programs, he and his wife, Barbara, moved themselves and their children to the English countryside, from which Frank commuted to London to direct our second-year-abroad program, to found and teach in our English summer program, and to develop friendships ranging from London barristers to provincial booksellers to a physician who had disdained socialized medicine and become a dairy farmer.

When Dean Joseph O'Meara, in 1968, needed someone to recruit students at historically black colleges in the South, Frank went, and we got our first contingent of African-American students. When Dean Dave Link needed a helper in the assistant dean's office, Frank continued teaching his courses and for two years took over as assistant dean as well.

When Frank arrived on campus and found no faculty-directed clinical program, he loaded students into his van and offered the legal services of himself and his volunteers to poor people in Berrien and Cass counties in Michigan. Some years later, Frank, with Barbara's help, moved his Law School office downstairs and looked after our clinical programs.

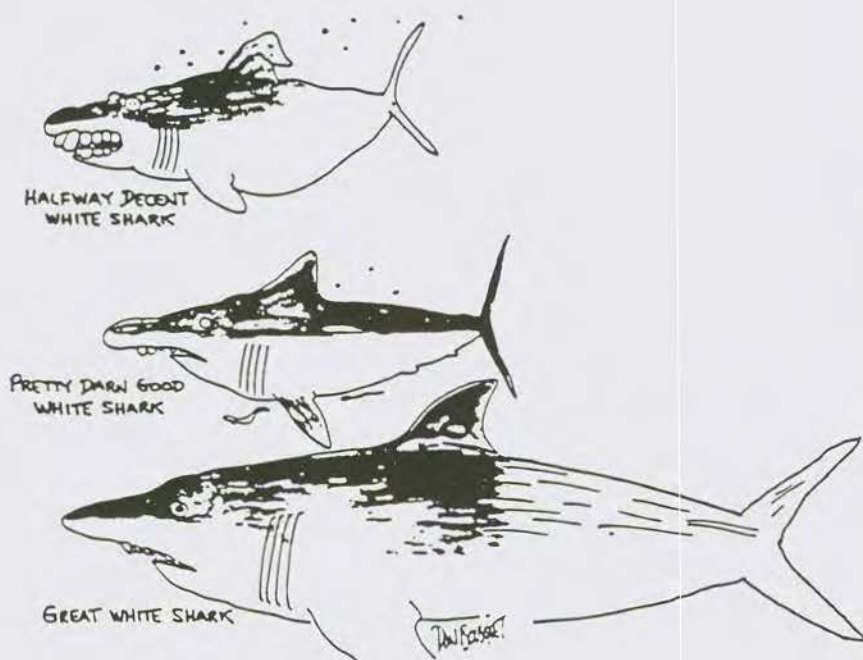
(Barbara operated a Montessori school for many years and now works as a lay advocate in the South Bend Advocacy Center. Their six children are adults now, working in fields ranging from nursing to criminal justice. Frank and Barbara have seven grandchildren.)

Frank is a law teacher willing to postpone what is familiar and easy and take on any classroom course that needs a teacher. He said one day that he had tried to count the subjects he taught in his eight years at Stetson and his 26 at Notre Dame. He said he quit counting when he hit 50.

Most of his teaching and scholarship has been in torts and evidence, but his record includes other mainline courses such as civil procedure, criminal law and constitutional law, along with seminar specialties such as military justice.

Frank Booker's character, like his influence on the Notre Dame Law School, has in it some of Harry Truman's Missouri; some of the county-seat southern lawyer he tends to resemble (particularly

in the summer when he wears white suits and a straw hat); some of the blue-collar sensibility he got when he worked his way through college and law school as a bartender and a cab driver; and much of the Christian humility and compassion that leads him, more times than anyone can know, to take to his heart and hearth discouraged law students and an array of the least of Jesus' sisters and brothers.



Late in the fall semester a couple of years ago, Frank gave a handout to his first-year students — a one-pager he titled "The Parable of the Sharks." It was illustrated by the drawing of three sharks seen above. The handout gave evidence of the incredible range of Frank's reading — in this case, a biology text and Dr. Seuss. It shows what Frank Booker stands for and what he means at Notre Dame:

"The impulse toward sortition, grading, classification (top ten, worst ten, top twenty-five, she's a ten) seems universal, as does the animal drive to set up a pecking order.

"As we approach your first experience of law examinations, I urge you to work hard, prepare well, and do your best. I also urge you to remember that, at best, the margins of excellence are tiny, and all too often the distinctions we make between people are shallow and superficial, and have nothing to do with the moral worth of the persons involved.

"The truth is, all of the sharks are miracles of creation and our cosmetic distinctions count for little in the long scheme of things. The tyrannosaurus rex is gone, while the duck-billed platypus survives.

"Do your best in this artificial competition, but do not take the results too much to heart. Remember, and do not repeat, the folly of the star-bellied sneeches."

Our Professor Forever

by William J. Kemp Jr. '76



I'll confess. The news about Professor Frank E. Booker's retirement from the Law School caught me by surprise. It's hard to believe that he no longer will be in the classroom on a regular basis, challenging his students to think more clearly and carefully. Can he really be retired? I doubt it. I say that because, for those of us in the 1974-75 London Program, he will always be our professor and we will forever remain his students.

I would describe our relationship with Professor Booker as something unique. It began in September 1974, when we arrived in London to begin our second year of law school. Certainly, we already had known that this was going to be a different kind of law school year, and for a variety of reasons.

One obvious reason, of course, was that we were going to be studying in London, not South Bend. Perhaps the most important dissimilarity, however, was that we would spend the next 10 months together as an intimate enclave of American law students with our American law

professor, learning and arguing about particular points of law. During that academic year, we enjoyed one of the most intense professional experiences with each other and with our professor that any law student or attorney could have.

That's not to say that life in London was "a bowl of cherries" (using one of the professor's expressions, not mine). Even though some of us respectfully called him "FEB" for short, we clearly had a professor who was in charge. (He later graduated to "Sir FEB," but we'll have more on that later.) FEB had a number of ways to keep us alert and interested, and to make sure that we remembered that the practice of law typically involves a clash of intellectual adversaries.

He was a master at using the "silence" technique, which he used regularly in the classroom. When he did, most of us found ourselves working to our own disadvantage — trying to fill the silence with even more of our own words.

Then there was the "eyebrow" technique. When he suspected that a student's position was not on solid ground, he merely would raise that thick left eyebrow and stare. Clearly — whether it was true or not — everyone in

the class thought that the student was in trouble.

During that year, FEB took every opportunity to make us think, and more importantly, to act as lawyers. Here was a man who enjoyed confrontation. Here for sure was a trial lawyer who loved to win.

On the other hand, here also was a professor who always was quick to recognize the accomplishments of his students. His method was vintage "Bookeresque" — by flashing that famous face-wide grin, an involuntary maneuver that always got everyone's attention. Moreover, when he coupled that grin with his occasional and unmistakable belly laugh, the student (and the class) instantaneously knew that he or she had made a positive impression that few could match. FEB taught us through example that we could still enjoy professional, and perhaps even personal, relationships, notwithstanding the adversarial side of a law practice or a legal education.

There's no question that many of us developed friendships with one another and with the professor that would have been improbable had we remained in South Bend. I think it's fair to say that by the end of that year, our class was operat-

Far-Sided Vision: In Class with Frank Booker

by Lisa M. Bolanz '96, Associate Director, Career Services

Professor Frank E. Booker resigned his tenured position on the Notre Dame Law School Faculty in 1970 to go into law practice in Palm Beach, Florida. Two years later, he came back and took over the London second-year-abroad program, but the provost's office ruled that he had to go through the tenure process again. In 1974, he was re-tenured in South Bend and knighted (by then-Dean Tom Shaffer) in the garden of the Law School's London campus. Witnessing the knighting are Jerry Fritz '76 (left) and the late James Guerino '76 (right), both of whom participated in the 1974-75 program.

ing as a quasi-law firm. FEB was the senior partner. We were the associates or junior partners. Within the quasifirm, there was mutual respect, support for one another and teamwork. I wonder how many of our colleagues have been able to duplicate that experience, even today.

Our unusual professor-student relationship is perhaps best demonstrated by the "knighting" ceremony that took place in April or May of 1975. Dean Thomas L. Shaffer happened to be in London on Law School business at the time, and the London students persuaded him — without too much difficulty — to don royal garb and serve as the king of our London domain. During a carefully planned early evening spring ceremony in the green garden behind the London Law School premises, Dean Shaffer dubbed Professor Booker a knight. From that point, FEB was forevermore "Sir FEB."

Our professor, Sir FEB, may have retired from the Law School, but he will continue vicariously to practice law through his many students just as devotedly and as vigorously as he ever has. Professor, to you, we say: "Well done!" We sincerely wish you and your family the best of health and happiness in your retirement years.

It was first-year orientation in 1993. "Who do you have for Torts?" a helpful third-year student asked me. "Professor Booker," I replied. A smile lit my companion's face, "You'll like Booker. He's always handing out Far Side cartoons." "Sounds fun," I said. But what Frank Booker had in store for us was much more than Gary Larson (or Prosser, for that matter) ever had intended.

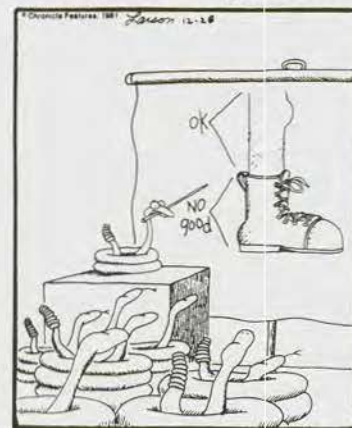
At the outset, we knew we were in for a novel educational experience. Right away, Professor Booker made it clear that we were to learn much more than the black-letter law. "The substantive law of torts," he explained, "consists of fewer than one hundred principles." He then proceeded to outline the rest of our goals for the year. He would teach us to navigate through procedural law. In his eloquent way, he would develop our professional vocabulary. (He once commented, "English were mah goodest subjek.") He would hone our skills in legal analysis with scrutiny and a healthy amount of cynicism. But most of all, he would encourage us to reflect on the public policy and ethical considerations in every issue we would encounter. No doubt about it, Professor Booker was going to challenge us to think.

A little overwhelming? Yes. Did he succeed? Definitely. We were not terrified into learning. We absorbed his messages almost subconsciously as we listened to his lectures. His legal commentary was punctuated by personal anecdotes that amused and delighted us. Though Professor Booker enjoyed making an occasional commentary about his age ("at my age when you play golf, whoever remembers their score at the end wins"), none of us was fooled into underestimating his facility of thought. Whether he was regaling us with tales of his days as an ice man in Missouri, singing satirical Tom Lehrer songs, or imitating Arnold Schwarzenegger, the message was always crystal clear. At the time I thought he did it to make class fun. It was not until much later that I realized that I had been duped into learning something.

So what did we all come away with at the end of Booker's Torts? We all knew Mrs. Paltzgraf had an unfortunate accident in the train station. Much more importantly, we had experienced first hand the art of great teaching. Frank Booker taught us to find profundity in the Sunday comics and to recognize absurdity in legal treatises. He sent us ahead, not complacent about our mastery of the law, but eager to continue the learning process.

Like all great teachers, Frank Booker teaches by example. Even though he has been teaching since before many of his students were born, he delights in continuing to learn from his students and encourages the free flow of ideas. Professor Booker is an educator and a scholar whose wisdom is unfettered by time or topic. He continues to contribute to the excellence of legal education and inspires us all to recognize the lessons that everyday life can teach us. Of course, he also reminds us that a good chuckle or two never hurts, either.

THE FAR SIDE By GARY LARSON



Professor Booker distributed this Far Side cartoon to his students with the inscription, "Pay attention to your professor."

The Far Side Cartoons by Gary Larson is reprinted by permission of Chronicle Features, San Francisco, CA. All rights reserved.

A Guide on the Road to Rhodes

What do the Notre Dame Law School and the Rhodes Scholars Program have in common? Among other things, both benefit from the leadership of Associate Dean Walter E. (Jack) Pratt. During the day, Dean Pratt serves NDLS as the associate dean for academic affairs, in which capacity he is responsible for the academic life of the Law School. His day-to-day responsibilities primarily involve scheduling classes and exams, and counseling or helping students in whatever way they need.

As part of his extracurricular activities, however, Dean Pratt, a Rhodes Scholar himself, also serves as chair of the University's Rhodes Scholars committee. In this capacity, he is responsible for helping select and prepare the Notre Dame undergraduate students who will be recommended by the University to their particular state selection committees. Pratt has been a member of the committee since coming to NDLS in 1987, and has been chair for the last six years. Before coming to Notre Dame, he had served for five years on a similar committee while on the faculty at Duke University.

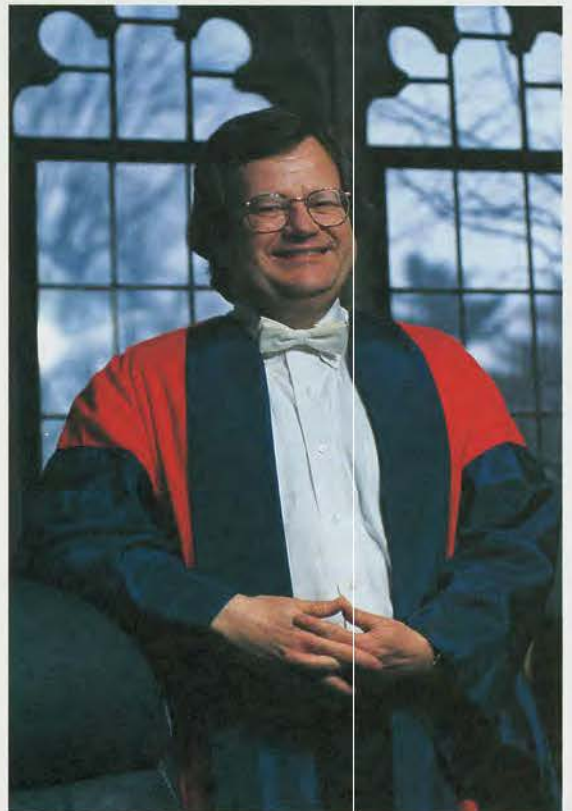
This year, Dean Pratt finally has something to celebrate. Notre Dame has not one but two Rhodes Scholars among the 32 selected to begin their studies at Oxford University in the fall of 1997. This is the first time in over a decade that

a Notre Dame student has earned the distinction, and even more significantly, it is the first time ever that Notre Dame has had more than one Rhodes Scholar selected in the same year.

When asked about his involvement in the selection process, Dean Pratt very modestly discounts his role, and instead comments that "the focus should be on the kids, both of whom will be great representatives of this University." Clearly, the two students selected are shining examples of the best Notre Dame has to offer. Eugenio Fernandez, a native of Pasadena, California, is a C.S.C. candidate who is majoring in theology, philosophy and the classics. He likely will study theology and philosophy while at Oxford. Dean Pratt describes him as a "leprechaun sort of fellow, with lots of energy." Eva Rzepniewski, a native of Poland whose family now resides in Carmel, Indiana, is a physics major who likely will continue her physics studies at Oxford. Dean Pratt describes her as a young woman who "genuinely enjoys learning."

However, Dean Pratt's modesty belies the fact that he and the rest of the committee become intimately involved

with the student applicants all the way through the application process. The committee's activities begin in the spring of the applicants' junior year with information sessions in which Dean Pratt outlines the program requirements and the application process. In the fall of the



applicants' senior year, the committee members screen the applicants and recommend qualified students to the individual state selection committees. The

F A C U L T Y

Notes

committee then spends a rather intensive two-month period with the selected students, helping them strengthen their applications and develop their interview skills in preparation for the "hammering," as Dean Pratt puts it, that they will be subjected to by the final selection committee. Eva acknowledged the benefits of the mock interview process that Dean Pratt conducted. "The interview panel resembled a 'trial by fire' [that] was crucial in preparing us for the state and district interviews."

Dean Pratt was more than just a technical advisor to Gino and Eva, however. According to Gino, "Dean Pratt was an integral part of the entire process. He was always there for us with his frank and candid advice. He was dripping with words of wisdom. I'm sure we wouldn't have won the awards without his help." And Eva believes much the same. "Dean Pratt helped to guide us through the Rhodes process through a combination of encouragement and pointed advice. His tremendous confidence in us helped us have faith in ourselves and in our abilities."

It is obvious that Dean Pratt is extremely proud of both Gino and Eva. He has genuine joy in their accomplishments. But it is equally apparent that both Gino and Eva share a special fondness for Dean Pratt and appreciate the time he and the rest of the committee spent helping them through the process. When they learned that they had been selected as Rhodes Scholars, Gino and Eva first called their parents, then called Dean Pratt — from Chicago's O'Hare Airport even before they returned to South Bend. Dean Pratt surprised them both by meeting them at the South Bend airport upon their arrival to drive them back to campus. Gino commented that "it was just like Dean Pratt to do that something extra special for us."

Notre Dame and Dean Pratt certainly have a lot to celebrate this year with the successes of Gino and Eva. And obviously, NDLS has a lot to celebrate every day because of the presence and impact of this special man in our community.

■ **Joseph Bauer**, with Earl W. Kinter, has published the 1997 supplements to the 10-volume Kinter *Federal Antitrust Law* treatise.

■ **Matthew Barrett '85** has been appointed to a three-year term on the Committee on Audit and Association Investment Policy of the American Association of Law Schools.

■ **G. Robert Blakey '60** is having a run in the federal courts of appeal. He has won five straight appeals: two in the First Circuit, one in the Fourth Circuit and two in the Fifth Circuit. Four of the five involved his RICO statute. He continues to give Hesburgh lectures as well: He presented "Can a Christian Defend a Guilty Client?" in Alabama in October and in Wisconsin in November. He also has given talks to police and prosecutors regarding wiretapping and narcotics prosecutions, twice in Florida in November and December. Finally, he is working with the State of Florida in its litigation under RICO against the cigarette industry. The state is seeking to recover the state Medicare expenditures associated with smoking-related cancer deaths. He has argued two motions successfully; one motion is pending. The case is scheduled for trial in August of 1997.

