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Notre Dame Lawyer - Spring 1998

Notre Dame Law School

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NOTRE
DAME

Kresge Law Library

A Window to the World
of Legal Research

LAWYER

SPRING 1998

Dear Notre Dame Lawyer and Friend,

It is with mixed emotions that I write this, my last letter, as editor of the *Notre Dame Lawyer*. I will be leaving my position as of July 1, when I go on maternity leave to have my third child. Although I will return to the Law School this fall, I will do so in a different capacity. I will remain involved with the magazine, but only as a periodic author.

It has truly been a pleasure working on the *Lawyer* these past years. What started four years ago as an annual newsletter has blossomed into a full-fledged magazine published three times a year. Although a few skeptics wondered whether we could find enough quality material for three issues each year, I am sure you will agree that not only have we been able to meet their challenge, but we have exceeded all expectations. This is due in large part to the superior talents of Cathy Pieronek, my managing editor. As I have mentioned in the past, she is truly the backbone of this publication, and I want to take this time to thank her for her dedication and hard work.

I know Cathy would agree with me that the success of the *Lawyer* is due to the fact that we have such a wonderful story to tell. I want to thank each and every one of you for inspiring us to tell our story. You, our loyal and supportive alumni, make *Notre Dame Lawyer* the successful publication that it is.

I have truly enjoyed working with you these past four years, and hope to keep in touch as I assume my new responsibilities this fall.

Best wishes,



Kitty Cooney Hoye

1998 Calendar of Events

April 22-25, 1998	University Alumni Senate Notre Dame Law Association Spring Meeting
April 23, 1998	Alumni Reception Indiana State Bar Association Annual Meeting Hyatt Regency Hotel; Indianapolis
May 7, 1998	Alumni Reception Ohio State Bar Association Annual Meeting Crowne Plaza Hotel; Dayton
May 15-17, 1998	Commencement Weekend
June 4-5, 1998	Reunion '98 Continuing Legal Education
June 5-7, 1998	University Alumni Reunion '98
June 11, 1998	Alumni Reception Arizona State Bar Association Annual Meeting Westin La Paloma Resort; Tucson
June 15, 1998	Deadline for submissions for <i>Notre Dame Lawyer</i> , Summer 1998
August 2, 1998	Alumni Reception American Bar Association Annual Meeting Location TBA; Toronto, Ontario, Canada
September 5, 1998	Home football: ND vs. Michigan
September 25-27, 1998	NDLS Class of 1988 — 10th Reunion Weekend
September 26, 1998	CLE in Ethics Program Home football: ND vs. Purdue
October 2, 1998	Notre Dame Law Association Fall Meeting
October 2-4, 1998	NDLS Class of 1968 — 30th Reunion Weekend Home football: ND vs. Stanford
October 15, 1998	Deadline for submissions for <i>Notre Dame Lawyer</i> , Fall/Winter 1998
October 23-25, 1998	NDLS Class of 1978 — 20th Reunion Weekend
October 24, 1998	CLE in Ethics Program Home football: ND vs. Army
October 31, 1998	Home football: ND vs. Baylor
November 12-13, 1998	Bioethics and the Law Symposium in Washington, D.C. Co-sponsored by the Notre Dame Club of Washington, D.C., and the Thomas J. White Center on Law and Government
November 20, 1998	Law School Advisory Council Annual Meeting
November 21, 1998	CLE in Ethics Program Home football: ND vs. Louisiana State

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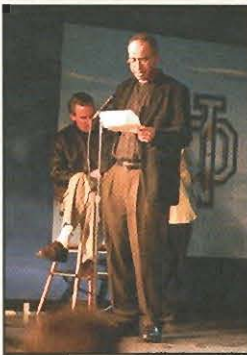
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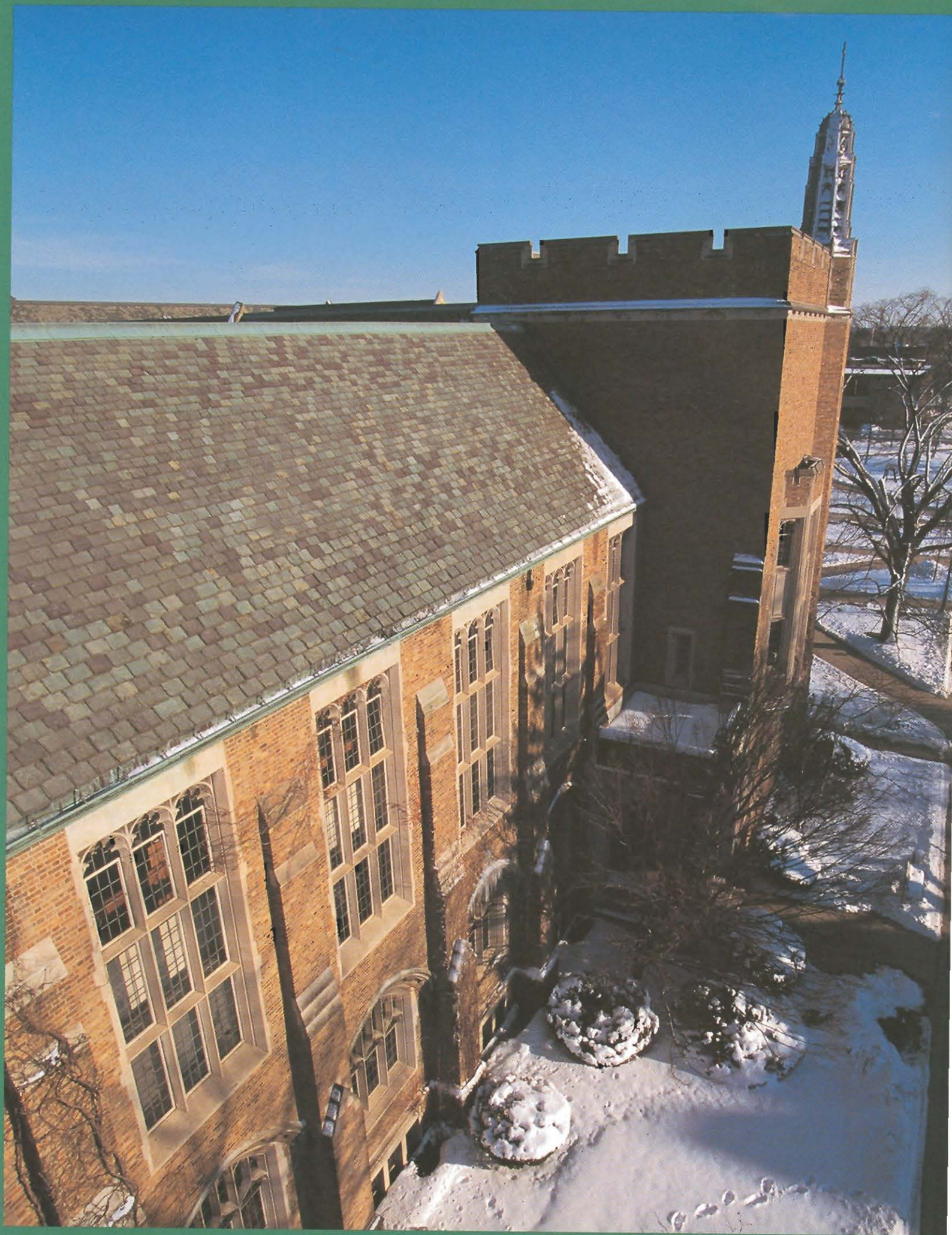
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F R O M T H E D E A N

Tradition. At Notre Dame, "tradition" is more than a musty old word evoking memories of "the way we always do things." It represents a shared history, common across the generations, that binds us together as a family. And it forms the framework within which we strive for excellence in a way that uniquely defines Notre Dame.

We foster traditions that inspire fond memories. Last June, for example, we remembered the life of Rev. Michael D. McCafferty, C.S.C., on the occasion of the 10th anniversary of his death. We recalled the spirit of life he brought to his work as a priest, as a professor of law and as an administrator. And we recall the spirit of faith and hope he brought to all of us as he suffered through his illness.

This year, we will continue our tradition of remembering those who have brought us to where we are by remembering Rev. William M. Lewers, C.S.C., professor of law and, for most of the last decade until his death last April, director of the Center for Civil and Human Rights. On April 19, the first anniversary of his death, we hosted a Mass and dinner in his memory, honoring two individuals who have furthered the cause of civil and human rights around the globe: Juan Méndez of San José, Costa Rica, executive director of the prestigious Inter-American Institute on Human Rights in Costa Rica, who helped build Human Rights Watch into the world's leading non-governmental organization for monitoring human-rights violations; and Ronald Ochaeta '95 LL.M. of Guatemala City, Guatemala, director of the human rights office of the Archdiocese of Guatemala, who has recently completed a highly anticipated report documenting the truth about the terrible abuses committed during Guatemala's bitter internal conflict. This event, a fitting tribute to Father Lewers and his significant life's work in the field of civil and human rights, reminded us that we must continue his work now that he is no longer among us.

We also foster a tradition of excellence in the education we provide. This tradition manifests itself in a number of ways. One of our alumni recently told me how thrilled he was that his daughter would be attending NDLS this fall, not just because she would receive a first-rate education, but because she would be learning from some of the same professors who taught him. That conversation reminded me how fortunate we are to have a faculty so dedicated to NDLS that they have stayed to teach successive generations of our graduates, and have helped us maintain those values that have defined our character over the years. But within this continuity of values, we also have a tradition of constantly reinvigorating the ways in which we teach our students. As you will read in this magazine, we have begun to bring technology into the classroom in ways that we couldn't have imagined only three or four years ago; our professors have expanded their scholarship into new areas, such as international law; and our students have broadened their own interests, wishing to study more than just the basics of the law, but also how the law interacts with other areas of life.

We still maintain, however, a traditional, rigorous curriculum, that prepares our students to practice law in any jurisdiction, and that enables them to adapt their practice of law to best suit their interests. And I believe that, when evaluated objectively, this tradition has served us well. This year, once again, NDLS boasts the highest bar-passage rate of any national law school. And again this year, our placement rate — considering those who have secured employment as well as those who have enrolled in graduate programs — is impressive: over 98 percent of the Class of 1997 was employed within six months of graduation, and over 70 percent of the Class of 1998 has secured employment before graduation.

We continue this tradition of excellence every year by admitting students we select through our traditional, highly personalized admissions process — we read each application, evaluate each personal statement, and consider carefully the judgments of those writing letters of recommendation. And this process has proven successful for us in two ways. First, *U.S. News & World Report* ranks us 16th in selectivity among all ABA-accredited law schools, considering only the number of applicants we accept versus the number who apply, along with the median grade-point average and LSAT-score range of our entering class. Clearly, our students possess outstanding credentials by any objective measure. But beyond these objective criteria, our students also rate in the "bottom 10" with regard to cut-throat competitiveness according to *The Princeton Review's* annual survey of various aspects of law-school life. So while we admit students who strive for academic excellence, we also admit students who strive to maintain the sense of community that so uniquely defines Notre Dame Law School.

Tradition. It defines us in innumerable ways, but it also inspires us to become the best we can be, to maintain our place among the nation's leadership law schools — in a way that is uniquely ours.

Yours in Notre Dame,



David T. Link
Dean and Professor of Law

The Kresge Law Library

A Tradition of
Challenges & Progress

The sky was flawlessly blue and the crisp air carried all the aromas of a delicious October evening in 1984 as Alice and I stood outside the Morris Inn waiting for David and Barbara Link to pick us up for dinner. Earlier that day, my wife and I had been introduced to the many wonders of the Notre Dame campus, the warm and welcoming Law School faculty, and the simple joys of the South Bend community.

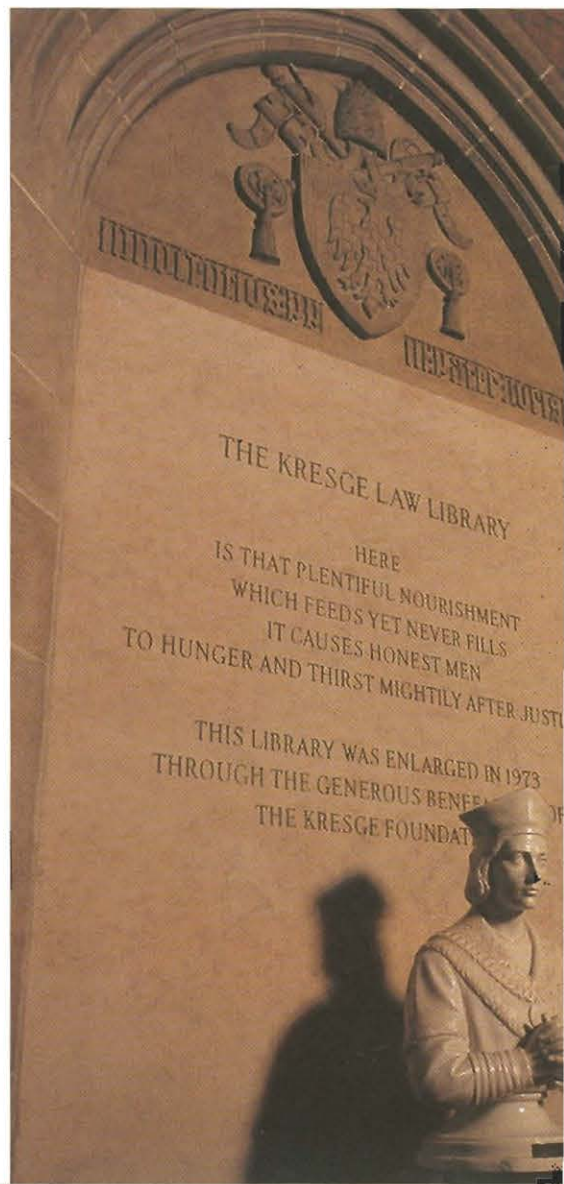
I had come to campus to interview for the directorship of the Kresge Law Library, and to decide if Notre Dame and South Bend were right for my family and me. I had concerns that the library and its resources were meager compared with those to which I had grown accustomed at the United States Supreme Court, and further, that the insufficiency of those resources posed a significant challenge to Dave's plan to elevate Notre Dame's status from a good, regional Catholic law school to a national, leadership institution. I knew that directing the expansion and enhancement of the library's collections would be no easy task.