■ **Geoffrey Bennett** recently published "Criminal Procedure and Sentencing" in the *All England Law Reports Annual Review 1995*.

■ **Honorable Sanford M. Brook** presented "Lecture Techniques in the Teaching of Advocacy" at the International Advocacy Training Symposium in London. He continues to serve as adjunct faculty in the International Litigation Master's Program at the Nottingham

Law School in England. He also served on the faculty of a program entitled "Business Valuation Techniques," sponsored by the Indiana Continuing Legal Education Forum in January in Indianapolis.

■ **Barbara Fick** presented her paper, "A Review and Assessment of Collective Labor Law in Eight Central European Countries," at a conference entitled "Promotion and Defence of Trade Unions' Rights in Central and Eastern Europe," sponsored by the International Confederation of Free Trade Unions, the Free Trade Union Institute and the International Labor Organization in Zakopane, Poland, in September. She prepared the United States National Report on "Discrimination in Employment" for the 15th World Congress of Labor Law and Social Security, to be held in Buenos Aires, Argentina, in September 1997. She also published "How to Count to Fifteen: Determining the Jurisdiction Scope of Title VII; An Analysis of *Walters v. Metropolitan Educational Enterprises, Inc.*" in *Preview of United States Supreme Court Cases*.

■ **John Finnis** gave the Harry B. Burns Lecture at Loyola University (of Los Angeles) Law School in November, in the form of a two-hour debate with Ronald Dworkin of Oxford University and New York University Law Schools, on the subject of "Euthanasia, Morality, and Law"; his argument was critical of the judgment of the Ninth Circuit in *Compassion in Dying v. Washington*, which was written by Judge Reinhardt, who was present at the debate. In May of 1996, he presented a paper entitled "Natural Law — Positive Law" at an international symposium on *Evangelium Vitae* and the Law in the

Vatican. In September, he gave three Hanley Lectures at the University of Winnipeg, Canada, on the theme of public reason. In January, he gave the Ver Heyden de Lancey Lecture at the University of Cambridge, England, on "End of Life Decisions: Purposes, Consequences, and Ethics" to an audience that included the president of the British Medical Association and two Law Lords whose judgments on such decisions were discussed in the lecture.

An Italian translation of his main book, *Natural Law and Natural Right*, was published in Milan in 1996. He also has published "Unjust Laws in a Democratic Society: Some Philosophical and Theological Reflections," in the *Notre Dame Law Review*, and an Italian version of the same article published in a collection of papers on behalf of the Congregation of the Doctrine of the Faith. Recent publications by the Oxford University Press include: "Intention in Tort Law" in *Philosophical Foundations of Tort Law* (edited by David Owen); "The Truth in Legal Positivism" in *The Autonomy of Law: Essays on Legal Positivism* (edited by Robert P. George); "History of Philosophy of Law," "Problems in the Philosophy of Law," and a number of smaller articles in *Oxford Companion to Philosophy* (edited by Ted Honderich); and "Is Natural Law Theory Compatible with Limited Government?" in *Natural Law, Liberalism, and Morality* (edited by Robert P. George). Other recent publications include: "The Ethics of War and Peace in the Catholic Natural Law Tradition" in *The Ethics of War and Peace* (edited by Terry Nardin; Princeton University Press, 1996); and "Loi naturelle" in *Dictionnaire de Philosophie Morale* (edited by Monique Canto-Sperber; Presses Universitaires de France, Paris).

■ **John Garvey** took part in a symposium entitled "Wisconsin v. Yoder after Twenty-Five Years" at Capital University Law School in Washington, D.C. He

gave a paper entitled "Pushpin or Poetry" at the Case Western Reserve Law School, and was a guest lecturer in the University's political science department. He also delivered a paper entitled "The Architecture of the Establishment Clause" at Wayne State University Law School in Detroit. Chapter 3 of his recent book, *What Are Freedoms For?*, was excerpted in the March issue of *First Things* under the title, "The Real Reason for Religious Freedom." He also published "Is There a Principle of Religious Liberty?" in the *Michigan Law Review*.

■ **Alan Gunn** published his 1997 *Supplement to Cases, Text and Problems on Federal Income Taxation, 3rd edition*, (West Publishing) with Larry D. Ward. He also is a member of the 1996-97 Faculty Committee on Promotions.

■ **Jimmy Gurulé** presented a lecture on "The Status of International Law in the United States Domestic Legal Order" at the annual conference of the Hispanic National Bar Association in Miami, Florida, in October. He also is a member of the 1996-97 Faculty Committee on Promotions.

■ **Associate Dean Roger F. Jacobs** is spending the 1997 spring semester with the London Programme.

■ **Janis L. Johnston** gave a presentation on "Managing Your Boss" at the Mid-American Association of Law Libraries meeting in Carbondale, Illinois, in October. She also has been appointed to the Professional Development Committee of the American Association of Law Libraries, and attended the committee's meeting in Seattle, Washington, in late January. This is a new, select committee charged with redesigning the continuing education activities for law librarianship.

■ **M. Cathleen Kaveny** presented "Religious Values, Cultural Symbols, and the Law" to a conference on Religion and Biotechnology sponsored by the Hastings Center in Briarcliff Manor, New York, in



Warren Rees Appointed to Library Faculty

Warren D. Rees has been appointed to the faculty of the Kresge Library as a librarian in the research department. In addition to helping with growing general research demands, he will specialize in supporting the library's efforts in teaching and applying newer technologies to legal research.

Rees previously served as educational research services librarian and assistant professor at Valparaiso University Law School, where he taught legal research, provided library computer support and instruction, and offered legal research assistance to students and faculty. He also has worked at Gonzaga, Willamette and Minnesota Law Schools.

He is a graduate of the Minnesota Bible College, Southern Illinois Law School, and the University of Michigan School of Library Science. He is a member of the Wisconsin Bar, and is active in the Association of American Law Libraries.

October of 1996. In December, she presented "Ethics and Managed Care" at grand rounds at Loyola Medical Center in Maywood, Illinois. In January 1997, she presented a paper entitled "The Persons and Masks of Illegal Aliens: Judge John Noonan's Immigration Jurisprudence," and participated in a panel discussion on "Ethics and Law" at the 1997 annual meeting of the Society of

Christian Ethics in Washington, D.C. In February, she delivered a lecture entitled "Euthanasia Initiatives" at a workshop for Roman Catholic Bishops on "The Bishop and the Future of Health Care" in Dallas, Texas.

She has published: an op-ed piece, "Kevorkian and Women," in the October 21, 1996, edition of *USA Today*; "Assisted Suicide, Euthanasia, and the Law" in "Notes on Moral Theology 1996" in the March issue of *Theological Studies*; and "The Limits of Ordinary Virtue: The Limits of the Criminal Law in Implementing *Evangelium Vitae*" in *Choosing Life: A Dialogue on Evangelium Vitae* (edited by Kevin W. Wildes, S.J., and Allan Mitchell, S.J., Georgetown University Press).

■ **Douglas W. Kmiec**, as contributing editor of the ABA's *Preview of United States Supreme Court Cases*, wrote: "Who Bosses the Sheriff? The Federal Government and the States Duel Over Gun Control," in November; "'To Be or Not to Be': Will the Supreme Court Prescribe Assisted Suicide?" in December; and "Enhanced Religious Liberty or Congressional Usurpation — The Constitutionality of the Religious Freedom Restoration Act," in January. He also published "It Takes a Family" in the Winter 1996-97 issue of *Notre Dame Magazine*; and "Inserting the Last Remaining Pieces in the Taking Puzzle" in the *William and Mary Law Review*. In March, he debated Professor Dan Mandelker, Stamper Professor of Law at Washington University, at Rutgers University on "The Supreme Court's Land Use Cases — Do They Permit Affordable Housing or the Building of Community?" He continues to contribute op-ed pieces to the *Chicago Tribune* on a regular basis.

■ **Donald Kommers** published: *The Constitutional Jurisprudence of the Federal Republic of Germany* (second edition, Duke University Press, 1997); "The Government of Germany," published both in

Introduction to Comparative Government (fourth edition, edited by M. Curtis, Addison Wesley Longman Publishers, 1997) and in *Western European Government and Politics* (edited by M. Curtis, Addison Wesley Longman Publishers, 1997); biographies of three women justices of Germany's Federal Constitutional Court, "Jutta Limbach," "Wiltraut Rupp-von Brünneck," and "Helga Seibert," published in *Women in Law* (edited by R.M. Salokar and M.L. Volcansek, Greenwood Press, 1996), a book of biographies of leading women in the law from around the world; "When Opposing Abortion is Part of a Larger 'Ethic of Life': Incompatible Theories," a letter to the editor, in the August 25, 1996, edition of *The New York Times*; and "Procédures Destinées à Assurer la Protection des Droits de l'Homme dans le Cadre de Systèmes Diffus de Contrôle de la Constitutionnalité des Lois," in *La Protection Des Droits Fondamentaux Par La Cour Constitutionnelle*, number 15 in a series entitled *Science Et Technique De La Democratie*. From March through August he will be a visiting professor on the law faculty of Heidelberg University in Germany, where he expects to finish a book in comparative constitutional law. In addition, he continues his joint appointment to the NDLS faculty and as the Joseph and Elizabeth Robbie Professor of Government and International Studies.

■ **Rev. Bill Lewers, C.S.C.**, is a member of the 1996-97 Faculty Committee on Promotions.

■ **Dean David T. Link '61** spoke at the 1997 Midwest Law Symposium at DePaul University in Chicago in February. He also serves as the *ex officio* chair of the 1996-97 Faculty Committee on Promotions.

■ **Lucy Salisbury Payne '88** prepared an extensive three-part bibliography entitled *Selected Sources on Civility and Professionalism* for the 46th annual meeting of

the Seventh Circuit Bar Association and the Judicial Conference of the Seventh Circuit in October. She also designed the "Selected Faculty Publications" display on the first floor of the Law School Building, featuring awards for faculty writing and recent books, backed by a "wallpaper" consisting of a comprehensive bibliography of the entire faculty.

■ **Teresa Godwin Phelps** published "Tradition, Discipline and Creativity: Developing 'Strong Poets' in Legal Writing" in the *Legal Studies Forum*.

■ **Charles Rice** submitted an *amicus* brief in *Vacco v. Quill*, a right-to-die case before the Supreme Court in the October Term, 1996. The brief was co-drafted with Robert J. Muise '97. Rice also debated Chris Cross, president of the Council for Basic Education, on the topic "Resolved: Government at any level should not set academic standards," at the second annual conference of the Separation Alliance, held in Arlington, Virginia, last November. He directed a Liberty Fund conference entitled "John Paul II on *Liberty and Responsibility*" in Indianapolis in March. He continues to write regularly for *The Observer* on a variety of topics including euthanasia, the Irish potato famine and genocide, and the governance of the University. Rice also participated as a trustee in the meeting of the Board of Trustees of Franciscan University in February.

■ **John Robinson** co-edited, with Thomas Shaffer, "H. Jefferson Powell on the American Constitutional Tradition: A Conversation" in *Notre Dame Law Review*. In his capacity as director of the Thomas J. White Center on Law and Government, he organized a symposium on "The Welfare Revolution and Catholic Social Thought." The three-day conference was co-sponsored by the White Center, the Institute for Scholarship in the Liberal Arts and the United States Catholic Conference.

Professor Shaffer Honored

Professor Thomas L. Shaffer '61 recently has been honored by having an office named after him at the new Center for Legal and Social Justice at St. Mary's University Law School in San Antonio, Texas. The office is a gift of Vincent Johnson '78, a professor of law at St. Mary's, and his wife, Jill Torbert. The center houses the Law School's four clinical-education programs, provides a center for pro-bono and campus ministry activities, adds new classroom space, and includes state-of-the-art moot courtroom and mediation facilities.

Professor Shaffer's association with St. Mary's Law School dates back to his Air Force days. While stationed in San Antonio, he began his legal studies at St. Mary's. In 1983, the Law School conferred upon him an honorary degree and its St. Thomas More Award for his outstanding contributions to the legal profession.

In explaining his decision to honor Professor Shaffer in this way, Professor Johnson commented: "Tom Shaffer, through his teaching and writing, has played an extraordinary role in the legal education of thousands of law students at Notre Dame and throughout the country. Naming an office for him at the new St. Mary's clinical center recognizes that record of achievement and will remind students and faculty of what it means to be a lawyer committed to legal and social justice."

■ **Robert Rodes** has written the foreword to *The Restitution of Land Rights in South Africa — A Workbook*, written by Vindodh Jaichand, LL.M. '88, J.S.D. '96. The book is intended to be used as a practitioner's guidebook for members of the South African bar. With Thomas Shaffer, Rodes also gave a presentation at NDLS entitled "Using the Law as a Tool for Social Change," which addressed the

"Preferential Option for the Poor," the relation of law to Liberation Theology, and the lessons of Catholic social teaching.

■ **Elizabeth R. Schiltz** gave a lecture entitled "Electronic Banking — Where Are We Now?" about emerging legal issues arising out of developments in electronic banking, at a meeting of the Credit Card Bank Compliance Association in Chicago in October and to the Merchants Research Council. She also has been elected as one of the parent representatives on the Board of Directors of the University's Early Childhood Development Center.

■ **Patrick Schiltz** presented two seminars on litigation against religious organizations at a joint meeting of the bishops of the Episcopal and Lutheran Churches in White Haven, Pennsylvania, in October.

■ **James H. Seckinger** '68 has been active in helping teach trial skills to the war crimes prosecutors at the International Criminal Tribunal for Rwanda. In November, he delivered a series of lectures on Witness Examination Skills and served as a faculty member for a Common Law Advocacy Skills Program for the war crimes prosecutors in Kigali, Rwanda. He also directed and presented a teacher training program for the faculty conducting the Common Law Advocacy Skills Program at that tribunal in Nairobi, Kenya.

Seckinger also continued his nationally recognized work in teaching trial advocacy skills at several programs in the fall: He served as program director and faculty member and gave a series of lectures on deposition techniques for the Internal Revenue Service General Counsel's Deposition Skills Program in Cincinnati, Ohio, in September; served as the program director and a faculty member and lecturer on trial advocacy techniques at the Gunster Yoakley

Valdes-Fauli & Stewart Trial Advocacy Skills Program in Fort Lauderdale, Florida, in October; served as the program director and a faculty member at the Fish & Neave Deposition Skills Program in New York City in November; served as a faculty member, conducted a workshop for faculty on effective teaching techniques, and gave a series of presentations on deposition techniques for the NITA Indiana Deposition Skills Program in Indianapolis in November; and served as the program director and faculty member, and gave a series of lectures on deposition techniques at the Skadden Arps Deposition Skills Program in New York City in February. In addition, he conducted a workshop for the faculty on effective teaching techniques and gave a series of lectures on deposition techniques.

■ **Thomas Shaffer** '61 continues to be a prolific author, with recent works including: a chapter on the Notre Dame Legal Aid Clinic, "Surprised by Joy on Howard Street," in *Labor from the Heart*, a book edited by Rev. Mark Poorman, C.S.C., on ministry at Notre Dame; "H. Jefferson Powell on the American Constitutional Law Tradition: A Conversation," co-edited with John Robinson, in the *Notre Dame Law Review*; and "The Christian Lawyer — an Oxymoron?" in *America*.

In February, Shaffer inaugurated the new endowed lecture series on legal ethics, the Glenn Tabor Lectures, at Valparaiso University. At that same time he also taught two legal ethics classes, participated in a conference on legal ethics with other Indiana lawyers and judges, and led a faculty colloquium on the subject.

In addition, he has given several presentations and participated in panel discussions, including: his presentation at NDLS with Robert Rodes entitled "Using the Law as a Tool for Social Change," which addressed the

"Preferential Option for the Poor," the relationship of law to Liberation Theology and the lessons of Catholic social teaching; his speech on "Morality in the Practice of Law" in the "Faith, Ethics, and World of the Professions" series held at the First Presbyterian Church in Bethlehem, Pennsylvania; his participation as a panelist on "The Ethical Preparation of New Lawyers" at the annual Judicial Conference of the Seventh Circuit held in Indianapolis; and his presentation of a paper entitled "Stories of Legal Order in American Business" at a conference entitled "How Literature and Films Can Stimulate Ethical Reflection in the Business World," sponsored by the University's College of Business Administration.

■ **Dinah Shelton** has been asked to direct a new project on compliance with nonbinding legal accords for the American Society of International Law. Supported by the Ford Foundation and expected to be completed in 1998, the project will make a major contribution to the growing body of work on compliance with international agreements and standards by examining case studies drawn from the fields of human rights, the environment, arms control, and trade and finance. She also has been appointed to the Editorial Advisory Board of *The International Environmental Law Reports*, published by Cambridge University Press.

In October, she was a featured panelist at the Workshop on Environmental Law and Sustainable Development at the World Conservation Congress in Montreal; and spoke on reparations for human rights violations at a legal seminar with members of the African Commission on Human and People's Rights in Washington, D.C. In December, she spoke on "The Functions and Powers of the Inter-American Human Rights Commission" at an expert seminar organized by the Organization of American States

concerning the reform of the Inter-American System for the Protection and Promotion of Human Rights. She also delivered a faculty colloquium lecture on "Damages for Human Rights Violations" in December.

■ **J. Eric Smithburn** served as faculty coordinator and lecturer at the National Judicial College Course, "Current Issues in Family Law," presented to family court judges from the United States and abroad in Orlando, Florida, in February. He also served as faculty coordinator and lead lecturer for a one-week course entitled "Evidence in Juvenile and Family Law" held in Reno, Nevada, in October. His book, *Problems in Family Law*, and the related instructors' manual were published in early April 1997 (Little, Brown & Co.). Smithburn also is a member of the 1996-97 Faculty Committee on Promotions.