Nevertheless, the innumerable virtues of Notre Dame were leading me toward giving Dave the oral commitment he sought. And then, at that very moment, the Notre Dame Band marched across the main circle toward the Morris Inn and struck up the Fight Song. Was it a coincidence? Did Dean Link arrange it? Was it a sign from heaven? Right then, my mind was made up. We would come to Notre Dame!

Since that marvelous October day just over 13 years ago, the Kresge Law Library has taken giant steps in the development of its legal information services — services essential to satisfying the needs of a growing scholarly faculty and a student body that is among the brightest in the nation. Thanks to the support of an understanding and progressive-minded dean, a University administration that was quick to recognize the need for increased resources — both financial and human — to develop and operate a research-class library, and generous benefactors who have provided the financial support so vital to achieving our goals, the Kresge Law Library has joined the ranks of fewer than 50 research-class law libraries nationwide.

As anyone who spends even a few minutes at Notre Dame realizes, "tradition"

BY ASSOCIATE DEAN ROGER F. JACOBS,
DIRECTOR OF THE KRESGE LAW LIBRARY



permeates every aspect of this campus. We often look to the past to define ourselves here. We relish in the successes of our past, and we take comfort in knowing that we are part of something much larger than ourselves — something that will continue long after we are gone. When I became director of the Kresge Law Library in 1985, I too learned very quickly that I was part of a longstanding NDLS tradition.

Initially, I was concerned with providing accommodations for patrons, staff and a collection that had to double in size to become anywhere near appropriate to our mission. Furthermore, I was concerned with how to respond to immediate research requirements with the existing modest library collection. Interestingly, I learned that these problems had plagued the various incarnations of the law library for most of its existence. These challenges formed much of the “tradition” of the law library.

The earliest mention of a law library appears in University records around 1889. The Law School had existed since 1869, and if there had been a library at this point, any collections almost assuredly were lost in the 1879 fire that destroyed several campus buildings. When the Law School moved from its cramped, makeshift quarters in the Main Building into the south end of Sorin Hall in 1889, the *Columbia Law Times* for March of that year referred to the new facility as a “magnificent structure” and continued, “The Moot Court library and lecture rooms are spacious, well lighted, well ventilated and exceptionally comfortable rooms[,] and afford pleasant quarters for the students of the law course.” By 1892, the *Columbia Law Times* commented on the “excellently library comprising about twenty-five hundred volumes” containing “the standard text books and reports,” to serve a population of around 35 students and up to four faculty members in any one year of that early era. During the deanship of Colonel William Hoynes, the *Law Bulletin* of 1904-05 touted the small size of the library as an advantage:

There are undoubtedly in the country several law school libraries considerably larger than the library at Notre Dame, but it may well be questioned whether any of them shows more care in the choice of books or is

Colonel William J. Hoynes, first dean of the Notre Dame Law School, teaches class in 1893 with much of the library collection appearing in the background.



better adapted for the use of students. All the latest reports of State and Federal courts are in its shelves, and no difficulty is experienced at any time in finding cases needed for reference, thesis writing, and Moot Court work. A great library, with crowdingly large attendance of students — too many to be personally known by or have personal attention from the Faculty — may be less available for use or accessible than a comparatively small one.

Obviously, Colonel Hoynes knew how to paint a rosy picture!

By the end of the Hoynes era, descriptions of the library were somewhat less glorious. A 1918-19 *University Bulletin* commented that the collection, which had doubled in size in two decades to 5,000 volumes, was “adequate for the present needs.” And in a 1918 letter to University president Rev. John W. Cavanaugh, C.S.C., Professor Francis J. Vurpillat, who would succeed Hoynes that year as dean, complained that the library had inadequate working space for the student body that, between 1889 and 1918, had increased

six-fold to around 200. These conditions did improve dramatically — if only temporarily — when the Law School moved into the new Hoynes College of Law, which is now Crowley Hall of Music on the main quad. The new facility provided space for 20,000 volumes, and the *University Bulletin* of 1919-20 described it as “admirably equipped . . . perfectly lighted . . . and like the courtroom and classrooms . . . so arranged and cared for as to afford the most commodious, convenient and cheerful accommodations for efficient use.”

By 1930 the Law School moved into its present quarters — a considerable improvement over the Hoynes College of Law building. The *University Bulletin* of 1930-31 described “a library reading room 50 by 100 feet in which is a working library of 10,000 volumes . . . and additional stack room for 25,000 volumes.” This announcement was repeated in the *Bulletin* year after year, the only variation being the estimated number of volumes in the library. By the end of the Dean Thomas F. Konop era in 1941, the collection had more than tripled

Associate Dean Roger F. Jacobs, director of the Kresge Law Library, stands beside the stacks in the oldest part of the law library.

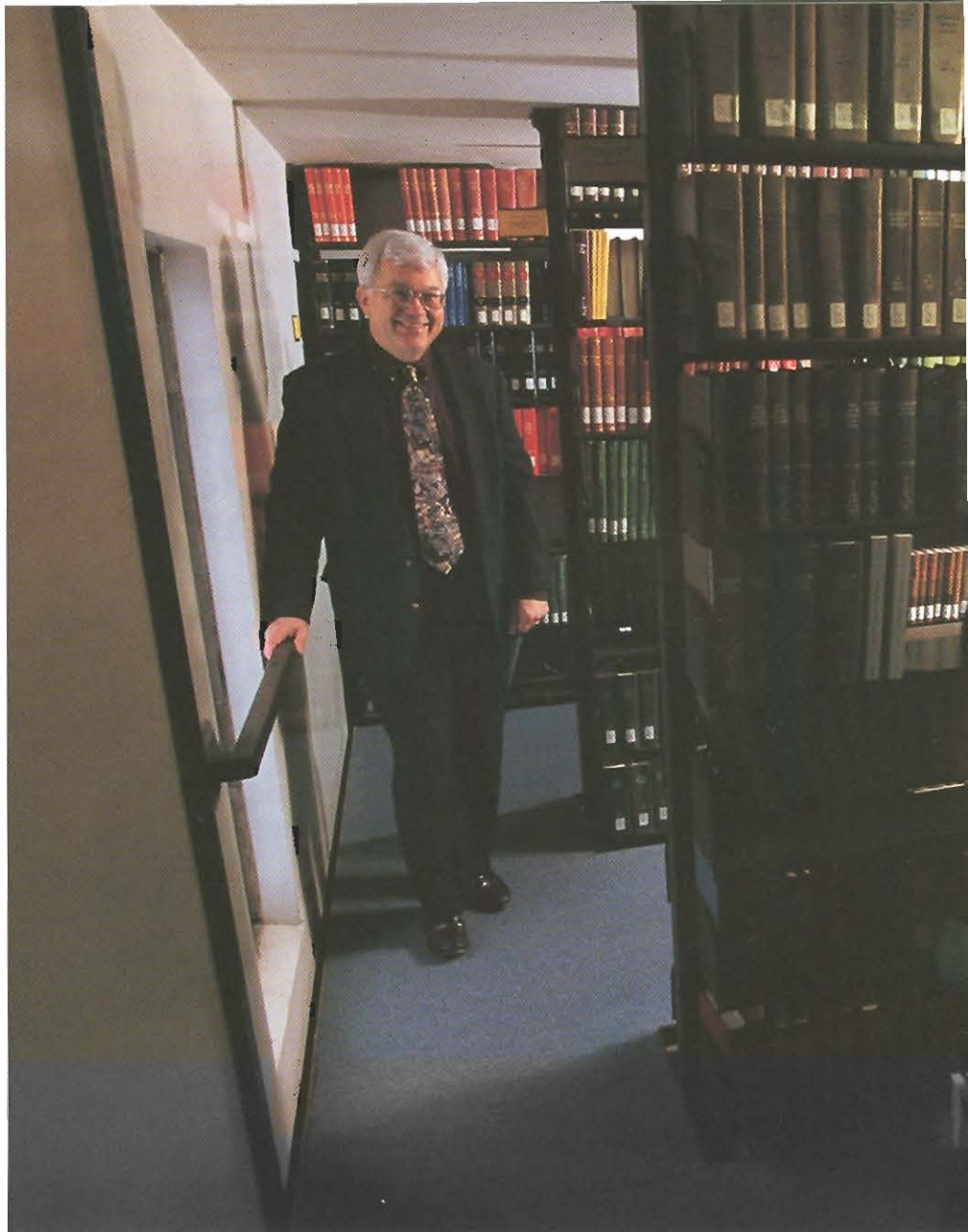
to 16,000 volumes.

Certainly, the new building improved upon conditions in the Hoynes College building. Nevertheless, the new building has provided my predecessors and me with our own set of challenges. Nearly 30 years ago, in his history, *A CENTURY OF LAW AT NOTRE DAME* (Notre Dame Press, 1969), Rev. Philip S. Moore, C.S.C., commented extensively on the library facilities of the original law building:

Magnificent as this new home was thought to be, it has long since been outgrown. . . .

The inadequacy of the present law building for the needs of today is felt in several ways but it is truly crucial in regard to library space. The library is housed in a splendid, high-ceilinged room which might be easily renovated into a gothic chapel. But one cannot escape the suspicion that in designing it, the architect had in mind its esthetic quality rather than its function as a depository for books. There is much wasted space and no feasible way of transforming it into usable space. But in perspective one should not be too critical of the architect and of the others who were involved in planning the building: they probably never envisioned a time when library holdings would exceed or even reach the thirty-five-thousand volumes stack capacity which they provided. The rate of growth of these holdings was painfully slow. . . .

In fact, between 1941 and 1952, only 6,000 volumes were added to the collection; contrast this to today — in 1997 alone we added over 7,000 books! But by 1958, as a result of a special \$50,000 appropriation in 1953 to purchase books over a five-year period, the collection size had grown to 51,000 volumes — already exceeding the design capacity of the not-quite-30-year-old building. That year, 15,000 volumes were transferred to dead-storage in the Law School tower. And in 1964, some of the lesser-used books were transferred to the then-Memorial Library, to stack space reserved for use by the Law School. In his Dean's Report of 1964-65, Dean Joseph O'Meara commented that this was "[n]ot a desirable arrangement, but a viable one." The student body had grown to 275 during



the Dean O'Meara years, and the library space again proved inadequate for their needs. Modifications to the building in 1964 addressed the problem temporarily.

By 1969, the Law School's centennial year, the library collection numbered 69,000 volumes. In his assessment of the state of the library, Father Moore commented, "[T]he library falls below the basic requirements of the American Bar Association and of the Association of American Law Schools. The latter association has recently upgraded its requirements for law school libraries, but Notre Dame does not meet even the previous requirements. . . ." He went on to mention efforts to raise one million dollars to increase library holdings — but where would any more new books go?

This question was answered in the early 1970s, with the expansion of the Law School building. Underwritten by a

\$750,000 grant from the Kresge Foundation, the 1973 renovation resulting in the Kresge Law Library expanded the space for collections by threefold, provided seating for every one of the 390 students enrolled at the time, added study space including private study rooms, and enhanced work and office space for the staff that consisted primarily of four professional librarians. The holdings expanded as well, from 80,000 volumes — many of which were still in storage or in the then-Memorial Library — to 150,000 volumes, thanks in large part to a grant from the John P. Murphy Foundation of Cleveland, Ohio.

This addition served the Law School community well for a time. But over the next decade, the faculty and the student body grew, and their needs grew accordingly.

And then, in 1985, it became my turn to find innovative ways to meet the

And today, we face other challenges that Colonel Hoynes and Dean O'Meara — and even we ourselves just a decade ago — could not have anticipated.

meet these needs by continually renovating areas formerly designated for other purposes.

And we still face the challenge of appropriately expanding our collections to meet the needs of our students and faculty. While interlibrary loan is an appropriate vehicle for obtaining a known item that a patron desires, all too frequently if a library does not have an item, the scholar may not know that it even exists. Fundamental weaknesses in our collections can cause researchers to fall victim to the trap indicated in Karl Llewellyn's observation that there is a tendency to study the information that is available and, having once begun the study, "to lose all perspective and come shortly to mistake the merely available, the easily seen, for all there is to see."

The University has provided us with resources sufficient to acquire the current output of primary legal authorities and the secondary commentaries. In other words, we have the resources to keep up with the most significant current legal publishing. But the task of acquiring those historical materials that have been beyond our means in recent years has been a major long-term effort. These efforts have been enhanced by the generous benefaction of many, and the Kresge Law Library now has several endowed collections. In addition, with the purchase of the Chicago Bar Association library in 1990, underwritten by University Board of Trustees member John F. Sandner '68 J.D. of Chicago, we added 12,000 unique titles and nearly 35,000 additional books to the collection all at once. The resources from these gifts continue to foster the research capabilities of the collection — a collection that, since I arrived, has tripled in the number of titles held and has doubled in the number of print volumes on the shelves.

The advent of preservation microfilming processes in response to the chemical deterioration of books in major research libraries has helped us tremendously increase our holdings as well. Subscribing libraries, including ours, participated in projects to microfilm historical monographs as a conservation effort. In addition, major projects undertaken to microform government documents facilitated the acquisition of substantial back files of these significant materials. Aided by funding from the John P. Murphy Foundation of Cleveland, Ohio, we have been able to add to our holdings the equivalent of 205,000 print volumes in microform.

And today, we face other challenges that Colonel Hoynes and Dean O'Meara — and even we ourselves just a decade ago — could not have anticipated. While it was and is imperative to increase the raw power of our collections by adding books and other information sources, we must also provide an inventory control system that allows the library staff to identify, order and pay for books, as well as to establish and maintain a cataloging and classification system that allows patrons to retrieve what they want quickly and easily. And we need the appropriate people to manage these systems.

When I arrived in 1985, the staff size, card catalog and other paper files adequately managed the smaller collection and limited acquisitions of the day, but could not satisfy the increased activity in and growth of the collection. In response to these needs, we developed a modern technical services department, headed by Janis Johnston from 1987 to 1994, and now by Joseph Thomas. Working in cooperation with Robert Miller, former director of the Hesburgh Library, we have classified the entire law library collection.

challenges of a student body that numbered around 500 and a growing faculty engaged in ever-more-prominent research and scholarship. A second addition to the original building responded to the near-term space needs. By the time we occupied the enlarged space in 1987, shelving for books had increased by 100 percent to 300,000 volumes. Every student had a place to sit and study. Librarians and staff had adequate office space.