■ **Jay Tidmarsh** testified before the Subcommittee on Immigration and Claims of the House Committee on the Judiciary regarding H.R. 1023, the Ricky Ray Hemophilia Relief Act. His testimony focused on standards of governmental liability for the regulatory conduct of its agencies, and the effect of this legislation on those standards.

■ **Christine M. Venter** '92 LL.M., '95 J.S.D., published "Encouraging Personal Responsibility: An Alternative Approach to Teaching Legal Ethics" in the *Duke University Journal of Law and Contemporary Problems*. She also spoke at a seminar on housing discrimination sponsored by the South Bend Commission on Human Rights in November.

NDLS Remembers "The Chief"

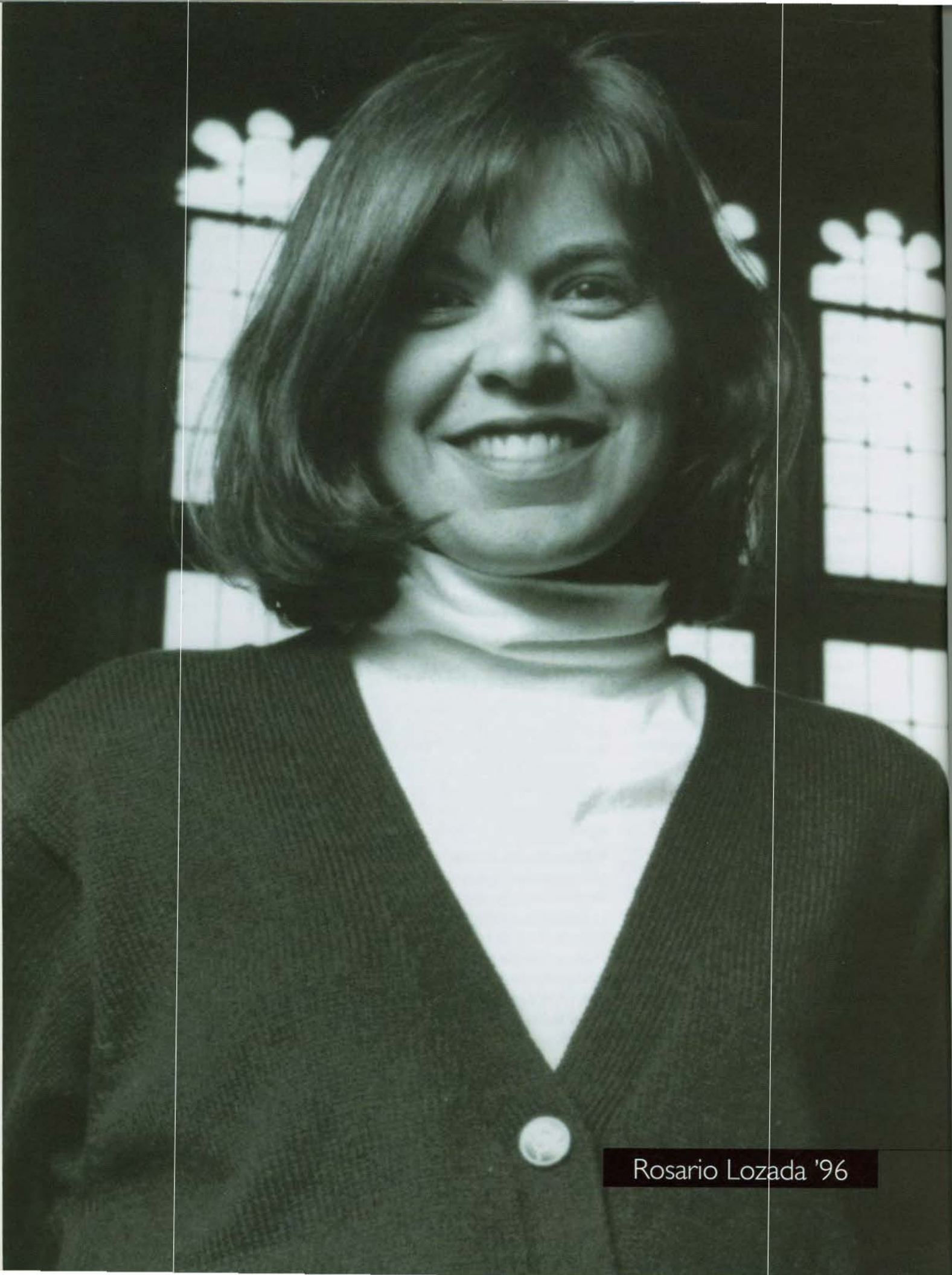
It is with great sadness that we report the death of Professor John J. "The Chief" Broderick, a member of the NDLS faculty from 1947 to 1976 and one-time assistant dean. He had been seriously ill for the past several months and passed away in the early morning hours of Friday, February 28, 1997, in a South Bend hospital.

The April 1975 issue of the *Notre Dame Lawyer* (now *Notre Dame Law Review*), which was dedicated to "The Chief" on the occasion of his retirement from full-time status at NDLS, reflected on the impact he had on countless law students as well as on his colleagues during his nearly 30 years at NDLS. Today, those words serve as a reminder of the affection many still feel for this special man:

"The Chief embodies, in a way all his own, the ideals and spirit of our school. His contribution to us, and to others in a generation of lawyers who studied here, is enormous. No one within memory has touched so many minds and hearts, or endeared himself to so many students. . . . His has been a pervasive presence." He will be missed.

He is survived by his wife, Louise, and his daughter, Mary Kennedy. Please remember them in your prayers. The family has asked that contributions in memory of "The Chief" be sent to the Humane Society of St. Joseph County, 2506 Liberty Dr., Mishawaka, IN 46545.

Because this news reached NDLS near the publication deadline for this issue of *Notre Dame Lawyer*, we have decided to include a more extensive — and more fitting — tribute to "The Chief" in our next issue. We invite you to send us a few sentences or paragraphs about his impact on your life both as a professional and as a person. We'll publish a selection in the next issue of the *Lawyer*, and we'll be certain to send all correspondence we receive to his family on your behalf.



Rosario Lozada '96

Turning Scholarship into Service

by Cathy Pieronek '95
Associate Director, Law School Relations

Scholarship and service. These words together describe the ultimate goal of the Notre Dame experience — the charge to students and graduates alike to find ways to use their first-rate Notre Dame education, no matter what their course of study, to improve the lives of others.

Notre Dame has a long history of association with social- and community-service programs. Sargent Shriver came to Notre Dame in 1961 to announce the creation of the Peace Corps. Year after year, dozens of graduates postpone or entirely forego the opportunity to pursue lucrative careers, opting instead for a year or more of community service in the Peace Corps, the Jesuit Volunteer Corps, the Holy Cross Associates or the Alliance for Catholic Education. Year after year, hundreds of students fill every slot available for volunteers in the Christmas in April program, give up a portion of

Christmas break to participate in Urban Plunge, or forego summer employment to participate in the Summer Service Project. Each year, alumni from all over the country give up a week of their lives to participate in Habitat for Humanity building projects both nationally and internationally. Every day, thousands of other students and alumni alike quietly make a difference in their little corners of the world — tutoring children after school, volunteering at local homeless shelters and in countless other ways.

NDLS graduates are no exception. Year after year, NDLS students fill every available internship spot in the Law School's Legal Aid Clinic, and many forego high-paying summer jobs at law firms to pursue low-paying or volunteer work in public interest law. The press releases sent by alumni announcing employment changes, partnerships and new business affiliations provide anecdotal evidence that many NDLS graduates actively participate in community service organizations, hold positions in local

government bodies and are involved in many different types of charity work. Many other alumni donate their time to perform *pro bono* work for a variety of organizations.

This year, however, an NDLS alumna has taken the charge to turn scholarship into service to a new level — as a member of what has become known as the “legal Peace Corps.”

Rosario I. Lozada '96 is one of just 25 recent law school graduates nationwide to receive a two-year Skadden Fellowship to work with nonprofit organizations providing legal assistance to the needy. As a 1997 Skadden Fellow, Rosi will work at the Florida Immigrant Advocacy Center in Miami. The center strives to protect and promote the basic human rights of immigrants of all nationalities in Florida. Rosi will be working out of neighborhoods to assist immigrants with landlord-tenant disputes and various employment-related matters.

The Skadden Fellowship Program is funded by the New York City law firm of

A L U M N I P R O F I L E

Skadden, Arps, Slate, Meagher & Flom. The firm initiated the program in April 1988 to commemorate its 40th anniversary. Skadden Fellows are selected from among graduating law students and judicial clerks. They provide civil legal services to the poor, including the elderly, the homeless, the disabled and those deprived of their civil or human rights. Applicants must secure a potential position with a sponsoring public interest organization before applying for a fellowship. Selection is based both on the applicant's qualifications and on the demonstrated effectiveness of the sponsoring organization. Skadden Arps then provides a grant to the sponsoring organization to cover the fellow's salary and fringe benefits, and covers the fellow's debt service on law school loans for the duration of the fellowship. Skadden Arps expects nothing in return at the completion of the fellowship.

Rosi's selection as a Skadden Fellow, in itself, is a truly remarkable achievement since each year the program receives hundreds of applications for only 25 positions. Viewed within the context of Rosi's life, however, this honor seems to be just the next inevitable step in the life of this unique young woman, who consistently has devoted herself to service to others.

Rosi came to Notre Dame as an undergraduate student from Peru. She wanted an American college education, and was attracted to Notre Dame because of its high academic standards and its Catholic character. She became actively involved in campus ministry, where she helped coordinate various campus liturgies and organized Notre Dame Encounter weekends.

After graduating *summa cum laude* in 1991 with a B.A. in government and international studies, Rosi volunteered for one year with the Jesuit Volunteer Corps, working with the Houston Refugee Pro Bono Project. She coordinated volunteer

attorneys representing indigent political asylum applicants, and implemented continuing legal education training seminars on asylum law and deportation proceedings. The following year, she joined the "Put Something Back" Pro Bono Project in Miami. As an associate project coordinator, Rosi implemented an HIV/AIDS *pro bono* panel, organized continuing legal education seminars, and assisted with client intake and in the *pro se* clinics.

Rosi's experiences working with the needy and trying to find attorneys to provide *pro bono* representation caused her to consider attending law school. "A lot of people asked me why I would want to become a lawyer, since the profession already is so overcrowded. But my experiences in Houston and Miami convinced me that the profession still has room for people who are willing to help those in need."

She decided to return to Notre Dame after investigating other schools that supposedly had stronger reputations because "Notre Dame stands for something different. There is a greater sense of community at Notre Dame, and a lesser focus on individual achievement or on monetary gain. That's what I wanted my law school experience to be like." Being awarded a Rev. Michael D. McCafferty Fellowship helped solidify Rosi's decision. "I knew I wanted to go into public interest law after graduation. The McCafferty Fellowship ensured that I wouldn't be burdened with overwhelming debt and enabled me to remain focused on the reasons why I initially decided to go to law school. Furthermore, the way in which Father McCafferty lived his life served as a 'guiding light' for me throughout my three years at the Law School."

As a law student, Rosi distinguished herself in service to Notre Dame, service to the community, and academic standing. During her three years at NDLS, Rosi was involved in the liturgical life of

the Law School by playing the guitar for the group that provided music at the weekly Mass and by organizing a retreat for law students; in her second and third years, she also served as a liturgical commissioner. As a 2L, she co-chaired the Law School Orientation Committee and served as a member of the Public Interest Law Foundation grant selection committee. As a 3L, she was elected vice president of the Student Bar Association. During her last semester of law school, she also agreed to be an assistant rector at Lewis Hall, after the previous assistant rector had resigned somewhat unexpectedly.

Although her academic credentials earned her an invitation to join the staff of the *Notre Dame Law Review* as a 2L, Rosi declined the invitation to instead intern at the Legal Aid Clinic. Between second and third years, she worked as a law clerk at the Atlanta Legal Aid Society. As a 3L, Rosi continued in service to the Law School as a legal writing teaching assistant.

In class, Rosi distinguished herself both through her academic performance and through her class participation. She graduated *magna cum laude*, maintaining Dean's List status for five semesters. Her analysis of legal issues and answers to questions "always reflected her concern for the effects of legal decisions on real people — even in Contracts class," according to Associate Dean Jack Pratt.

Because of her dedication both to NDLS and to the University community, the Notre Dame Alumni Association awarded her its 1996 Distinguished Graduate Student Award. And she has the admiration of her peers as well. Mike Hickey '99, who met Rosi through the Law School's liturgical commission, summed up the feelings of many who have encountered Rosi during her time at NDLS. "The unique aspect of Rosi is her ability to do it all. Rosi has the ability to attain excellent marks while serving

 A L U M N I P R O F I L E

her community. She combined quick, sharp intelligence with deep, Christian love. Rosi was the law student and, more importantly, the person I want to become.”

After graduation, Rosi had hoped to return to the Atlanta Legal Aid Society to continue the work she had begun during her summer experience there. Unfortunately, for funding reasons, the organization was unable to offer her a position immediately after graduation. She then decided to apply for a judicial clerkship for a year, knowing that it would provide her with very valuable experience and insight into the judicial process, and hoping that it would give the Atlanta Legal Aid Society some time to find funding for her. Although she was late in applying, her stellar credentials earned her a year-long position with U.S. District Court Judge Edward Davis in Miami.

Rosi first became aware of the Skadden program through an attorney she encountered while she worked at the Atlanta Legal Aid Society. She was attracted to the program because it brings together different people from all over the country who do a wide variety of public interest legal work. She found it to be an

“interesting network” of individuals “all doing good work all over the country.” She also realized that a private fellowship had advantages over a public grant. “Not only is the availability of a government grant limited by budgetary constraints, but the government places quite a few restrictions on the work that can be done under such a grant.” Rosi believed, consequently, that the Skadden Fellows Program would give her more flexibility in the type of work she could do. She felt that the program was an “ideal fit” with her plans, and worked hard at distinguishing herself from among the hundreds of applicants for the 1997 program.

The NDLS community, understandably, is extremely proud of Rosi, both because of her personal qualities as well as because of what she has achieved. Her selection as a Skadden Fellow has brought great distinction to NDLS. For although University President Emeritus Rev. Theodore Hesburgh, C.S.C., was one of the original board members of the Skadden Fellows Program, Rosi is only the second NDLS graduate selected as a Skadden Fellow in the nine years since the program’s inception. Father

Hesburgh recommended Rosi for the program based on the strength of her ongoing commitment to public service as well as on the strength of her academic record. He feels it is important that NDLS graduates be out in the community giving service to others however they can, and the Skadden program certainly is “one of the programs that work.” He is impressed that many of the Skadden Fellows, although they might go on to different types of work after completing the program, generally retain their commitment to community service in some way.

Father Hesburgh is thrilled about Rosi’s selection as a Skadden Fellow. He says she’s “exactly the kind of person the program was designed for. She was an absolutely top-notch law student, and has every promise of being a top-notch attorney. By using her new competency as an attorney to help the largely Spanish-speaking immigrant population of southern Florida, she will be a tremendous asset to the community.” Father Hesburgh also noted that Rosi “has her priorities right. She easily could have felt like she had paid her dues with all of the community service she already had performed. But instead, she applied for and was accepted into another demanding, and certainly prestigious, community service program.”

Rosi, however, is somewhat embarrassed by all the attention her accomplishment has brought with it. To her, this is just a natural continuation of her devotion to community service. Her reaction is no surprise to Dean Pratt. He understands that her commitment to community service is a fundamental part of her nature. “Rosi is just one of those people who is always going to be there to help others without seeking the limelight for herself.”

She may not seek the limelight, but she certainly shines brightly as an example of what it means to be a true Notre Dame lawyer.

“A lot of people asked me why I would want to become a lawyer, since the profession already is so overcrowded. But my experiences in Houston and Miami convinced me that the profession still has room for people who are willing to help those in need.”

A Lifetime of Leadership

by Cathy Pieronek '95
Associate Director, Law School Relations

◆◆ I didn't go to Notre Dame to fit in. I went to Notre Dame to be a leader." This is how Judge Willie G. Lipscomb Jr. '75 boldly proclaims his feelings about his experiences as a student at Notre Dame Law School. Indeed, minor variations on this theme could be used to describe nearly every facet of Judge Lipscomb's adult life. For wherever he sees the need for change — whether in the workings of the justice system, in public and private efforts toward community redevelopment, or even in the behavior of teenagers in his east-side Detroit, Michigan, neighborhood — Judge Lipscomb steps in and leads those around him to a better way.

Spend any time at all with this man and you can't help but respect and admire how he lives his life with the quiet, deliberate conviction that his God-given gifts, talents and opportunities have come along with a God-given responsibility to make this world a better place. Take the time to delve deeper into the life experiences that have brought Judge Lipscomb to where he is today, and you can't help but be awe-struck at the accomplishments of a man who, early in life, lacked the

material and educational advantages that many consider to be prerequisites for success.