But even this space has proved to be inadequate for our needs less than a decade later. While the new space anticipated major collection development in microformats, it did not contemplate the current trend of computer technology advances. Computer-assisted legal research (CALR), automated library processing, the Internet and student computer labs all became pressing needs after the 1987 building addition. We have worked very hard to carve out space to



Dean David T. Link cuts the ribbon to open the Kresge Law Library Instructional Lab, January 13, 1998.

recently added to the library are first-rate photocopying machines, microform readers and reader-printers. The two Apple IIC personal computers available for student use in 1986 have given way, through several iterations, to today's complement of 30 Pentium PCs including 10 in a state-of-the-art instructional lab, which we dedicated this past January. Additionally, we have added 48 computer ports, connected to the University's ResNet system, allowing students access to campus and world-wide networks from their study carrels.

And we must prepare our students for the legal practice of the future, which demands ever-increasing competence in on-line or electronic research methods. In 1987, NDLS was among the first law schools in the country to feature two permanent, vendor-supported computer-assisted legal research facilities. Last year, we replaced those two labs with a generic instructional lab that permits our research librarians to teach integrated, multifaceted computer research techniques in a single location. Furthermore, through cooperation with the major vendors, all students and faculty have access to computer-assisted legal research facilities anywhere they can connect their computers to a port.

We have made CD-ROM technology available in the library as well. Although only a relatively small number of CD-ROM products replace our on-line services or substitute for books, their presence in law practice has increased so markedly in the last few years that we believe our students need to have exemplary products available.

We have even expanded our role into the classroom. The audio-visual operations of the late 1980s are being replaced with multi-media classrooms in which faculty can present classes supported by electronic outlines, computer-generated graphics, video, and on-line data imported from remote sites. The advent of this technology has required the development and introduction of new skills — both for our students and our faculty.

re-cataloged it in machine-readable form, and added the holdings to the University Libraries' on-line catalog, UNLOC; we completed additional cataloging using the national library cataloging utility, OCLC.

With the acquisition of an automated serial system developed by Innovative Interface, Inc., the library staff began the process of automating various library activities. Just this past year, when UNLOC became obsolete, the Kresge Law Library, with most of its procedures automated — including ordering, check-in, payment,

cataloging/classification, and circulation — migrated completely to the Innovative system. Now, patrons using the catalog terminals in the Kresge Law Library or using personal computers in the computer lab or at home or the office can access details of our collection and the status of our books using the World Wide Web. Try it yourself at <http://www.nd.edu/~lawlib/>.

Technology has invaded not just library processes, but has also enhanced the utility of the library for our patrons. Among the higher-cost hardware items

And now it's time for a return to tradition — time to recount our successes and to articulate our challenges. In the past decade, we have increased staff size from six to 24; titles from 35,000 to 69,000; print volumes from 150,000 to 250,000; volumes and volume equivalents from 200,000 to 454,000; personal computers from two to 62. All of this growth increases the power of our information resources in order to better meet the requirements of a leadership law school. In fact, it was only as recently as 1996 that the collection, which had grown to 400,000 volumes and volume equivalents at that point, had reached the minimum size to be considered a research-quality library.

This growth has, of course, spawned even more challenges for us. Our collection has once again expanded to building capacity — some volumes are in storage even today. Staff is again compressed into space designed for a smaller cadre. Technology for student research and instruction is constantly in need of upgrades and more space. In fact, our library resides in the smallest

physical space of any school in our peer group. The expansion of the curriculum also demands our continuing attention. International, foreign and comparative law, as well as specialized courses such as banking, environmental, and health care law, require both new and old materials that may have been only mildly interesting in years past. The explosion of new legal sources both in print and in electronic format demands continuing awareness and constant evaluation. The entire school looks to the law library faculty to be at least informed, if not expert, in the existence and method of accessing these information sources.

We look forward to these challenges, however, with the optimism expressed by Colonel Hoynes in 1889. We are confident in our abilities to meet these challenges and continually improve our service. And we have every reason to expect that, with the continuing support of the faculty and administration and a growing corps of generous benefactors, the next decade will be as exciting and fruitful as the recent past.



DID YOU KNOW?

In 1996-97, the Kresge Law Library's collection grew to over 450,000 volumes, ranking it 42nd among the nation's law libraries in collection size. This growth came in the form of an additional 41,370 microform volume equivalents and 7,238 books, and ranks Notre Dame first nationwide for growth in collection size during an academic year.

In 1996-97, the Kresge Law Library subscribed to an all-time-high of 5,276 serial publications — 54th in the nation.

In 1996-97, the Research Department answered 4,094 questions — 1,221 from the faculty.

In 1996-97, the Kresge Law Library staff circulated over 19,000 items to patrons, reshelfed over 71,000 items and photocopied over 32,000 pages for faculty research.

The 24-person staff of the Kresge Law Library ranks 44th in size among academic law-library staffs nationwide.

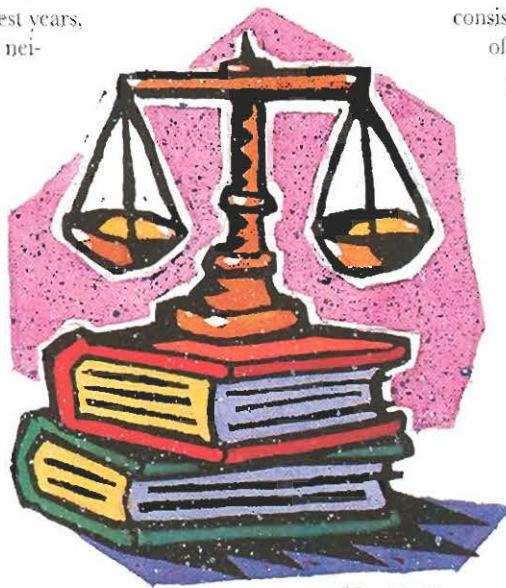


Of all the skills students learn in law school, research and writing are put directly to use even before graduation. At NDLS,

the first-year program includes two intensive, graded classes, one devoted specifically to research, the other to writing. After their first semester, students have several other opportunities to hone their research skills, but the advanced legal research class takes an aggressive approach to equipping Notre Dame lawyers with the research strategies that effective 21st-century law practice demands.

Of course, Notre Dame's law librarians have a long tradition of teaching the first-year basic research course, as well as informally teaching students who come for help with research topics, electronic searching and preparation for work as summer associates. Besides formal and informal teaching, the research librarians help professors and their research assistants with various aspects of research. Furthermore, the research librarians conduct their own research to develop better ways to prepare Notre Dame law students for legal practice.

No matter the setting, the librarians at Notre Dame have taken a leadership role in teaching legal research. Although in its earliest years, the Law School had neither a law librarian nor any specific training in legal research, as early as 1889 the *Columbia Law Times* referred to the "Moot Court library," and the *University Bulletin* mentioned weekly "Moots" for which students had to prepare cases from the court reports. In



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Advanced Legal Research:

ADVANCES ON 21ST CENTURY PRACTICE

1920, the *Notre Dame Law Reporter*, a faculty-edited predecessor to this magazine, lists both an 18-week "Introductory Lectures and Study of Cases," which included a section on where to find the law, and a two-week, second-year course, "Finding and Briefing Law"; however, the *Reporter* doesn't reveal who taught the classes. A year later, the *Reporter* describes "The Legal Research [sic] Training Course," required of junior and senior law students. Sponsored and prepared by the American Law

Book Company, the course consisted of eight sets of questions, 20 questions per set. The company allowed students a month for each series of questions. Students were to answer by referring to *CYC-CORPUS JURIS*. The company awarded a set of *CYC-CORPUS JURIS* to the student who correctly

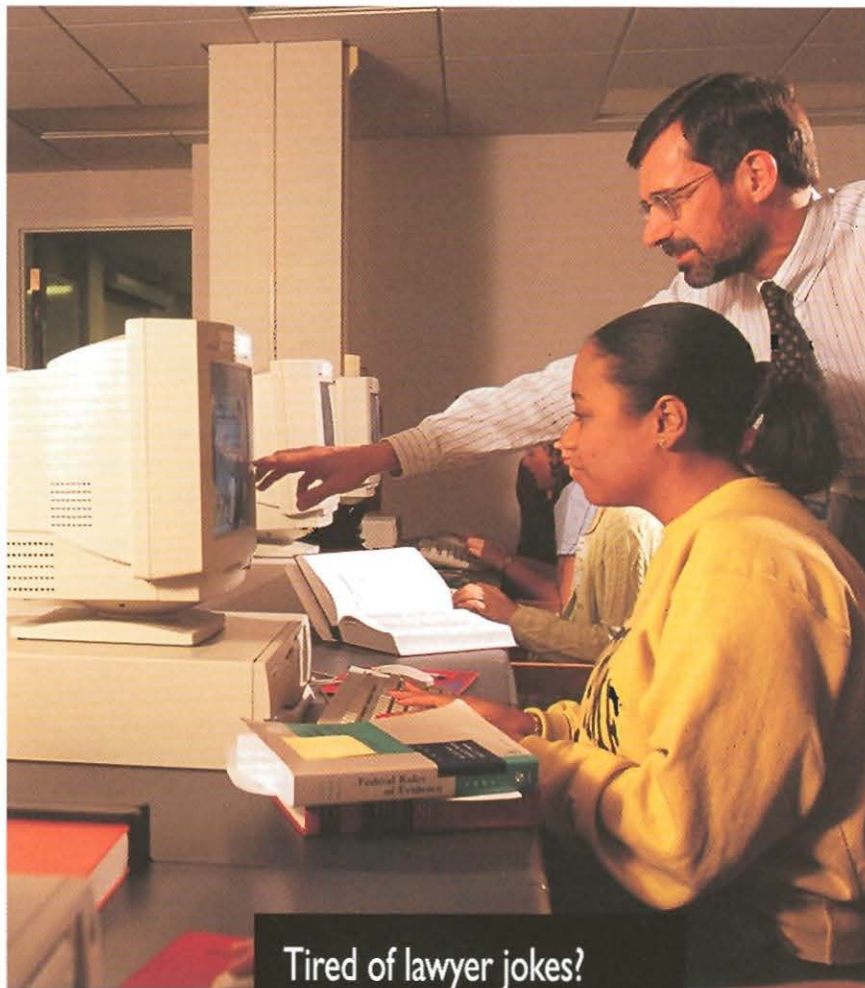
answered the most of the 160 questions. The same *Reporter* issue announces the arrival in 1921 of a librarian, Frank Whitman; other University documents, however, refer to him as *John* Whitman '30 J.D., and the law teacher's directory of the day indicated that he joined the Law School in 1925. According to the *Bulletin*, by 1927 Whitman was teaching the bibliography course.

Whitman was succeeded in 1942 by Lora Lashbrook, also a lawyer, who served as librarian, research teacher, registrar and secretary to both the dean and the entire law faculty! In 1945, Marie Lawrence came from the University library to serve as law librarian, though Lashbrook stayed on a bit longer teaching Bibliography and even an "advanced" class known as Legal Research.

Over the years, the responsibilities for teaching legal research have fallen variously to the librarians, faculty members, teams of both and even the dean! As part of Dean Joseph O'Meara's fully-required three-year curriculum instituted in 1953, the dean himself taught an Introduction to Law class. Professor Emeritus Tom Shaffer '61 J.D. remembers the dean turning over the research portion of the class to Professor Bernard Ward, who, for about a month that semester, taught the rudiments of research. As recently as the late 1960s even Professor G. Robert Blakey '60 J.D. taught legal research using the problem method.

When Tom Shaffer became dean in 1971 he turned the legal research class over

BY LUCY SALSBURY PAYNE '83 J.D.,
 RESEARCH LIBRARIAN



Tired of lawyer jokes?

Consider the law librarian's schizophrenic fight against stereotyping — ambulance-chasing sharks or book-hoarding shushers? ND law librarians have overcome both. The *Princeton Review* surveys students when it evaluates law schools for its *Student Access Guide to the Best Law Schools*. "Library Staff" consistently tops NDLS's "hits" list!

School Library, former Notre Dame librarians Michael Slinger (now director of the Cleveland-Marshall Law School Library) and James Gates (now head librarian of the Baseball Hall of Fame Library in

Cooperstown, New York) team-taught the class.

When Dwight King joined the law school as a research librarian in 1986, he assumed leadership of the team-taught first-year research class. Under his guidance, it has taken on its current form. Teaching with him are Associate Dean Roger Jacobs, Associate Director of the Law Library Janis Johnston, and Research

Librarians Patti Ogden, Warren Rees and Lucy Payne '88, J.D. Once a week for 10 weeks during the first semester, first-year students attend a mix of large lecture sessions and small sections of 30 or fewer students. The class is much more *process* oriented than the bibliography class of the early 1980s and before, although Bluebooking still plays a part.

Nevertheless, the limitations inherent in an abbreviated course mean that students receive only cursory exposure to CD-ROM and the Internet, vendor training on Westlaw and LEXIS that covers only the basics. Consequently, the students also need to participate in any number of the informal offerings the research librarians provide to bring students up to speed for summer work. The Advanced Legal Research course provides one way to meet students' needs for advanced education in sophisticated research techniques.

In the mid-1980s, other law schools added classes in Advanced Legal Research, though most of those schools did not also offer the in-depth first-year research course that NDLS has long required. Michael Slinger, then associate director for public services at NDLS, responded to student interest in having an advanced course at Notre Dame by assigning research assistant David McClamrock '91 J.D. to investigate areas to which NDLS students needed exposure. Although McClamrock graduated before Notre Dame's first advanced course was offered, the research librarians developed a strategy for offering advanced research classes at about the same time that the Law School's curriculum committee issued a report that included a call for an advanced research class.