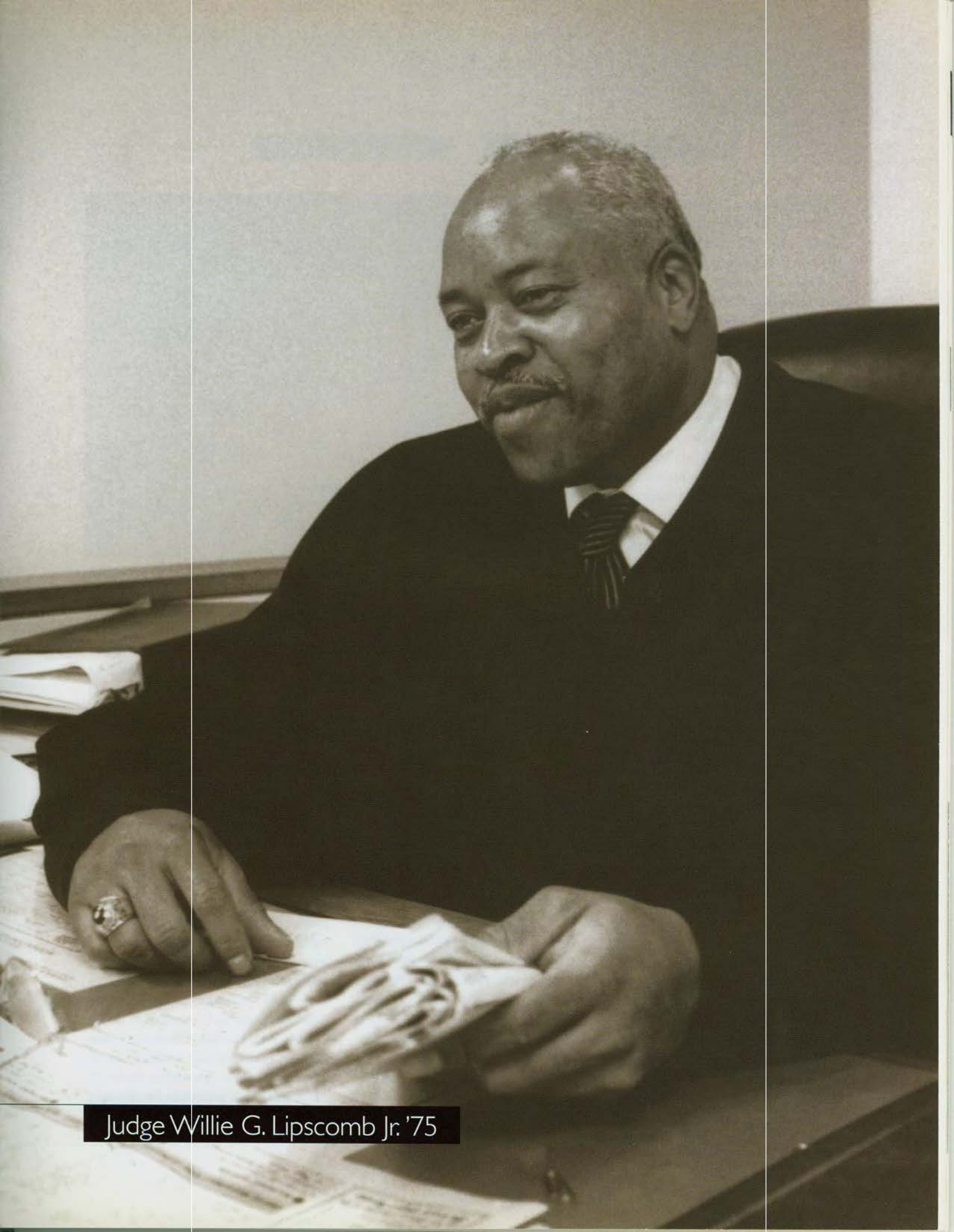
Judge Lipscomb's early life easily could have mirrored the stories of thousands of other young black men coming of age in the post-World War II, pre-Civil Rights movement America of the 1950s and 1960s — men living lives of little hope and even fewer opportunities in a country that seemed to find a way to integrate its armed forces to defeat Germany and Japan but could not find a way to integrate its schools, businesses and buses to defeat racial prejudice. Growing up in Flint, Michigan — a blue-collar, auto industry-dependent town north of Detroit — he easily could have graduated high school and taken a job at the local General Motors plant, where he might still be working today if he were lucky enough to survive the downturn in the American auto industry in the 1970s and 1980s. Or, he might have spent his life as the bus driver he once dreamed of becoming.

But he defied the odds. Today, he is a respected judge in the 36th District Court in Detroit, Michigan, recently reelected to his third term. He has pioneered a handgun violence intervention program aimed at convincing young men

to lay down their weapons and find a different kind of life before they become statistics on either side of a handgun. He was named by *The Detroit News* as one of its "Michigianians of the Year" for 1995.

Ask Judge Lipscomb directly about the keys to his success, and he will speak with quiet reverence of his mother. He will tell you about a woman who, raising her son in the post-World War II era, feared that someday he would find himself to be an expendable human asset on the front lines of some battlefield halfway around the world. She knew that the key to his survival lay in his finding a way to increase his value to society. Consequently, she instilled in her son the need to do well in school and get a college education. That way, she reasoned, when the next inevitable war rolled around, he could be a decision-maker rather than an order-taker.

When listening closely to the way in which Judge Lipscomb talks about the decisions he made at critical junctures in his life, you are left with the unmistakable impression that this is a man who knew within himself all along that he was capable of making a success out of his own life. You see this conviction in his eyes and hear it in his voice when he speaks of



Judge Willie G. Lipscomb Jr. '75

A L U M N I P R O F I L E

the high school guidance counselor who told him that, since his grades were so poor, he ought to consider vocational or trade school, because he had no hope of ever getting into college. Determined to prove this counselor wrong — and with his mother's fears and advice echoing in his head — Lipscomb enlisted in the Air Force, trained as a medic, and consequently, was able to spend his time in the service in Greece rather than in Vietnam. While in Europe, he took courses through the University of Maryland's armed forces extension program; he also learned to speak Greek fluently. On his return to Detroit in the late 1960s, he transferred to Wayne State University, where he completed his B.A. in psychology in 1970. He survived a war. He earned his college degree. He defied the odds.

And somewhere along the way, he also realized that he was capable of more than just personal success. He discovered that he was capable of changing the world. While a student at Wayne State, he began his political career with Detroit's Democratic Party. Frustrated by his inability to advance through the party's ranks, however, he joined the Republican Party in 1968. One year later, he made history by becoming Michigan's first black Republican district chair. This affiliation was short-lived, however, when Lipscomb realized that few Republicans were inclined to support civil rights causes.

His associations with leading Detroit political figures inspired him to go to law school. "I met a lot of lawyers at political meetings. I was impressed with their analytical and organizational skills, as well as with their ability to put forth an agenda in a coherent fashion. Lawyers seemed to dominate the discourse. When lawyers spoke, I could tell that they were different — they had a better command of the language, they were issue-oriented, and they were persuasive. Lawyers, more than any other type of individual, could



affect the outcome of any debate. I decided to go to law school because I wanted to learn the lawyers' craft of persuasion."

When one of his colleagues in the Republican party, D. Joseph Potvin (NDLS '70), heard that Lipscomb was applying to law schools, he asked whether Lipscomb had considered applying to Notre Dame. Lipscomb responded jokingly that he had been too busy trying to get into Harvard and Yale to consider other schools. But Potvin persisted. He told Lipscomb that he knew then-Dean Tom Shaffer quite well, and that this personal relationship could help get Lipscomb accepted into NDLS. Recalling that incident today, Lipscomb laughs at how impressed he was that someone was willing to use a personal contact with the dean on his behalf. "That was before I knew what a family Notre Dame people are — before I knew that *everyone* knew Dean Shaffer well."

Before deciding whether to attend NDLS, Lipscomb visited the campus. He says he immediately was struck by the overwhelming spirituality of the environment. "Just setting foot onto the campus,

I knew Notre Dame was different. And I knew it was where I had to be."

He began his law school career in the fall of 1972 as a Barry-Rothschild Fellow, and wasted no time in making his mark. Nearly 30, black and Protestant at the nation's bastion of white, middle-class Catholicism, he knew that it was unlikely that he could come to NDLS and blend in with his classmates. So instead, he revelled in what made him different. He set out to use those differences to inspire his classmates to use the law to reach out to those who traditionally did not have access to adequate representation within the justice system.

Classmate and federal district court judge Honorable Ann Claire Williams '75 recalls how Judge Lipscomb used his life experiences to bring something special to their class. "Having been in the real world before coming to law school, I think Willie was very conscious of the obligation that lawyers have to their communities to use the law creatively and effectively to make the world a better place." His class yearbook, *The Hoynes Reporter (Volume 1, 1972-1975)*, awarded him its "Of Greatest Service" citation for

 A L U M N I P R O F I L E

being “an outstanding leader and a great asset to the school.” Judge Williams notes that the class conferred this award on Judge Lipscomb because “he was never afraid to articulate his beliefs and encourage others to act. He was an example himself, but he also was able to inspire others to make similar commitments to society.” Professor Tom Shaffer concurs. “Willie Lipscomb brought energy, wit and leadership to the Law School. He brought optimism and confidence to all of us, which was particularly important to the small group of African-American and Hispanic students at NDLS at the time.”

As a 2L, he was named executive director of the Notre Dame Legal Aid and Defender Association and, according to *The Hoynes Reporter*, as a 3L “guided [the association] into imaginative new programs, especially in the post-conviction remedies division.” Also as a 3L, he and classmates Tom McGill, Margaret Olsen and Ann Williams spearheaded the Indiana State Prison Library Project at NDLS. They collected over 1,000 volumes from the library, faculty and students for use by the inmates at the Indiana State Prison at Michigan City, and supplemented this library donation with supervised instruction for the inmates in legal research and brief writing. Lipscomb believed that, by educating the inmates, he not only was helping them secure justice within the system, but he also was helping the justice system work more effectively by ensuring that the inmates understood the applicable law as well as their own rights.

And Notre Dame left its mark on Lipscomb as well. He speaks of the spirituality that, once just an overwhelming aura that enticed him to become a student at NDLS, actually was alive within the faculty and deans — a spirituality that manifested itself in their commitment to making sure that every student had the opportunity to succeed. “At

orientation, they told us, ‘We’re a family. We want you to succeed. We’ll do everything we can to help you.’” He learned very quickly how true these statements were when, studying for his first-semester Civil Procedure final exam with classmates, the confused students called Professor Peter “Thunder” Thornton and asked him for help. Professor Thornton invited the students to his house that Saturday afternoon, gave them food and drink, and explained to them the intricacies of the Federal Rules. Like all those other alumni, Lipscomb, too, got to know Dean Shaffer quite well, through classes as well as through dinners at home with the Shaffer family. And the leadership qualities and philosophies of Shaffer, then-Assistant Dean David Link, and then-President Rev. Theodore Hesburgh, C.S.C., left an indelible impression on Lipscomb as well. “When you’re around powerful leaders, it empowers you to be a leader. It makes you want to try to emulate those types of people.” Consequently, when he left Notre Dame, he felt “eminently qualified to do anything [he] ever wanted to do in life.”

He returned to Detroit, and opted for work in the Wayne County Prosecutor’s Office because he wanted to be a trial lawyer and he wanted to be in government service. From the day he first stepped into a courtroom, he knew that Notre Dame had given him the practical skills to succeed, but he also realized that his years at Notre Dame had instilled in him a kind of spiritual commitment to his community and a spiritual commitment to justice that he did not see in many other lawyers he encountered. His approach to the law is heavily influenced by the teachings of Professor Shaffer. “Even when Professor Shaffer was discussing consumer problems, he taught us that, although peoples’ lives are affected by the law, their lives also are affected by their families, their communities and their beliefs. He pointed out that the law

transcends the mere money questions.”

Incorporating this holistic approach to the law presented Lipscomb with challenges and callings not felt by many of his colleagues. He knew he was a different kind of lawyer, and his differences made him question the workings of the criminal justice system — particularly in the way it dealt with the many young black male defendants who were on trial for killing other young black men. He became dissatisfied with a system that simply imprisoned offenders, and did not help them find better, more productive ways to live their lives. In part, this was what caused him to run for judge.

But even as a judge, he was limited in what he could do within the criminal justice system. He became increasingly frustrated that the courts were not taking a leadership role in changing the culture and in countering the influences that make young people feel as though their only hope for survival is to shoot before getting shot. Lipscomb knew that, to solve the gun violence problem in the city, the culture had to change. “These are not bad young men. They just have bad influences around them.”

■

“When you’re around powerful leaders, it empowers you to be a leader. It makes you want to try to emulate those types of people.”

As a community leader, he constantly challenges the culture that influences these young men to act as they do. He tries to identify the practical problems and failings of a culture that breeds a climate of disrespect for others as well as disrespect for self. And he tries to find solutions, albeit sometimes in unorthodox or unpopular ways.

He is disgusted with a culture in which black athletes and entertainers achieve success, yet do not hire black lawyers, black agents or black accountants to manage their affairs. In the wake of the O.J. Simpson criminal trial, he challenged a group of black law students at Cooley Law School in Lansing, Michigan, to help change this cultural paradigm. He challenged the students to re-read the letters they each had written in support

of their law school applications and to remember why they had applied to law school — most likely, he believed, to return to their communities and help their neighbors achieve justice within society. He challenged them to provide responsible leadership to the black community — to use their distinct skills and abilities to analyze fundamental problems and lead their community toward a better life.

He is bemused by a culture that creates grand social plans for improving the trappings of life, but that at the same time neglects the basic needs of the people. At a meeting of black community leaders in New Orleans, on a “field trip” to the site of a low-income housing redevelopment project, while one member of the group sang the praises of the government’s efforts at rehabilitating

some homes, Judge Lipscomb questioned what was being done to fix a leaky fire hydrant nearby. Other members of the group tried to quiet him, fearing that his observation would only embarrass the community leaders who were so proud of their plans for the new homes. He responded by asking how anyone could feel respected and cared for while living in a culture that provides shiny new homes but at the same time neglects to provide the infrastructure necessary to maintain and support those homes.

But his efforts to change the culture have a softer, more personal side as well. He often takes groups of neighborhood youths on day-long ski trips in southern Michigan, capping off the day with a complimentary dinner at a friend’s restaurant. He tells of the transformation he sees in these young men after just a few hours outside their neighborhoods. “They learn to ski almost immediately, and consequently, learn that, with a little hard work and determination, they can develop talents they never knew they had.” At dinner at his friend’s restaurant, Lipscomb notices the young men acting respectfully toward each other and toward the restaurant employees. “They learn that there are people in this world who will respect them and care about them.” He believes he is making progress in his own personal culture war.

About four years ago a turning point in Judge Lipscomb’s life caused him to look for a more dramatic way to lead this effort toward a culture change. He speaks somberly of a college-bound 19-year-old in his neighborhood, to whom Lipscomb felt like a father, who was shot at a party in early 1993. “He was the best kid in the neighborhood. He was the most respectful . . . and he was shot for no apparent reason. A guy took out a gun and started shooting indiscriminately.” Judge Lipscomb went to the young man’s funeral, and heard those present talk about how “God did this —

Alumni Association Honors Lipscomb

The Notre Dame Alumni Association has honored Judge Willie G. Lipscomb with its 1997 William D. Reynolds Award. The award is given annually to a graduate doing exceptional work with youth for the betterment of the quality of life.

The Reynolds Award was instituted in 1984 by the Alumni Association to honor the memory of William D. Reynolds '54, who had served as the president of the Alumni Association in 1979 and as the president of the University of Notre Dame Chicago Scholarship Foundation. During Reynolds' 10 years as president of the scholarship foundation, the number of students from the Chicago area with scholarships at Notre Dame almost tripled from 16 to 47. But Reynolds' work went beyond just raising money. He spent untold hours counseling the kids, spending time with them and finding them jobs.

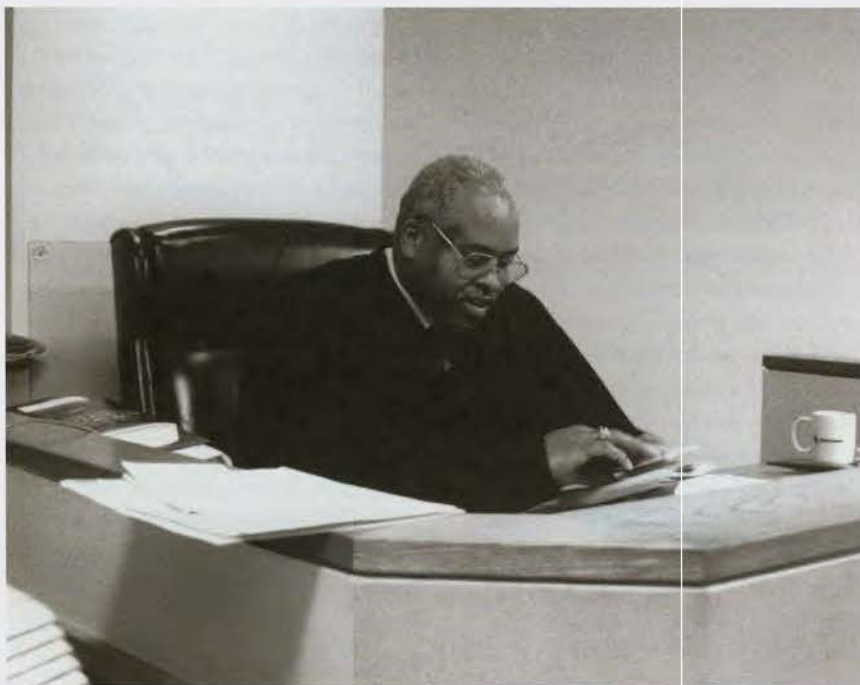
The award will be presented during halftime of the Blue-Gold game on April 26, 1997. NDLS is planning a celebratory post-game reception for faculty, students and Judge Lipscomb's classmates from the Class of 1975.

Upon learning of Judge Lipscomb's selection as the Reynolds Award recipient, Dean David T. Link expressed the sentiments of the NDLS community: “Willie Lipscomb serves as a wonderful example for all of us in the way that he integrates his commitment to community service — and especially to the young people of Detroit — with his practice of law. He is at once an esteemed jurist and an active community leader. We are pleased and proud that we can claim him as one of our own.”

this is God's work." More than a little uncomfortable at that explanation for the young man's death, he thought, "This is just not true. God did not do this." Lipscomb knew that blaming God shifted the focus of the violence beyond the tangible community culture, and toward an intangible incomprehensible force. And he knew that allowing this kind of thinking to persist would not solve the problem. So Lipscomb decided right then that he could no longer wait for the justice system or the community to stop this kind of violence. He knew that he had to lead the way.

Within six months, with the assistance of local clergy, probation officers and attorneys, he founded his Handgun Intervention Program, which is aimed primarily at educating young men about the dangers of handguns. Now, in the Detroit criminal court system, defendants charged with carrying a concealed weapon must attend a Saturday morning class in Judge Lipscomb's courtroom as a condition of bond while awaiting trial. Judge Lipscomb himself confronts the participants — most of whom are black, male and in their early 20s — with graphic slides of gunshot victims from the Wayne County morgue, and gives them stern lectures about "life, death, greed, peer pressure, drugs and self-respect."

It is perhaps in this last category that Judge Lipscomb is most effective. He educates these young men about their heritage, tracing their roots beginning with the accomplishments of the Moors in Spain, to the role of the Buffalo Soldiers in the 9th and 10th Cavalries of the Wild West, to the leaders of the Civil Rights movement. He tells the young men that they "are descended from kings and are obliged to be leaders," and acknowledges that this is the first time many of them have heard such a grand statement. But the most important lessons in self-respect are somewhat more subtle,



But slowly, some of the young men begin to understand that he speaks the truth because he speaks from experience — their experience. He and they grew up in the same neighborhoods; he and they encountered the same pressures and obstacles.

and come from Lipscomb himself — as a true role model for these young men. When he tells these engaging, intelligent young men that they can achieve success and go to schools like Notre Dame, they laugh — much as he did when D. Joseph Potvin encouraged him to apply to NDLS over 25 years ago. But slowly, some of the young men begin to understand that he speaks the truth because he speaks

from experience — their experience. He and they grew up in the same neighborhoods; he and they encountered the same pressures and obstacles. And then, some of them realize that they, like he, can succeed with the same commitment to education and the same determination to make their lives better.

Judge Lipscomb sees this program as his way of fulfilling the charge given to

 A L U M N I P R O F I L E

all Notre Dame graduates at commencement — a charge to turn scholarship into service. And every Saturday morning, as he enters that courtroom, he thinks of Notre Dame. He sees his work as a natural outgrowth of the spirituality and community commitment that pervaded every aspect of his Notre Dame education. He likens it, in some ways, to missionary work and to the work of the Apostle St. Paul — trying to lead these young men away from a seemingly inevitable tragic fate and toward a better life.

He is ministering to one of their greatest needs — the need to have someone to talk to, someone who will listen to their fears. “The single biggest complaint I hear from kids is that their parents and other adults don’t spend enough time with them. They really see us as very selfish.”

But beyond listening, he is using his own experiences with the program to educate policy-makers about the fears of the youth he encounters every weekend. He sees the gun violence problem not as

a “who did it” issue, but rather, as a “what did it” issue. He tells those in power that these young men are arming themselves not because they want to, but because adults haven’t made their communities safe. Consequently, the kids “do what they have to do to survive.” He challenges community leaders to change the environment — the “what” — that causes young men to feel that they have to arm themselves to survive. “We need to spend more time with them. Young people are the key to our future.”

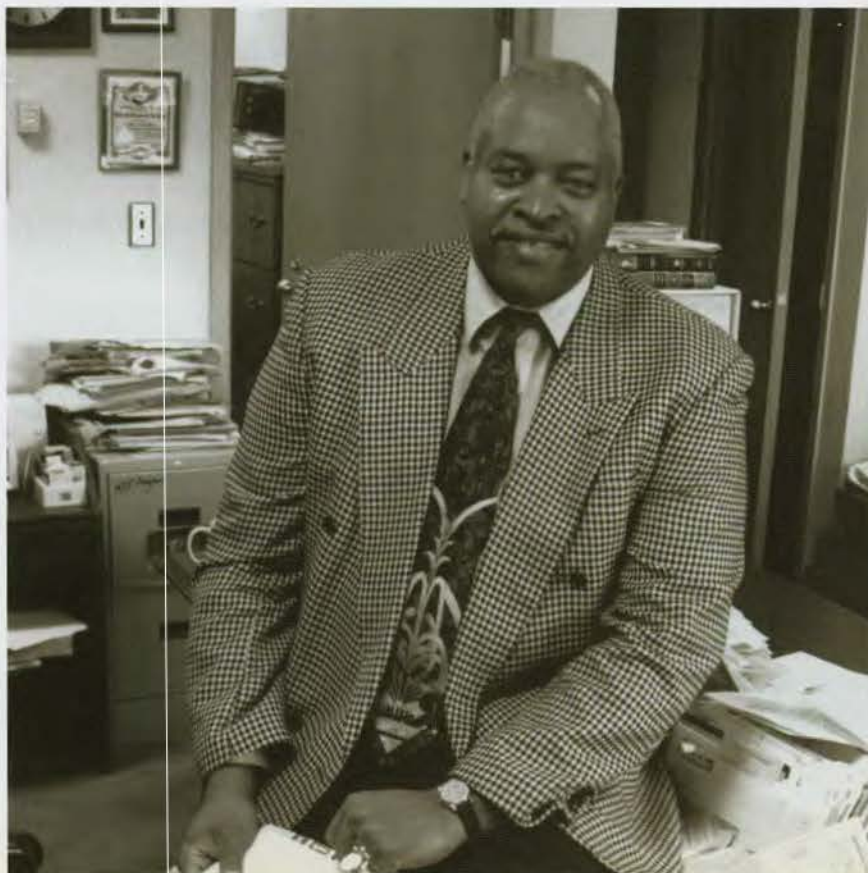
Overall, the Handgun Intervention Program is an unqualified success. A 1996 study of about half of the estimated 3,500 participants indicates that only one percent returned to court on new charges within six months of attending the program. Other cities are beginning to notice the results and implement similar programs of their own. As recently as February 1, 1997, the City of New York called Lipscomb for advice on starting its own program. The Urban Institute in Washington, D.C., also is studying the

effectiveness of the program.

Statistics and studies aside, however, Judge Lipscomb can point to personal transformations he has witnessed — individual successes that make each Saturday morning worthwhile. Lipscomb swells with pride when he speaks of one juvenile offender who has been to court four times already, but now, as a result of the self-respect he has gained through the Handgun Intervention Program, is talking about going to Notre Dame. Another past-participant now attends church, is taking classes at a local community college, and himself has become a volunteer with the program.

But even this success is not enough for Judge Lipscomb. He already is talking about developing programs to steer young people away from violence before they become part of the juvenile or criminal justice systems. He envisions a program that rewards city high schools — as communities — for zero-violence school years. He wants to see the students themselves encourage their peers both to find nonviolent methods of settling disputes as well as to create a community culture of mutual respect. He plans on involving local business leaders in the rewards aspect of the program as a way of showing these young people that the community at large does care about them.

Listen to Judge Lipscomb talk with excitement about his ideas for this new program, and you can’t help but wonder where he gets the energy to tackle yet another aspect of the multi-faceted culture-and-crime problem. Listen to him talk with hope about the effects this program can have on the community, and you can’t help but wonder where he gets the vision to see what so many others miss when looking for concrete solutions to the culture-and-crime problem. But listen to *how* he talks, and you cannot wonder whether he will succeed. He will. And we all will be better off because of it.



A L U M N I N O T E S

Class of 1930

■ **Honorable Robert A. Grant**, senior district judge for the Northern District of Indiana, received a Centennial Service Award from the Indiana State Bar Association on the occasion of the ISBA's 100th anniversary. He was one of approximately 80 lawyers honored by the ISBA for providing "outstanding leadership and service to the public and the profession." Judge Grant, after whom the Judge's Robing Chamber adjacent to the Law School's Barry Courtroom was named in 1992, served five terms in the U.S. Congress and, for the past 39 years, has served on the federal court for the Northern District of Indiana.

Class of 1936

■ **George S. Keller** has donated to the Kresge Library a copy of his memoirs, *View from the Top*.

Class of 1956

■ **Joseph B. Joyce**, a partner at Adler, Brennan & Joyce in Des Moines, Iowa, has been elected to a three-year term on the University's Alumni Association Board of Directors, representing Iowa, Kansas, Missouri and Nebraska on the national board.

Class of 1957

■ **Thomas S. Calder**, a partner in the Cincinnati office of Dinsmore & Shohl, L.L.P., has been included in the Business Litigation section of the 1997-98 edition of *The Best Lawyers in America*.

Class of 1964

■ **John M. Rammell** has been elected chairman and chief executive officer of International Air Filter, Inc. and International Air Filtration Corporation, manufacturers and servicers of air filtration systems, in Arlington Heights, Illinois.

Class of 1965

■ **John W. Beatty**, a partner in the Cincinnati office of Dinsmore & Shohl, L.L.P., has been included in the Business Litigation section of the 1997-98 edition of *The Best Lawyers in America*.

Class of 1966

■ **Samuel Bernardi**, a partner at Spangler, Jennings & Dougherty in Valparaiso, Indiana, has been appointed secretary of the Indiana State Bar Association.

■ **Honorable Paul V. Niemeyer** has been appointed chair of the Civil Rules Advisory Committee of the State of Maryland. His work on that committee will concentrate on three areas: the problem of dealing with the mass tort and attempting to amend Rule 23; the judicial response to the Civil Justice Reform Act of 1990 and the Rand Report on that act regarding how to reduce delay and cost in litigation; and a review of discovery rules to determine whether the cost of discovery is justified.

Class of 1967

■ **Clifford A. Roe Jr.**, a partner in the Cincinnati office of Dinsmore & Shohl, L.L.P., has been included in the Corporate Law section of the 1997-98 edition of *The Best Lawyers in America*.

Class of 1969

■ **Robert M. Greene**, chief executive officer of Phillips, Lytle, Hitchcock, Blaine & Huber in Buffalo, New York, has been elected president of the College of Law Practice Management, a nonprofit corporation that seeks to recognize individuals who have made outstanding contributions to law-practice management for a period of at least 10 years.

Class of 1970

■ **Richard M. Jordan**, a partner at White & Williams in Philadelphia, has secured a new sentencing hearing for a death row inmate in the case of *Commonwealth v. Terry*, based on a charge of ineffective assistance of counsel at the original trial.

■ **Richard W. Slawson**, of Slawson & Cunningham in Palm Beach Gardens, Florida, has received the Presidential Award from the Academy of Florida Trial Lawyers for his service as president and in recognition of his many years of dedicated service and inspired leadership on behalf of the trial bar of Florida. He also has been included in the 1997-98 edition of *The Best Lawyers in America*.

Class of 1972

■ **James D. Friedman**, a partner and coordinator of the Financial Institutions Law Practice Group at Quarles & Brady in Milwaukee, Wisconsin, has been elected to a two-year term on the Board of Governors of the State Bar of Wisconsin, and has been appointed to the Board of Ethics of the City of Mequon, Wisconsin, which is responsible for administering the Code of Ethics for city officials.

Class of 1974

■ **Joel E. Bair**, a partner at Varnum, Riddering, Schmidt & Howlett in Grand Rapids, Michigan, has been elected chair of the Intellectual Property Law section of the Michigan State Bar.

■ Items from the personal collection of **Andrew Nickle** were featured in an exhibition of political memorabilia used in presidential campaigns from 1844 to 1972, held at the Northern Indiana Center for History in South Bend from September 15 to December 8, 1996.

Class of 1975

■ **Phillip I. Morse** has been named executive director of In Harm's Way, Inc., an organization that deals with various life-threatening environmental issues resulting from military action, such as removing landmines from a country after a conflict has ended. In December, he addressed the London Programme on his activities with that organization.

■ **Eugene Smary**, a partner at Warner, Norcross & Judd, L.L.P., in Grand Rapids, Michigan, has been included in the Environmental Law section of the 1997-98 edition of *The Best Lawyers in America*.

Class of 1976

■ **Herbert A. Eastman**, who died in 1995, was the subject of an article entitled "In Memoriam: Herbert A. Eastman, 1951-1995," published in the *St. Louis Public Law Review*.

■ **Michael Gianunzio** has been named to head the newly created Legal, Regulatory and Legislative Division of the Snohomish Public Utility District in Everett, Washington. He will be responsible for handling all legal matters as well as for directing regulatory, environmental and legislative issues and programs for the nation's 12th largest public utility.

Class of 1972 25th Reunion

NDLS Class of 1972 is planning its 25-year Class Reunion on campus for the weekend of September 19-21, 1997. Activities currently planned include a Friday night reception, and Saturday at the ND-Michigan State game followed by a class dinner with some favorite faculty members, and a class Mass on Sunday morning. For more information, contact **Joe McFadden '72** at (610) 891-2800.

■ **Theodore F. Smith Jr.**, a partner at Smith, Todd & Farrell in Anderson and Indianapolis, Indiana, served on the faculty of a program entitled "Premise Liability: Beyond the Basics," sponsored by the Indiana Continuing Legal Education Forum in Indianapolis on January 30, 1997.

Class of 1977

■ **Honorable Roland W. Chamblee** has been appointed to serve as judge of a new, special drug court in St. Joseph County, Indiana. The court, which began operation on February 1, 1997, has been established to provide intervention, treatment and, where appropriate, punishment to drug offenders.

■ **Honorable Terry A. Crone** was re-elected St. Joseph County (Indiana) Circuit Court judge in November 1996.

Class of 1978

■ **Vincent R. Johnson**, a professor of law at St. Mary's University in San Antonio, Texas, has been appointed to a second three-year term as a member of the Judicial Fellows Commission.

■ **Patrick A. Salvi** delivered a lecture on tort reform and trial strategy at NDLS on September 26, 1996.

Class of 1979

■ **Jim Wiehl**, a partner at Sonnenschein, Nath & Rosenthal in St. Louis, Missouri, continues to head the firm's Health Care Practice Group, and teaches a Managed Care Law Seminar at St. Louis University.

Class of 1980

■ **James A. Martin** has been named executive vice president and chief operating officer of FOX Sports Net in Denver, Colorado.

Class of 1981

■ **Mary Mertens James** has been selected to represent Oregon's Judicial Fitness and Disability Commission in connection with the commission's actions against Oregon Supreme Court Justice Edward N. Fadely, who has been charged with sexual harassment in violation of the state's judicial code.

Class of 1982

■ **Kathleen Kotoske Brickley**, an associate at Barnes & Thornburg in South Bend, has been named "Woman of the Year" for 1996 by the *Michiana Executive Journal*.

■ **Robert Clemens**, a partner at Bose, McKinney & Evans in Indianapolis, participated in an Indiana State Bar Association program entitled "Is There Life After Law School?" at NDLS in September.

■ **Thomas Crowley** is an Honorable Abraham Freedman Teaching Fellow and Lecturer in Law at Temple University School of Law in Philadelphia, a two-year program of teaching and writing leading to an LL.M. in legal education.

■ **Paul M. Gates** has been appointed vice president and general counsel of Arizona-based Employee Solutions, Inc.

■ **Richard M. Goehler** has been named chair of the Litigation Department at Frost & Jacobs in Cincinnati, Ohio.

■ **Diana Lewis**, a member of the University's Board of Trustees, has become a shareholder in the West Palm Beach, Florida, office of Carlton, Fields, Emmanuel, Smith & Cutler.

Class of 1983

■ **Leslie C. Bender**, the executive director of the Business Empowerment Center in Baltimore, was featured in a cover story in the *Baltimore Jewish Times* describing her work in directing the Economic End of Baltimore's \$100 million federal empowerment zone.

■ **Michael J. Bettinger** has joined the San Francisco office of Orrick, Herrington & Sutcliff and will focus on Intellectual Property law.

■ **Mary Ann Boulac** served on the faculty of a conference entitled "LLC/LLP: What they are and when to use them," sponsored by the Indiana Continuing Legal Education Forum on December 4, 1996.

■ **Glenn E. Killoren**, managing partner, has been made a name partner at the firm of Pfaff, Brotherson & Killoren in Elkhart, Indiana.

■ **Andrew Rogness**, a shareholder with Bird, Svendsen, Rogness & Mestelle in Sturgis, Michigan, has been selected as a fellow of the Michigan State Bar Foundation.

Class of 1984

■ **Kevin Luby** has begun a new firm, Jordan, Caplan, Paul & Luby, near his home in Tigard, Oregon.

Class of 1985

■ **Robert Phillips** has formed a new firm, Phillips & Spallas, with offices in San Francisco and San Luis Obispo, California, specializing in defending premises-liability, construction-defect, product-liability and employment-related cases.

Class of 1986

■ **Christopher Cipoletti** has been made a partner at Holme, Roberts & Owen, L.L.P., in Colorado Springs, Colorado. He specializes in employment law and employee benefits; health, life and disability; and education.

Class of 1987

■ **Kimberly Fanning** has been named a partner at Cooley, Godward, Castro, Huddleson & Tatum in San Francisco. Her practice focuses on nationality and immigration law.

■ **Michael G. Gotsch**, deputy prosecuting attorney in St. Joseph County, Indiana, has been appointed by U.S. Attorney General Janet Reno to the Presidential Task Force on Criminal Child Support Enforcement, which will review the adequacy of current federal and state criminal law, the allocation of resources to criminal cases, measures to improve referral of criminal cases, and methods for improving coordination of federal, state and local enforcement efforts to enforce child support payment orders.

■ **Roman Kalytiak**, a prosecutor in Oakland County, Michigan, recently secured a murder conviction and a sentence of 25 years to life against Jonathan Schmitz in the so-called "Jenny Jones Show" murder case.

■ **Honorable Daniel P. Ryan** has been elected to a new six-year term on the 17th Judicial District Court of the State of Michigan. He also has been appointed to the faculty of the Michigan Judicial Institute and taught an Evidence seminar to District, Circuit and Probate judges in February 1997.

■ **Kurt D. Weaver** has been made a partner at Kelley, McCann & Livingstone in Cleveland, Ohio, where his practice focuses on litigation, public and employment law. He also serves both as the assistant law director for the City of Independence, Ohio, and as the deputy solicitor for the Village of Bratenahl, Ohio.