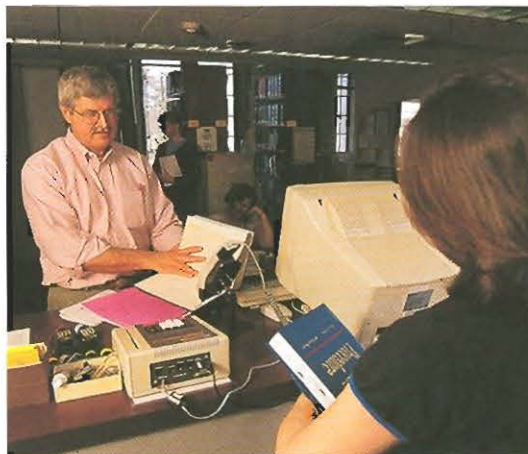
In order to maintain a high level of reference service while offering an advanced class, the research librarians devised a flexible plan by which an interested librarian or combination of librarians might teach an advanced class based on their particular areas of interest. The class might be offered for one credit or more, and might meet part or all of a semester, as required by the pedagogy best suited to the topic.

Despite this built-in flexibility, for the most part, the class has been more traditional in scheduling than not. Patti Ogden first offered an advanced class in the spring

to Law Librarian (now emeritus) Kathleen Farmann and her Associate Librarian, Stanley Farmann. Mrs. Farmann, also a lawyer, became director of the Law Library in 1966. The Farmanns taught the class until the early 1970s, when it was variously taught by Kathleen Cekanski-Farrand '73, J.D., a research associate-teaching fellow, by other members of the faculty, by Stan Farmann and, in the early 1980s, by staff librarian Mary Persyn '82, J.D. By that time, the first-year research class consisted of graded assignments that required students to find legal materials and perfect Bluebook citations of the answers. When Ms. Persyn left to become director of the Valparaiso Law

of 1993. She used lectures, computer-training sessions and weekly assignments to focus on legislative material, administrative law and court rules.

The following year, Lucy Payne offered a seminar in specialized legal research with the central focus being cost effectiveness in research techniques. Over the years, that seminar has developed into the current two-credit class limited to 20 students. This semester it is meeting in the new Instructional Lab. The seminar takes a conceptual approach instead of teaching source-specific steps. This enables students to make good research choices when they are confronted with legal problems, sources



or formats they have never seen before. They "bill" research time and track their computer costs. They are encouraged to become acquainted with on-line pricing schemes and sources available at their prospective places of employment.

Through their course work, students evaluate research costs from several perspectives. One assignment, for example, requires students to imagine themselves as associates on a library committee charged with recommending a loose-leaf service for their area of practice. Another project requires students to work as part of a CD-ROM vendor team, evaluating an assigned CD-ROM product and then making a sales presentation to the rest of the class, who sit as members of a firm library committee.

In addition to integrating computer-assisted legal research while emphasizing cost effectiveness, the class focuses on areas not covered in the first-year course such as legislative histories, administrative law, loose-leaf services and international law. Students become familiar with authorities in at least one state. Moreover, they develop research expertise in one substantive area by preparing a research guide, which they present orally at the end of the semester. Prior to the presentation students submit their draft via e-mail to other members of the class for comments. Thus, students are exposed to their classmates' developing expertise in areas other than their own.

The class uses an electronic course pack. Eventually all class materials will be available electronically via convenient electronic links. Using electronic sources instead of the traditional, hard-copy reserve materials provides easy access for simultaneous users and allows the students to annotate the material for incorporation into their own projects. Furthermore, because students apply class research topics to their

own special substantive area, importing electronic material directly enables them to use both class notes and research materials more efficiently. Students also benefit from regularly using electronic sources to prepare documents and electronically transferring their documents just as they will in practice. In addition, students get comfortable using the Internet for accessing legal information over the World Wide Web.

The students' major project, the research guide, results in a tangible tool that students can take into their own practices. The guides identify the weight of various types of authority and research sources with suggestions for on-line and Internet searching, research tips for the unwary, and a section on potential ethical problems within that specific substantive area of the law. Students receive copies of their classmates' research guides, and the library retains bound copies of the guides that researchers can find through the library's electronic card catalog, LINK. These documents provide any interested researchers with a good starting point. In fact, the Legal Aid Clinic, for example, has benefited from guides written by legal-aid interns practicing in such areas as debt collection and immigration law.

Students have found the advanced legal research class a good way to make the transition from law school to legal practice. Whether going into a judicial clerkship, small or large firm, or into another law-related field, students have experienced firsthand the benefits of their advanced legal research training.

As Francis J. Clohessy '20 J.D. wrote in a letter to the alumni section of the *Notre Dame Law Reporter* of the early 1920s, "The time to study is during the years in [law school]. Time cannot be had in the business world." Seventy-five-plus years later, there's even less time in the business world, so the advanced legal research class offers students that extra boost in preparing to make the most of their new jobs.



Until the Farmann era beginning in 1966, the law library was pretty much a one-person show if you count only members of the library faculty. Of course, students attest to the great help they receive from the more than a dozen current staff members. In fact, many graduates fondly remember working as students alongside staff in the law library. For example, Vice President for Student Affairs and Professor of Law Patricia O'Hara '74 J.D. filed loose-leafs. Although the public-services librarians often have the most contact with students, graduates are sure to have other favorites from among the list of librarians formerly at the law school for at least five years[†]:

*John Whitman, A.B., A.M., J.D.	1921-42
*Lora Lashbrook, LL.B.	1942-48
*Marie Lawrence, A.B., A.B.L.S., M.S.	1945-66
*Kathleen Farmann, A.B., LL.B., J.D. M.L.L.	1966-85
Stanley Farmann, A.B., M.S.L.S.	1966-85
Granville Cleveland, B.S.	1969-91
Rita Kopczyński, B.A., M.L.S.	1977-85
Michael Slinger, B.A., M.L.S., J.D.	1984-90

[†]Seven others worked shorter stints between 1975 and 1989

*Director

Ode to Law 512 (Legal Research)

BY DWIGHT KING, LIBRARIAN AND HEAD OF RESEARCH SERVICES

Nancy and Meg¹ have asked that I delve
into details of Legal Research — Law 512.
The class is team-taught by a bold group of five,
hoping variety keeps the course more alive.

There's Roger and Janis and Lucy — that's three.
The other two teachers are Patti and me.
Next semester our team is due to increase.
We hired a new guy, his name's Warren Rees.

The course is presented right away in the fall.
Five lectures are large-size, six discussions are small.
Each lecture's done twice to a room of 'bout eighty.
Small groups do review of the subjects most weighty.
We're done by Thanksgiving, 'fore snow hits our
cheeks.
With a class for the final, the course takes twelve
weeks.

Payne covers cases, I do codes and bills.
Ogden does digests in a way that gives thrills
to the first-years who enjoy her clear demonstrations
done with programs like PowerPoint or Presentations.
Jacobs and Johnston talk secondary sources.
These subjects are lectures and therefore that forces
learning of Bluebook and Shepardizing lessons
be covered in small group discussion sessions.

We skip admin law and history of legislation.
But we do so with confidence, no hesitation.
Cause the students don't encounter these much in first
year.
But we offer spring sessions for students who fear
that they'll need this type knowledge for work in the
summer,
when not knowing C.F.R. could be a real bummer.

One's course grade is based on an objective test.
Exercises are ungraded despite student unrest.
We want weekly assignments to be just for learning,
no preoccupation with what grade you are earning.