■ **Jack Young**, managing partner of Stone Real Estate Group in Mishawaka, Indiana, has been designated a Certified Commercial Investment Member by the Commercial Investment Real Estate Institute, and has been awarded the Society of Industrial and Office Realtors office designation. He has been the developer of several significant real estate projects in the South Bend-Mishawaka area, including Edison Lakes, the Edison Lakes Medical Center and Park Place Office Village at Blackthorn.

Class of 1988

■ **John A. Culver** has been made a partner at French, Kezelis & Kominiarek, P.C., in Chicago.

Class of 1989

■ **David S. Guin** has been made a partner at Ross & Hardies in Chicago. He practices in the firm's corporate law group.

■ **John P. McCabe** has been made a partner at Ross & Hardies in Chicago. He practices in the firm's litigation group.

■ **John C. Schlinker** has joined Foster, Swift, Collins & Smith, P.C., as an associate in the firm's Lansing, Michigan, office.

Class of 1991

■ **Valli Goss Fisher** has joined the firm of Lane, Powell, Spears & Luberski, in Anchorage, Alaska, and will focus on employment, trademark and copyright law.

■ **Scott K. Martinsen** has joined the firm of Blackwell, Sanders, Matheny, Weary & Lombardi in Kansas City, and will focus on trusts and probate.

■ **Glenn J. Rosswurm II**, assistant director of planned giving at the University, gave a presentation entitled "The Transfer of Wealth" on the use of retirement plan assets to fund gifts to educational institutions at the District 5 conference of the Council for Advancement and Support of Education in Chicago in December.

■ **Randall D. Roybal** has joined the Litigation Division of the New Mexico Attorney General's Office in Santa Fe as an assistant attorney general.

■ **James P. Zavell** has become associated with the firm of Robert B. Joslyn in St. Clair Shores, Michigan. The firm specializes in taxation, estate planning, probate and trust law.

Class of 1992

■ **Kevin Holtz** has joined the business operations of the Orlando Devil Rays, a Double-A affiliate team.

■ **Michael P. Milhbaugh**, a partner at Milhbaugh & Milhbaugh in Lima, Ohio, was selected for the second consecutive year by the Ohio Supreme Court to grade bar examinations of prospective Ohio attorneys.

London LL.M. Class of 1988 10th Reunion

Plans are being formulated for a 10-year Class Reunion for London LL.M.s from the Class of 1988, to be held in London near Easter in April of 1998. Members of the J.D. Class of 1989 who studied in London during the 1987-88 academic year also are invited to participate. For more information, contact **Peter Illig '88 (LL.M.)** at (716) 667-7018 or by fax at (716) 876-1354.

■ **Jeff Turner** has opened a new practice in Dallas, Texas, which will focus on small-business representation and estate planning.

Class of 1993

■ **Laura Curliss** has opened her own practice in South Bend. She will concentrate on employment law, small-business law and estate planning.

■ **Edward T. Yevoli** has joined the tax section of Stinson, Mag & Fizzell in Kansas City.

Class of 1994

■ **Jason C. Brino** has joined Niles, Barton & Wilmer in Baltimore, Maryland, as an associate in the firm's property insurance section.

■ **Patricia McKinnon**, an associate at Baker, Siegel & Page in Indianapolis, participated in an Indiana State Bar Association program entitled "Is There Life After Law School?" at NDLS in September.

Class of 1995

■ **Martin Foos** will join Faruki, Gilliam & Ireland in Dayton, Ohio, in June, following completion of his clerkship in the Bankruptcy Court in Hammond, Indiana.

■ **A. Katrina Noznesky** has joined the Office of the Children's Ombudsman in Lansing, Michigan.

■ **Kathryn A. Pamerter** has become a law clerk for the U.S. Bankruptcy Court for the Northern District of Indiana in South Bend.

■ **Brian Sagrestano** was featured in a September 2, 1996, article in *The New Jersey Lawyer* on his barbershop chorus, The Harmonizers.

Class of 1996

■ **Maureen E. Fitzgerald** has joined the firm of Harris, Beach & Wilcox in Rochester, New York.

■ **Steven W. Hieatt** has joined Thompson, Hine & Flory, L.L.P., as an associate in the firm's Cincinnati office.

■ **John C. Morrow** has joined Baker & Hostetler as an associate in the firm's Cleveland office.

■ **Stephen Reams** has joined Carlton Fields in Tampa, Florida, as an associate in the firm's construction litigation practice.

■ **Catherine A. Schmidt** has joined the firm of K. Gabriel Heiser in Nashville, Tennessee, as an associate in the firm's estate planning and probate practice.

■ **Jeremy L. Trahan** has joined Thompson, Hine & Flory, L.L.P., as an associate in the firm's Cleveland office.

■ **William P. Tunnell Jr.** has joined Stuart, Biolchini, Turner & Givray in Tulsa, Oklahoma, as an associate in the firm's business litigation practice.

I N M E M O R I A M

■ **John W. Houck** '55 died of a heart attack on December 11, 1996, at his home in South Bend.



A professor of management in Notre Dame's College of Business Administration, where he taught for a total of 39 years, John also founded and

co-directed the University's Center for Ethics and Religious Values in Business. Together with co-director Rev. Oliver Williams, C.S.C., John's work at the center focused on integrating Christian values into the business world.

In describing the impact of John's life work on the world business community, *South Bend Tribune* business writer Paul Dodson wrote: "If and when world business leaders adopt a code of ethics, it may well have occurred because of the pioneering work done by John Houck. . . . Throughout his career, Houck eloquently expressed the concept that business leaders have a duty to be ethical. . . . His work countered the widespread belief that the term 'business eth-

ics' is a joke or an oxymoron. He sought to expand the minds of those who believe that all businesses really need to do is to create wealth for the business owners. . . . Instead of limiting their concern to shareholders, Houck taught that business leaders [have] a duty to all of the stakeholders that a business touch[es]."

John earned his B.A. in history from Notre Dame in 1953 and his J.D. in 1955, as well as an M.B.A. from North Carolina and an LL.M. from Harvard. He was a former Ford and Danforth Fellow, and a winner of the University's prestigious Reinhold Niebuhr Award. He published many books and articles on the subject of business ethics.

John is survived by his wife, Mary (who also is the sister of Brigid Dutile, Tex Dutile's wife), and three children: Chris of South Bend; and Monica and Gregory, both of California. Please remember them in your prayers.

John's funeral Mass was celebrated at St. Adalbert's Church in South Bend. The family has asked that contributions in John's memory be sent to St. Augustine's Soup Kitchen or St. Augustine's Tutoring Program, both at P.O. Box 3198, South Bend, IN 46619-0198.

■ **Kathleen Meyers-Grabemann** '89 died on September 27, 1996, after a year-long battle with acute lymphocytic leukemia.

Kathy's story was brought to the attention of our alumni and friends in the 1995-96 edition of the *Lawyer*. After an aggressive course of chemotherapy failed to cure her illness, Kathy's only hope for recovery was a bone-marrow transplant. An adopted child, Kathy had to rely on bone marrow donors registered with the National Marrow Donor Program. Her family, friends and associates held several bone-marrow drives in pursuit of a match.

Although no match for Kathy was found, the National Marrow Donor Program added thousands of new names to its registry as a result of the search effort.

Kathy is survived by her husband, Robert; her daughter, Kaily; her parents, Leo and Bridie Meyers; and her brother, Robert Meyers. Please remember them in your prayers.

Kathy's funeral Mass was celebrated at St. Isaac Jogues Church in Niles, Illinois. Her family has asked that donations in Kathy's memory be sent to the Leukemia Research Foundation, 4761 W. Touhy, Suite 211, Lincolnwood, IL 60646.

John A. Bartley '25, died November 16, 1996, in Atlantic Highlands, New Jersey.

Albert P. Heeb '25, died September 2, 1996, in Connersville, Indiana.

Oliver F. Field '31, died November 27, 1996, in Crystal Lake, Illinois.

Walter R. Bernard Sr. '32, died October 23, 1996, in Celina, Ohio.

Francis W. Matthys '36, died in October 1996, in Homewood, Illinois.

Ernest L. Lanois '39, died January 3, 1997, in Brookfield, Wisconsin.

Roger D. Gustafson '46, died August 9, 1996, in Peoria, Illinois.

Donald E. Hummer Sr. '48, died July 14, 1996, in Perrysburg, Ohio.

William F. Nesbitt '53, died September 20, 1996, in Bricktown, New Jersey.

Richard G. Dytrych '54, died September 6, 1996, in North Palm Beach, Florida.

John W. Houck '55, died December 11, 1996, in South Bend, Indiana.

Robert F. Swiercz '56, died October 11, 1996, in North Hills, California.

Edward N. Kalamaros '59, died September 1, 1996, in Granger, Indiana.

Charles J. O'Malley '64, died November 23, 1996, in Cohasset, Massachusetts.

John E. Amerman '68, died November 12, 1996, in Grosse Pointe, Michigan.

Terrence W. Kadyszewski '74, died September 13, 1996, in West Palm Beach, Florida.

Kathleen M. Meyers-Grabemann '89, died September 27, 1996, in Morton Grove, Illinois.

Professor Hugh Fitzgerald, former visiting faculty scholar, died in September 1996, in Albuquerque, New Mexico.

Professor Louis Brown, friend of NDLS, died September 19, 1996, in Beverly Hills, California.

Hanging from the ceiling above the “pit” area of the Law School student lounge is an impressive collection of pennants representing the undergraduate institutions of many of our alumni and current students. To a current student, adding a new pennant to the collection or spotting one from his or her undergraduate institution already in the collection is a source of pride. To alumni, the collection evokes nostalgic feelings, as visitors viewing the current display configuration reminisce about earlier incarnations or recall circumstances — usually disappointing football games — under which particular pennants mysteriously disappeared. Few, however, know the history behind the collection.

It is an impressive collection both in size and in meaning. It honors the undergraduate institutions that have played important parts in the lives of our graduates. And it started — just like many “great ideas” around Notre Dame — as the theme for a party. It is the legacy of a group of men from the Class of 1982 known collectively as the “Back Row Bombers.”

In 1979–80, their first year of law school, classmates Mark Tallmadge, Greg Moore, Ed McNally and Jim Gates “distinguished” themselves in Professor Tex Dutile’s criminal law class, Professor Ed Murphy’s contracts class, and Professor Charlie Rice’s torts class by their style of class participation — which consisted largely of smart remarks hurled like bombs by nameless, faceless voices from the back rows. On April Fool’s Day 1980, an anonymous advertisement in *The Observer* — believed to have been the work of one or all of Professors Dutile, Murphy and Rice — dubbed the voices the “Back Row Bombers.” *The name* stuck.

In the spring of 1980, Gates, Moore and Tallmadge moved in together into a two-story loft near campus. According to Greg Moore, one of the trio’s prized possessions was a bar, complete with a Nash Kelvinator refrigerator, purchased from

some members of the Class of 1980. As Ed McNally remembers it, after the bar was installed, the space on the wall behind it was perfect for his large, rectangular Yale University pennant, which he donated to decorate the “Back Row Bar.” Tallmadge added his Notre Dame pennant, Moore his West Point pennant, and Gates his Belmont Abbey pennant. A collection was born.

To christen the prized bar, the Bombers decided to throw a party. But, like all good Notre Dame parties, this party needed a theme. The fledgling pennant collection served as the inspiration — bring a pennant, get free beer.

During their years at NDLS, the pennant collection continued to grow. As graduation approached, the Bombers’ collection contained nearly 40 pennants. Not sure what to do with the collection as they prepared to go their separate ways after graduation, the Bombers approached Dean Link with an offer to donate the pennants to the Law School. Ed McNally commented that Dean Link’s decision to accept the collection was made “without discussions with anyone else, without resolutions, without any conflict or controversy,” and within hours of the meeting, the nails went into the walls of the lounge, and the pennants became a part of NDLS history.

In the 15 years since the Bombers graduated, students have continued to add pennants to the collection, which now numbers approximately 218. Ed McNally, now an attorney with Altheimer & Gray in Chicago, is “delighted to see the growth over the years,” and enjoys seeing “ever-more obscure schools” added. Greg Moore, now a major with the United States Army in Tallahassee, Florida, is thrilled that something that started out in their loft as a mere party theme has become a permanent part of the Law School’s identity and character.

The pennant collection has become more than just a way to decorate a space. The variety of pennants represents the variety of places from which NDLS students come. Hanging them together in an important common area symbolizes the law school community that is created by bringing together individuals of varying backgrounds.

The Back Row Bombers’ antics certainly will live on in the memories of their classmates and professors for years to come. But their real contribution to the Law School, which will live forever through the pennant collection, is the sense of community spirit the collection inspires.

CHEER,
CHEER,
FOR OLD ...
Wherever!

Following is a list of pennants in the collection. If your undergraduate institution is not among those listed, please send us a pennant — any size, any shape — and we'll add it. We'd love to have a complete collection on display in time for the post-football game receptions in the fall.

Please send the pennants to:
Cathy Pieronek
Law School Relations Office
118 Law School
Notre Dame, IN 46556

Adrian College
Albion College
Allegheny College
Alma College
Andrews University
Aquinas College
Arizona State University
Assumption College
Auburn University
Augustana College
Baldwin-Wallace College
Ball State University
Belmont Abbey College
Benedictine College
Boise State University
Bowdoin College
Bowling Green State University
Bradley University
Brigham Young University
Brown University
Bucknell University
Butler University
Calvin College
Canisius College
Cardinal Newman College
Central Michigan University
Centre College of Kentucky
Chico State University
Claremont McKenna College
Clemson University
Colby College
Colgate University
College of St. Benedict
College of St. Catherine
College of St. Thomas
College of William and Mary
Concordia College
Cornell University
Creighton University
Dartmouth College
DePaul University
Dickinson College
Drake University
Drew University
Drexel University

Duquesne University
Eastern Kentucky University
Emporia State University
Evergreen State College
Fairfield University
Florida Atlantic University
Florida State University
Fordham University
Fort Hays State University
Fort Wayne Bible College
Franklin & Marshall College
Gannon University
Geneseo State
Gonzaga University
Grand Valley State University
Grinnell College
Hamilton College
Harvard University
Hendrix College
Hillsdale College
Holy Cross College
Hope College
Houghton College
Howard University
Illinois State University
Indiana State University
Indiana University
Iowa State University
John Carroll University
Juniata College
Kansas State University
Kent State University
Kenyon College
King's College
Knox College
Lafayette College
Lake Superior State University
LaSalle University
Lewis and Clark College
Lock Haven University of Pennsylvania
Longwood College
Louisville University
Loyola University of Baltimore
Loyola University of Chicago
Manhattan College
Manhattanville College
Marquette University
Marymount College of Kansas
Merrimack College
Messiah College
Miami University of Ohio
Michigan State University
Middlebury College
Montana State University
Morgan State University
Mount St. Mary's College
Muhlenberg College
New York University

North Carolina State University
Northeastern University
Northern Kentucky University
Northwestern University
Occidental College
Ohio Northern University
Ohio State University
Ohio Wesleyan University
Oklahoma State University
Pennsylvania State University
Pillsbury College
Pittsburg State University
Portland State University
Princeton University
Purdue University
Quincy College
Regis College
Rhodes College
Rockport College
Rollins College
Rutgers University
St. Ambrose College
St. Bonaventure University
St. Edward's University
St. John's University
St. Joseph's University
St. Lawrence University
St. Louis University
St. Mary's College of Minnesota
Saint Mary's College (Notre Dame, Indiana)
St. Xavier University
San Francisco State University
Seattle University
Siena College
Skidmore College
Slippery Rock University of Pennsylvania
Smits
Southern Illinois University
Southern Indiana University
Stetson University
Stonehill College
Suffolk University
SUNY at Albany
SUNY at Binghamton
Syracuse University
Texas A&M University
Tufts University
Tulane University
United States Military Academy at West Point
University of Arizona
University of Arkansas
University of Bridgeport
University of California at Berkeley
University of California at Los Angeles
University of California at San Diego
University of California at Santa Barbara
University of Central Florida

University of Chicago
University of Cincinnati
University of Colorado
University of Delaware
University of Detroit
University of Hawaii
University of Illinois
University of Illinois at Chicago
University of Kentucky
University of Manitoba
University of Memphis
University of Michigan
University of Minnesota
University of Mississippi
University of Missouri at Rolla
University of Montana
University of Nebraska
University of Nevada at Reno
University of New Hampshire
University of New Mexico
University of North Dakota
University of North Texas
University of Ohio
University of Oklahoma
University of Pittsburgh
University of Portland
University of San Diego
University of Santa Clara
University of Scranton
University of South Dakota
University of Southern California
University of Southern Louisiana
University of South Florida
University of Texas
University of Texas at El Paso
University of the District of Columbia
University of Utah
University of Virginia
University of Washington
University of Wisconsin
University of Wisconsin at LaCrosse
University of Wyoming
Valparaiso University
Victoria University
Virginia Tech
Wabash College
Wake Forest University
Washington and Lee University
Washington College
Washington State University
Weber State University
Wellesley College
Western Carolina University
Western Michigan University
Wheaton College
William Jewell College
Wright State University
Xavier University

United States Supreme Court Associate Justice Antonin Scalia visited NDLS in mid-February to participate in activities ranging from a large public lecture on constitutional interpretation, to judging the Forty-seventh Annual Final Argument of the NDLS Moot Court Competition, to teaching a constitutional law class.

Justice Scalia's busy two-day agenda began on Tuesday, February 11, 1997, with a public lecture entitled "Interpreting the Constitution." He spoke for nearly a half hour before a standing-room only crowd in DeBartolo Hall's largest auditorium on his "original meaning" theory of interpreting the constitution. He then spent nearly another half hour answering questions from the crowd of about 1,000. He used the question-and-answer session to clarify his views on his "original meaning" theory, carefully distinguishing it from an "original intent" theory; he declined, however, to answer questions of a more political nature, such as his views on the constitutionality of a balanced budget amendment.

Justice Scalia Visits NDLS



The remainder of his visit was devoted to activities at the Law School. Later that afternoon, he presided as chief justice at the Moot Court Final Argument, along with "associate justices"

Honorable Frank H. Easterbrook, judge in the U.S. Court of Appeals for the Seventh Circuit, and Honorable Randall T. Shepard, chief justice of the Indiana Supreme Court. At the conclusion of the

competition, the justices offered advice to the advocates and spectators, and then joined the advocates, their parents and the faculty for dinner.

On Wednesday, February 12, Justice Scalia taught Professor John Garvey's constitutional law class, and participated in an hour-long question-and-answer session with NDLS students and faculty. Like his Tuesday lecture in DeBartolo, Justice Scalia declined to answer political questions, and again used the session to expound on his "original meaning" theory of constitutional interpretation. But this smaller session had a much more intimate and much less political atmosphere as well. Justice Scalia spoke openly on his views about integrating his Catholic faith into his life as a jurist. He indicated that his Catholicism influences the way he lives his life as a husband and father and citizen more than it influences the way he makes his decisions from the bench. He acknowledged that, at times, his own decisions disturb him as a Catholic, but nevertheless, he firmly believes that the bench is not the place to propagate personal views. He also spent a great deal of time cautioning the audience about sacrificing family in favor of career. He noted that, today in Washington, little league teams, soccer teams and the like increasingly are being coached by military officers, who keep more regular schedules than attorneys and politicians. He wonders what message this is sending to children, when parents who are professionals cannot find the time to be with their families. He also expressed dismay at the loss of collegiality within the profession.

Before departing NDLS, Justice Scalia had the opportunity to participate in another Law School tradition. He attended Ash Wednesday Mass at the Alumni Hall chapel with students, faculty and staff.

The highlight of Justice Antonin Scalia's visit to NDLS in mid-February was his presiding as chief justice over the Forty-seventh Annual Final Argument of the NDLS Moot Court Competition. Justice Scalia was joined on the bench by Honorable Frank H. Easterbrook, judge in the United States Court of Appeals for the Seventh Circuit, and Honorable Randall T. Shepard, chief justice of the Indiana Supreme Court, for the hour-long argument.

The Moot Court Final Argument is the result of nearly two years of preparation by the team of third-year students, which consisted of Kathleen Ley of Madison, Wisconsin, and Karen Dixon of



Pittsburg, Kansas, representing the petitioner State of Windsor, and Christina Henriques of Hollywood, Florida, and Adam Brezine of Lake Forest, Illinois, representing the respondent John Doe (pictured at left). The students were aided in preparation by Moot Court Executive Directors Amy Dixon of Mars Hill, North Carolina, and Jennifer Dole of Williamsville, New York; by Moot Court Board Members Deepa Iyer of Louisville, Kentucky, Karen McGill of West Chester, Pennsylvania, Scott Sroka of West

Seneca, New York, and Michael Starzan of Port Jervis, New York; and by faculty advisor, Associate Dean Jack Pratt.

The students begin preparing for this competition through the first-year moot court class, in which every 1L participates. In the second year, students may elect to participate in four rounds of appellate argument before courts whose membership includes practicing attorneys, faculty members and third-year law students. The highest-ranking participants in the 2L program represent NDLS in a national competition in their third year. This year's competition was held in Chicago in November of 1996.

The advocates argued two issues before the justices: one involving the application of the Prison Litigation Reform Act of 1995, and the other involving a sex offender registration act that had *Ex Post Facto* Clause implications. The justices peppered the advocates with questions on a variety of topics including theories of statutory interpretation, retroactive application of laws, and the *Ex Post Facto* Clause. The advocates did a terrific job, responding to the justices' questions and remembering to make the key points in their arguments.

At the conclusion of the argument, the justices declined to declare a winning team, but did compliment all four advocates on their ability to answer questions, engage the justices in conversation, and generally remain poised during the onslaught of questions. The justices then offered advice to the advocates and the spectators on appellate advocacy in general. Specifically, each of the justices took the opportunity to educate those present on the purpose of arguing before appellate court judges — that is, that appellate argument should be looked upon as an opportunity for a conversation with the judges to persuade them to accept a particular point of view, rather than as merely one more opportunity to make points already enumerated in a brief. It was a great educational experience for all present.

Scalia Presides over NDLS Moot Court

Alumni Activities Around the Country

The Law School Relations Office has begun a concerted effort to provide activities such as CLE programs and other social/networking opportunities to NDLS alumni — as well as all Notre Dame lawyers — around the country. We intend to organize these events through local Notre Dame Alumni Association city or regional clubs wherever possible. So — join your local alumni club to get up-to-date information on NDLS programs and activities in your area. If you're interested in organizing or sponsoring some of these activities, contact the Law School Relations Office at (219) 631-6891. If you need to know the alumni club contact in your local area, contact the University's Alumni Association at (219) 631-6000 or call your regional director, listed on page 48.

News from the Law School Relations Office

Ethics and Football

What do ethics and football have in common? Lots — at least at NDLS with our newly inaugurated series of mini Continuing Legal Education in Legal Ethics seminars held on the mornings of selected home football games.

We held our first such session on Saturday, November 23, 1996 — the morning of the ND-Rutgers football game. Approximately 60 people gathered in the courtroom at 8 a.m. to participate in a two-hour CLE program in legal ethics featuring Dean David T. Link speaking on "A Return to the Roots of the Profession — Lawyers as Healers and Peacemakers," and Professor John H. Robinson speaking on "And the Two Shall Become One Flesh . . ." — The Ethical Constraints on Joint Representation in Estate Planning." The participants engaged both Dean Link and

Professor Robinson in lively debates on these important ethical issues. Although some participants found the 8 a.m. start time a little rough, all commented that the format, and especially the presenters, made for a most enjoyable and affordable way of earning much-needed CLE credit.

Because response to this program was so overwhelmingly positive, the Law School Relations Office is planning to offer at least three, and maybe four, similar sessions during the 1997 football season:

- Sept. 6 (tentative): ND vs. Georgia Tech
- Sept. 20: ND vs. Michigan State
- Oct. 25: ND vs. Boston College
- Nov. 22: ND vs. West Virginia

The 8 a.m. start time will leave plenty of time to enjoy campus activities before each game. The cost for each program is \$50, and a limited number of football game tickets will be available for purchase by the seminar participants.

Make your plans now to participate in these exciting and worthwhile programs. For more information, contact Cathy Pieronek at the Law School Relations Office, (219) 631-6891, or e-mail, catherine.f.pieronek.1@nd.edu.

Reunion '97

On June 6–8, 1997, the University is planning its annual reunion — this year for all those whose class years end in "2" or "7." All NDLS graduates are encouraged to attend, and are especially welcome to participate in the activities that the Law School has planned, including:

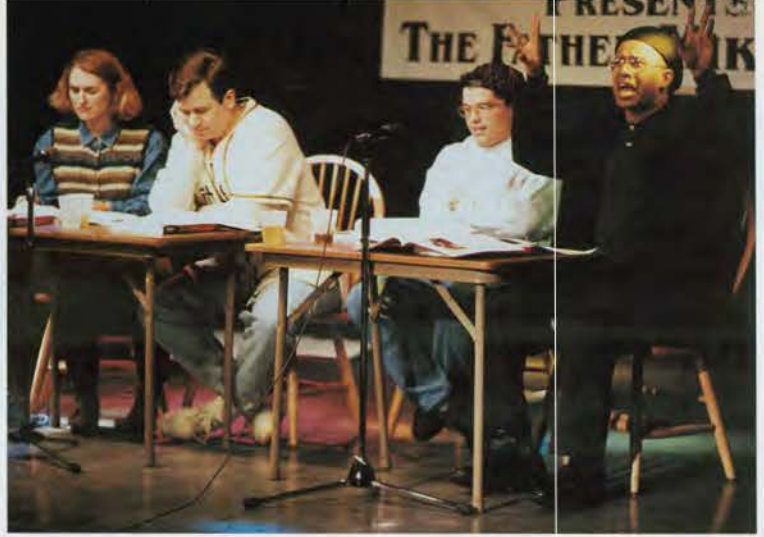
- a 10-credit Continuing Legal Education program on June 5–6
 - early on-campus housing will be available on Wednesday and Thursday
 - the program will be offered to members of the Class of 1992 and their spouses or guests at a reduced rate
- an all-classes Law School dinner on Friday night, June 6
 - a great opportunity to socialize with classmates and former professors
- a Law School Mass and Open House on Saturday morning, June 7
 - including tours of the building

In addition, the University has a host of other activities planned, including lectures and seminars; an all-classes Mass, dinner and dance; and lots of time to socialize in the hospitality tents on the quads.

Look for your Reunion '97 mailing soon. For more information, contact the University's Alumni Reunion Office at (219) 631-6199.



Some of the faculty "bratpack" showcasing their talents: Professors Lisa Schiltz, Pat Schiltz, Bill Kelley and Rev. Reggie Whitt.



Father Mike Talent Show

The 10th annual Father Mike Talent Show, held February 21, 1997, at the Alumni-Senior Club on campus, drew a standing-room only crowd of about 350 — easily the largest attendance in the show's history — and raised \$2,000 for the McCafferty Fellowship Fund. And it proved to be a very entertaining event. Those in attendance were treated to one of the best — if not the best — talent show in recent memory.

Members of the Class of 1997 who showcased their musical talent included:

Andy Bettwy of Las Vegas, Nevada; Joe Byrne of Los Angeles, California; Chris Kukla of Hanover Park, Illinois; Sean Litton of Ada, Michigan; Craig Prins of Grants Pass, Oregon; and Mitch "Billy Joel" Silver of Dix Hills, New York. Movies and television provided the theme for several acts as well: A group of 3Ls produced a video, "Mission: Impossible," which featured cameo appearances

by Dean Link, Professor Rice and Dawn Meyer of WNDU-TV; another group of 3Ls parodied the James Bond movies in their original skit; and some 1L men got into the act as well with their version of the MTV dating-game show "Singled Out," featuring "faculty members" as contestants. Mark Woodmansee '96 made a special guest appearance, reprising his eerily accurate impression of Professor Charlie Rice.

Faculty highlights included Professor Tex Dutille singing his own "Ballad of John Wayne Bobbitt"; and two performances by the faculty "Brat Pack" (Professors Matt Barrett, Cathy Kaveny, Bill Kelley, Lisa Schiltz, Pat Schiltz and Rev. Reggie Whitt) — one in which the faculty, posing as students, parodied themselves in a skit about the semi-annual ordeal of course selection.

Professor John Robinson rounded out the evening with his narration of a "greatest hits" video showcasing alleged talent from earlier Father Mike Shows. Highlights included the late Professor Ed Murphy and his Osceola Mountain Boys band, and "The Supremes" featuring Professor Terry Phelps, Vice President Patty O'Hara, and Vice President and Associate Provost Carol Mooney.

The talent show was more than just a fun three hours' worth of entertainment. It brought faculty and students together to raise money for a very worthy cause, and served as a strong reminder of the spirit of community that Father Mike worked so hard to foster during his all-too-brief 10 years at NDLS. It was a fitting way to begin the year-long celebration of his life.

THE McCafferty CELEBRATION

This year marks the 10th anniversary of the death of Rev. Michael McCafferty, C.S.C., member of NDLS Class of 1973, member of the faculty from 1978 to 1987, and assistant dean of students at NDLS from 1979 to 1982. NDLS has

dedicated 1997 to celebrate Father Mike's life. We've planned a number of events to honor him and to remind us all of his impact on the Law School.

On February 21, 1997, the student body, faculty, and some NDLS alumni kicked off the year-long celebration with the 10th annual Father Mike Talent Show, which drew its biggest crowd ever and raised \$2,000 for the McCafferty Fellowship Fund.

In April, the Law School will celebrate the anniversary of Father Mike's ordination with a special Mass.

On June 13, 1997, the alumni portion of the celebration will begin with a golf outing, Mass and dinner in Father Mike's honor. Lou Weber '85 and Tim Rooney '82 of Chicago are the alumni chairs for the event. Those NDLS alumni who were students while Father Mike himself was a student at NDLS or while Father Mike served on the faculty will be receiving invitations to participate in this special event. The alumni celebration will continue into the fall semester, with the post-game receptions and weekend Law School Masses dedicated to Father Mike.

If you would like more information on this celebration, contact the Law School Relations Office at (219) 631-6891.



News from the Admissions Office

Alumni Recruiters

Every fall, NDLS alumni assist with recruitment efforts at law fairs on behalf of the Admissions Office. Volunteers who were so generous with their time this year included: Carlos Acosta '90, John Amarante '87, Charles Ashdown '86, Brian E. Bates '86, John Beisheim '88, Sheila Castilla '94, Maureen O. Dowd '85, Franklin Eck '89, Teresa Ereon Giltner '86, Wendy Gotway '95, Donald Held '96, Adam Hirschfeld '94, Richard Holzheimer '96, Andrea Larkin '83, John Mowbray '76, Todd Nelson '88, Christina Pesoli '91, Scott Richburg '95, Charles Sacher '64, Patricia Smith '91, Jeremy Trahan '96, Karl Ulrich '86, Mike Willson '95, Katherine Zelenock '91 and Mario Zepponi '88.

The Admissions Office continues to seek alumni volunteers to contact admitted students to discuss their future enrollment at NDLS. If you are interested in assisting, please e-mail Anne.C.Hamilton.4@nd.edu or Heather.M.Moriconi.1@nd.edu, or call (219) 631-6626.

Pre-Law Advisor Weekends

On two weekends in October, the faculty and Law School Admissions Office staff hosted eight pre-law advisors, including: William Corwin from Princeton University; Charles Longley from Bucknell University; Kazi Mamun from the University of Southern California; Gloria Myklebust from Claremont College; Ava Preacher from the University of Notre Dame; J. Howell Smith from Wake Forest University; Peter VanHouten from the University of California at Berkeley; and Charlotte Wray from New York University. The visitors were treated to an insider's view of the community by attending classes with student hosts; meeting with journal editors, deans, faculty and administrative staff; and viewing videos on all aspects of life at NDLS. These sessions were so successful in raising awareness of the type of education NDLS offers that additional similar weekends are planned for late spring and next fall.

NDLS Scores High in Gourman Report

The Law School finds itself in select company in the current edition of *The Gourman Report: A Rating of the Graduate and Professional Programs in American and International Universities*. With a score of 4.67 out of a possible 5.0, NDLS ranked 18th among the 175 law schools evaluated. This places NDLS in the "very strong" category, which consists of the top 20 law schools.

Admissions Update

The efforts of our alumni and the outreach to pre-law advisors have resulted in an increased interest in NDLS. Top-quality applications continued to arrive at a steady pace until the application deadline on March 1, 1997, for the class entering this fall. Decisions on the Class of 2000 are forthcoming.

If you know an outstanding pre-law student whom you believe would be an asset to NDLS, please call Director Anne Hamilton or Assistant Director Heather Moriconi at the Admissions Office, (219) 631-6626, and they will send the candidate an application.

NDLS Advances in U.S. News & World Report Rankings

The Law School has been ranked 21st overall in *U.S. News & World Report* magazine's annual ranking of the nation's best graduate schools.

Notre Dame moved up four places from its 1996 position of 25th.

News from the Legal Aid Clinic

Immigration Clinic

The second semester started with interns and the supervising attorney reviewing the new immigration statute and regulations and revising the workings of the Immigration Clinic to accommodate changes. Three days before Christmas, the INS raided factories in Goshen and Elkhart and — on the spot — deported people to Mexico. The immediate deportation of these workers left their children, who were in school at the time, with no idea that their parents no longer

were in the United States. This raid, understandably, caused much concern in the community. Consequently, Barbara Gasperetti, clinic co-director and associate professional specialist, spent a day in Goshen speaking with the Goshen School Board, community leaders and employers about the new statute and its possible effects on the community. Other meetings with the community, in which NDLS students will give presentations as well, are scheduled for later this semester. The Immigration Clinic currently has 127 cases to handle, and has had to declare a moratorium on accepting new cases.

News from the Career Services Office

Notre Dame Law School alumni have played a major role in this year's Career Services Office (CSO) programming. Throughout the year, the CSO calls upon NDLS alumni around the country to provide assistance to students who are conducting their job searches. These CSO Network contacts are not asked to "find a job" for a student, but rather are asked to provide information about the legal market in their cities, assist with establishing contacts for students, and provide moral support during an obviously stressful time. Graduates including Frank Kros '93 and Mike Pietrykowski '83, both from Southern California, Paul Titus '61 from Pittsburgh and Dan Sherman '88 from Chicago have been instrumental in assisting individual students as they embark upon their professional careers.

Last fall, the CSO sponsored a "mock interview" program for any student who wanted to participate. Organized by CSO Associate Director Lisa Bolanz, the mock interview program allowed students to "interview" with legal practitioners from the South Bend area. The mock interviews took place on campus and allowed second- and third-year students to test their interviewing skills before jumping into the regularly scheduled on-campus interview season. South Bend-area alumni including Kent Rowe '55, Patrick Doran '86, Bill Webb '93 and Cheryl Green '96 interviewed students for clerking and associate positions at the fictitious law firm of Hoynes, Aquinas & More. The practitioners also spent a few minutes providing feedback to the students. Students and alumni alike commented on the positive experience. One student asked, "Should I really expect my 'real' interviewers to be so nice?" Absolutely — if the interviewer is an NDLS alum!

Are you interested in hiring a Notre Dame law student?

Call the Career Services Office at (219) 631-7542 to find out how you can employ a Notre Dame law student as a law clerk or associate in your office. You can't go wrong with a Notre Dame lawyer!

Immigration Intern of the Month

Katherine DiSalle '97 of South Bend, Indiana, was named "Immigration Intern of the Month" for February. She had a successful debut in court in Chicago and, as a result of her persistence with the U.S. Consulates in Rwanda and Belgium, two Rwandan clients have been reunited with their families. Three more Rwandans and a Nigerian journalist currently are seeking asylum in the United States through the NDLS office.

Medical Ethics Sessions

NDLS Professor Tom Shaffer and University Professor Kevin McDonnell, who teaches ethics to students in the joint ND-IUSB medical school program, have organized a series of sessions between Legal Aid Clinic faculty and students and the faculty and students of the medical program to discuss issues of mutual interest. The first session dealt with the topic of advance directives. The second session addressed medical malpractice.

First-Year Class Representatives Elected

In September, the Class of 1999 elected representatives to serve on the Student Bar Association and the Honor Council for the 1996-97 academic year. Of 14 candidates for SBA representative, the class elected Jonathan Coury of Phoenix, Arizona; Alex Nakis of Hollywood, Florida; and Jean Seidler of Modesto, California. Of 13 candidates for Honor Council representative, the class elected Stacy Soper of St. Joseph, Michigan; Chuck Topping of Naperville, Illinois; and Ethan York of Kalamazoo, Michigan.

Battling Barristers

This past February, the Law School again was well-represented at the annual Bengal Bouts boxing tournament. Kevin "Motion to Strike" Murphy '99 of Morganville, New Jersey, and Jeevan "Black Death" Subbiah '98 of Cincinnati, Ohio, competed admirably in the 157-pound weight class, but did not advance beyond the quarterfinals. Craig "Sasquatch" Prins '97 of Grants Pass, Oregon, won his quarterfinal bout in the 190-pound weight class but was defeated in the semifinal round. Todd "Damage Control, Inc." Carcelli '98 of South Bend, Indiana, however, brought great pride to NDLS by prevailing in the 190-pound weight class. Professor Charlie Rice again lent his expertise in training and coaching these young men. We're proud of these young men and the way they showed their support for the Holy Cross missions in Bangladesh.



News from the Development Office

A Call to (the) Order

D A V I D M . M O R R I S S E Y



ORDER
-OF-
ST.
THOMAS
MORE

For the past 15 years, alumni and other friends whose financial support of NDLS reached \$1,000 or more annually have been recognized as members of the Order of St. Thomas More. With little fanfare, these individuals have provided significant resources to aid in the Law School's growth and continued advancement. The time has now come to give added recognition to these individuals who make the decision to support, at the necessary level of giving, the oldest Catholic law school in the United States and one of the nation's outstanding centers of teaching, research and service.

For the first time since its inception in 1982, the Order of St. Thomas More has selected a chair to present, and represent, the order to the Law School community. Patrick F. McCartan '59, a member of the University's Board of Trustees since 1989, was named the order's chairman last September by University President Rev. Edward A. Malloy, C.S.C. McCartan is the managing partner of Jones, Day, Reavis & Pogue, the nation's second-largest law firm.

During his brief time as chairman, McCartan actively has been promoting the importance of increasing membership in the Order of St. Thomas More. On December 3, George P. McAndrews '62, senior partner at the law firm of McAndrews, Held & Malloy, hosted a reception in Chicago. The following day, Robert W. "Bert" Goodson '76, a partner

at the law firm of Carr, Goodson, Lee & Warner, and Thomas D. Yannucci '76, a senior partner at Kirkland & Ellis, hosted a luncheon in Washington, D.C. (Chicago and Washington, D.C., represent two of the top three concentrations of NDLS graduates in the country. Interestingly, South Bend and its surrounding communities have the second largest concentration of NDLS graduates.) At each event, Dean David T. Link and McCartan both addressed those gathered on the state of the Law School and on the importance of the Order of St. Thomas More to the future successes of NDLS.

Also in December, McCartan sent a letter to every NDLS graduate addressing the importance of the order and the benefits of membership. Specifically, the order recognizes those who support and promote the ideals and values that have been the hallmark of NDLS throughout the years.

This new effort to add members to the order will build on an already excellent record that shows nearly 45 percent of NDLS graduates supporting either the Law School or another University program. We hope to raise the philanthropic sights of those who have been supportive in the past, and welcome them into the ranks of the order. Membership will provide individuals with the same benefits that currently are enjoyed by those who belong to the University's phenomenally successful Edward Frederick Sorin Society.

Law School Advisory Council Additions

University President: Rev. Edward A. Malloy, C.S.C., has appointed five NDLS alumni to the Law School Advisory Council:

JoAnn Chavez '90, of Mexico City, Mexico;

Yvette I. Flores '89, of Oak Brook, Illinois;

Robert H. Kurnick Jr. '86, of Troy, Michigan;

Robert W. Schmiege '66, of Chicago, Illinois;

and

Kathryn L. Smith '93, of Phoenix, Arizona.

David M. Morrissey moved last May to South Bend from Los Angeles, where for 16 years he directed the University's regional development office for the western United States and the Far East. He now heads up a new University Relations department, International and Public Policy Advancement. Included in his responsibilities is organization of the Law School's development program.

Information Technology in the Kresge Library

J A N I S L . J O H N S T O N

The digital information age is upon us and it is exciting. In addition to the traditional book format, there are some exciting information technologies now in use in the Kresge Library. We are proud to be a leader in introducing technological innovation to faculty and students alike. Here are some of the ways new technologies have been implemented to provide information to our patrons.

The Kresge Library was one of the first academic law libraries to create permanent learning centers for Lexis and Westlaw. In the mid-1980s, both systems provided hardware and software to provide our students with unlimited access to computer-assisted legal research. Throughout the last decade, both service providers have continued to heavily subsidize faculty and student use of these expanding and vital information sources. We are proud to send new lawyers into practice with extensive experience in both manual and automated legal research.

Many important collections of legal documents and records no longer can be purchased in paper or any other format, but the Law Library has been fortunate to acquire these materials in microform. We currently have the equivalent of 194,000 volumes in microformats, comprising roughly 40 percent of our collection. Microfilm and microfiche are excellent examples of a technology that, while not new, continues to enhance the library's collection by providing a wealth of titles unavailable in other formats.

However, we all know that, whatever the advantages of materials in microformat, no one wants to spend hours reading from a machine. Therefore, we currently own two highly sophisticated microform reader/printers that produce easy-to-read paper copies.

CD-ROMs are a marvel of digital technology. One small disc holds volumes of information. We currently have over 100 titles on CDs, and the number is growing every day. Our patrons and librarians find that our CD-ROM collection of indices, statutes and treaties saves an enormous amount of time in the research process.

This past summer, new Pentium computers were installed in our computer laboratory to provide high-quality computing support for student needs. From these machines, our students are able to access Westlaw and Lexis, the Internet, the law school network, and a series of interactive computer exercises designed to improve their understanding of substantive courses through Computer Assisted Legal Instruction (CALI), which produces exercises that allow students to have instant feedback while reviewing principles learned in the classroom.

Our research librarians, four law- and library science-trained professionals, make extensive use of the Internet to locate legal information from around the world. With increasing interest in international law and the growing globalization of legal practice, more and more research questions involve foreign and international law sources — many of which are accessible through the Internet. The variety of information found on the Internet has proven to be an important

addition to the information resources we provide to faculty and students.

Conversely, we also welcome the world to our door with the Kresge Library homepage on the World Wide Web. Our address is <http://www.nd.edu/~lawlib>. Our homepage provides information on the library's services, collections and personnel, as well as access to our online catalog.

We also were very pleased last summer to introduce to the law school community our Library Information Network (LINK), our new online catalog that provides author, title, subject and keyword access to materials in the library collection.

For several years, the Kresge Library has had a scanner available that "reads" a printed page and converts it to a digitized form. While not without its problems, this is a developing technology of immense potential in the manipulation and use of information.

All of these new technologies are of great importance for retrieval, storage and dissemination — but does this mean that the book is dead? We think not. Contrary to much speculation, books are alive and well and being published in record numbers. To date, no medium has matched the book for readability, ease of use, portability and economy. Even as we move into the digital age, a significant portion of legal information continues to be published in book format only.

At the Kresge Library, we look forward to a future in which legal information is available both in traditional as well as in exciting new technological formats. Stop by the next time you are on campus. We'd be glad to show you around.

Lost Alumni Update

As a result of both your response to our request for information on lost classmates, as well as the efforts of the staff of the University's Development Office, as of April 1 we have confirmed the whereabouts of 30 of the 285 "Lost Alumni" listed in the last issue of the *Louyer*.

Of those 30, three have been reported deceased: **Robert E. Duffy** '31, died in 1931; **William J. Glass** '32, died in the early 1960s; and **Russell T. VanKeuren** '51, died in 1994 or 1995 in Houston, Texas.

Most of the rest told us that they enjoyed receiving calls and letters from classmates informing them of their "lost" status, and are happy to be on the "active" list again. We have leads out on another dozen or so, and will continue our sleuthing efforts until everyone is accounted for.

Unfortunately, during that same time period, we lost another 16, whose names are listed below. If you can supply us with any information — either a home or a business address, or even a "last known" address, we can get to work on finding your classmates.

1944 — *Richard Brydges*

1948 — *James Sullivan*

1972 — *James Gorman*

— *Peter Martin*

— *Dennis Yoder*

1977 — *Robert Kelley*

1983 — *John Dougherty*

1985 — *Portia Douglas*

— *Margaret Arola Ford*

1987 — *Francis O'Connell*

— *Jonathan VanLoan*

1990 — *Kevin Bogucki*

1991 — *Pamela Voich*

1993 — *Kimberly Finlaw*

1995 — *Justine Slivka*

1996 — *Alexander Bolkvadze (LL.M.)*

And don't forget — if either your home or business address has changed, notify our office at (219) 631-6891 or by fax at (219) 631-4789. We'll make sure that the University's records are updated as well.

NOTRE DAME LAW SCHOOL ADMINISTRATION

Rev. Edward A. Malloy, C.S.C.
President

David T. Link, J.D.
Joseph A. Matson Dean

Fernand N. Dutille, J.D.
Associate Dean

Roger F. Jacobs, M.A.L.S., J.D.
Director of the Kresge Library
and Associate Dean

Walter F. Pratt Jr., D.Phil., J.D.
Associate Dean for Academic Affairs

Patricia C. Leonard, J.D.
Assistant Dean for Administration

NOTRE DAME ALUMNI ASSOCIATION BOARD OF DIRECTORS

President

Rod West, New Orleans, Louisiana
(504) 582-8366

Region 1: Alaska, Hawaii, Northern California, Northern Nevada, Oregon, Washington

Beth Toomey, Seattle, Washington
(206) 325-5847

Region 2: Colorado, Montana, New Mexico, South Dakota (Black Hills), Utah, Wyoming, Calgary (Alberta, Canada)

David Johnson, Colorado Springs, Colorado
(719) 473-8577

Region 3: Arizona, Southern California, Southern Nevada, Mexico

Bob Franken, Phoenix, Arizona
(602) 997-5425
(President-elect)

Region 4: Minnesota, North Dakota, South Dakota (except Black Hills), Wisconsin

Gary Zimmerman, Hartland, Wisconsin
(414) 476-9500

Region 5: Iowa, Kansas, Missouri, Nebraska

Joe Joyce, Des Moines, Iowa
(515) 285-1937

Region 6: Illinois (except Cook County), Northwest Indiana

John Eck, Springfield, Illinois
(217) 528-3277

Region 7: Michigan

Terry Joiner, M.D., Ann Arbor, Michigan
(313) 996-8915

Region 8: Indiana (except Northwest Indiana), Kentucky

Gene Cavanaugh, Mishawaka, Indiana
(219) 259-0691

Region 9: Ohio, West Virginia, Western Pennsylvania

Teri Sullivan Madden, Cincinnati, Ohio
(513) 271-8484

Region 10: New Jersey, Southern Connecticut, Southern New York

Joe McQuade, Pelham Manor, New York
(914) 738-4508

Region 11: Maine, Massachusetts, New Hampshire, Northern Connecticut, Rhode Island, Vermont

Kevin Kearney, Ph.D., Worcester, Massachusetts
(508) 791-0808

Region 12: District of Columbia, Delaware, Maryland, Eastern Pennsylvania, Virginia

Jim Coolahan Jr., Ellicott City, Maryland
(410) 461-1491

Region 13: Oklahoma, Texas

Lary Leach, Dallas, Texas
(214) 239-1832

Region 14: Alabama, Arkansas, Louisiana, Mississippi, Tennessee

Sonnie Hereford, Maclison, Alabama
(205) 722-0369

Region 15: Georgia, North Carolina, South Carolina

Roland Kohlbeck, Mount Pleasant, South Carolina
(803) 884-5373

Region 16: Cook County (Illinois)

Mike Roche, Evanston, Illinois
(708) 677-3829

Region 17: Florida, Puerto Rico

Harry Durkin, Fort Lauderdale, Florida
(954) 771-6773

Region 18: Northern New York, Toronto (Canada)

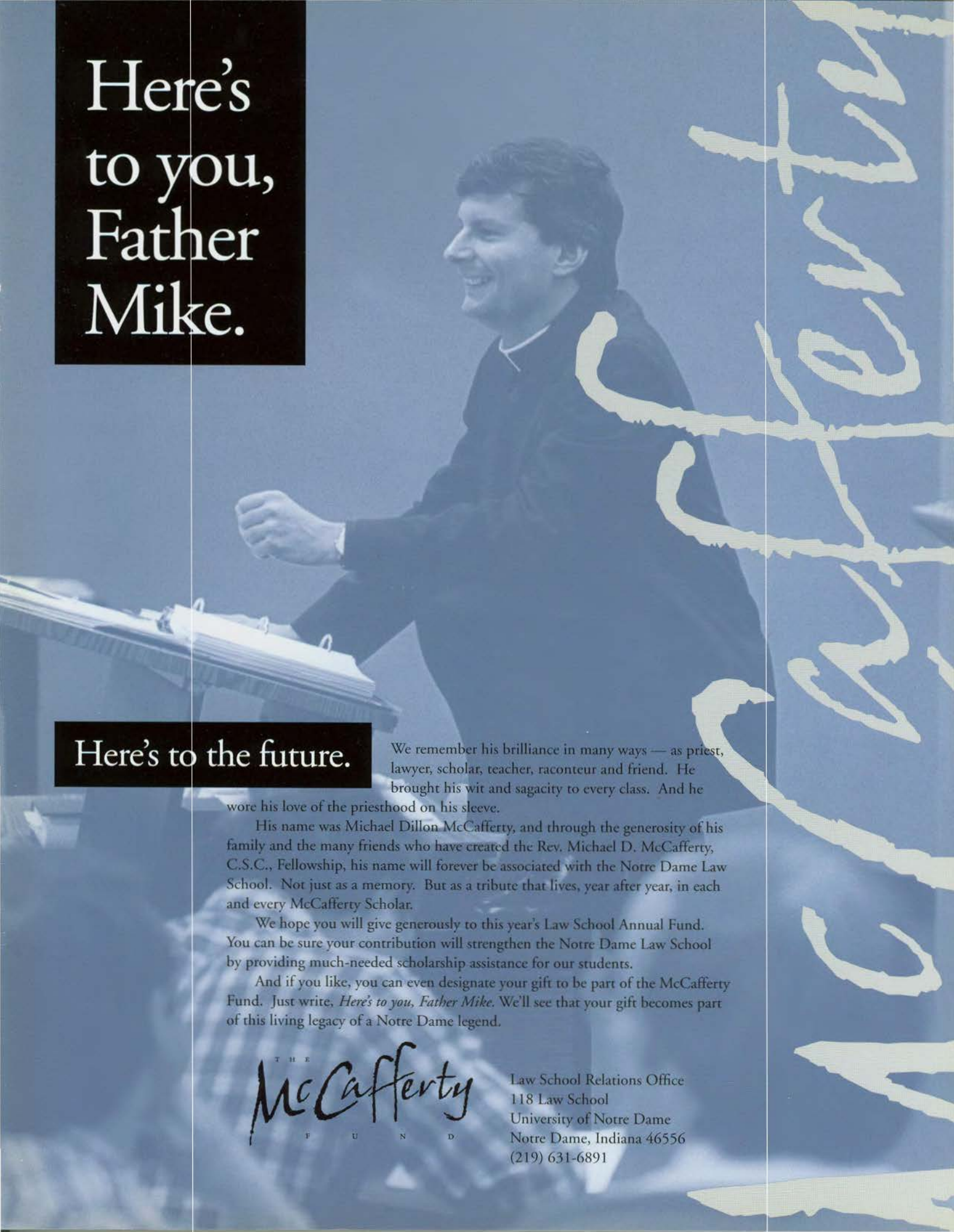
Sidney Wilkin, Rochester, New York
(716) 271-0586

At-Large Directors

Cindy Broderick Provost,
Colorado Springs, Colorado
(719) 495-9661

Shannon Brewster, Knoxville, Tennessee
(423) 693-1246

Debra Grady, Rapid City, South Dakota
(605) 342-0488



Here's
to you,
Father
Mike.

Here's to the future.

We remember his brilliance in many ways — as priest, lawyer, scholar, teacher, raconteur and friend. He brought his wit and sagacity to every class. And he wore his love of the priesthood on his sleeve.

His name was Michael Dillon McCafferty, and through the generosity of his family and the many friends who have created the Rev. Michael D. McCafferty, C.S.C., Fellowship, his name will forever be associated with the Notre Dame Law School. Not just as a memory. But as a tribute that lives, year after year, in each and every McCafferty Scholar.

We hope you will give generously to this year's Law School Annual Fund. You can be sure your contribution will strengthen the Notre Dame Law School by providing much-needed scholarship assistance for our students.

And if you like, you can even designate your gift to be part of the McCafferty Fund. Just write, *Here's to you, Father Mike*. We'll see that your gift becomes part of this living legacy of a Notre Dame legend.

THE
McCafferty
FUND

Law School Relations Office
118 Law School
University of Notre Dame
Notre Dame, Indiana 46556
(219) 631-6891