There's no text we re-
quire our students to
read.
The lectures and hand-
outs are all that they'll
need.
But for those who want
extra, for those who
are daring,
we recommend FINDING
THE LAW by Bob
Berring.

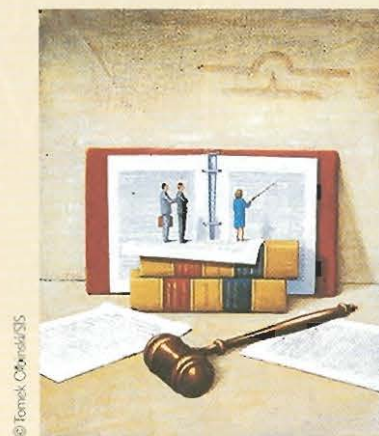
Assignments are marked "satisfactory" or no.
But if "not satisfactory" you humbly must go
head lowered, hat in hand, to your instructor to see
what you might do to remedy
the "unsatisfactory" — that unsavory word,
that threatens to lower your grade by one-third.

And the credit one gets with our course is just one,
though the work we require causes many to shun
"Seinfeld," a movie, the big football game,
or the concert by someone of musical fame.

Students complain that more credit is due.
Too much for one credit, they want to see two.
But the Property profs we know would derest
abandoning credits for talk about West
and its little key numbers, depriving them minutes
to talk of fee simple, life estate, and joint tenants.

Weekly assignments are done with the books.
We maintain this position despite the mean looks
from on-line aficionados who want to find all
through home page on Netscape, LEXIS or Westlaw.

We do urge some training
once class has begun,
by student reps training you
one-on-one.
One-Ls have the option to
practice on-line,
but we tell them to promise
we won't hear them whine,
if when final time comes they
can't do it with paper.
(We have ways to uncover a
CALR caper.)



Required on-line training comes in semester two,
when librarians and account reps take students
through
their paces with connectors, FIND and LEXCITE.
So that by summer-job time — you'll do on-line just
right.

And the law-firm librarian won't want to exclaim,
"They don't learn a thing there at old Notre Dame!"

Evaluations of 512 show most students love it,
though a complaining few tell us to take it and shove it!
One student's response showed that he is a fan,
when he wrote on his paper, "I love you man!"

We think that our efforts are not made in vain,
and that students' rewards will outweigh their pain.
Is the Notre Dame way better than the rest?
Perhaps. Maybe not. But we're trying our best.

DWIGHT KING PRESENTED THIS POEM — AN ODE TO LEGAL RESEARCH, OR LAW 512 — AT THE 1997 ANNUAL CONVENTION OF THE AMERICAN ASSOCIATION OF LAW LIBRARIES IN BALTIMORE IN JULY 1997, AS PART OF A PROGRAM ENTITLED "FROM NUTSHELLS TO NETSCAPE: COVERING THE BASICS THROUGH RESEARCH INSTRUCTION PROGRAMS," IN WHICH FIVE PANELISTS DESCRIBED THE LEGAL RESEARCH INSTRUCTION PROGRAMS AT THEIR INSTITUTIONS.

¹THE "NANCY AND MEG" IN THE FIRST LINE REFERS TO NANCY ARMSTRONG, PROGRAM MODERATOR, AND MEG COLLINS, PROGRAM COORDINATOR.

COLLECTION DEVELOPMENT:

THE QUESTIONS WE FACE

ROSENNE
DOCUMENTS ON
THE INTERNATIONAL
COURT OF JUSTICE
SECOND
EDITION

LAW
JX
1971.6
.86
1979

Deutsch

An International
Rule of Law

LAW
JX
1971.6
.048

Virginia

SINGH

The Role and Record of
the International Court of Justice

Kopaczynski

NO HIGHER COURT

Law
HQ
767.15
.K66
1995

THE
AMERICAN WOMAN 1996-97

Law
HQ
1421
.A447
1996

J. Ross Harper

Global Law in Practice

Law
K
120
.G49
1997

Law
JX
3185
.v8
1992

OF JUSTICE

SHARITA ROSENNE

STICE

STICE

Law
JX
1971.6
.8626
1983

LAW
JX
1971.6
.864
1973

AT IT IS AND HOW IT WORKS
Singer
COURT

DO YOU HAVE THE
CURRENT CODE OF
MALAWI?

CAN I SEE BURNS'
ECCLESIASTICAL LAW,
PUBLISHED IN 1763?

WHERE CAN I FIND
STATISTICAL DATA ON
DEATH-ROW INMATES IN
TEXAS?

CAN I COPYRIGHT MY
WEB SITE?

WHERE CAN I FIND ALL
OF THE INTERNATIONAL
AGREEMENTS ON
ENVIRONMENTAL
POLLUTION?

WHAT ARE THE CUSTOMS
REGULATIONS FOR
AUSTRALIA?

HOW LONG WILL IT TAKE
YOU TO FIND THE
INFORMATION?

WILL IT BE HERE IN TIME
FOR CLASS TOMORROW?

BY JANIS JOHNSTON,
ASSOCIATE DIRECTOR
OF THE KRESGE LAW
LIBRARY

These questions represent just part of an average day in the lives of the librarians and staff of the Kresge Law Library, and illustrate the issues that arise on an almost-daily basis when trying to determine how best to develop the library's collections. It used to be enough for a law library to have federal and state primary materials, and a few digests and some treatises — all those other books on the shelves — for good measure. A *University Bulletin* from the 1904-05 academic year describing the holdings of the law library, which at the time contained primarily “[a]ll the latest reports of state and federal courts,” noted that students experienced “no difficulty . . . at any time in finding cases needed for reference, thesis writing, and Moot Court work.” A *Bulletin* from 1918-19 lists the entire library collection — mainly state and federal reporters and a few digests — in a paragraph, and noted that the collection was “quite extensive and adequate for the needs of our growing law school.”

Even as recently as a decade ago, with much the same types of publications on our shelves and access to LEXIS or Westlaw databases, our average law student was well-poised to perform most, if not all, research assignments. Those days, however, are long gone.

Today's law students and legal scholars are engaged in research at more complex and far-reaching levels than those imagined by previous generations, or even by our research staff just a decade ago. Few study just the law anymore. Our scholars want to study the future of space law and the history of Elizabethan ecclesiastical law. They want to study beyond the law. The typical faculty member (and increasingly, the typical student) comes to us with interests that extend beyond the law into topics such as law and religion, law and bioethics, and law and economics. Overall, the scope of legal study and work has crept irretrievably beyond traditional boundaries — beyond the study of cases and statutes, and beyond the domestic law of the United States.

The NDLS curriculum is continually responding to these transformations in the interests of our students and faculty. We offer more specialty courses in areas such as law and religion, law and education, and law and economics. Currently, the Law School offers more than 15 courses related in some way to international law. And the library must grow and develop its collections to be responsive to the needs of faculty and students involved in this important scholarship and course work.

And as the Law School extends its reach around the world, through more foreign-study programs, participation by our faculty in international conferences, and an ever-more-international student body, we can predict that we will need access to ever-more-exotic sources of information involving ever-more-exotic fields of law. We can predict that technological developments will cause us to evaluate our information delivery systems on an almost continual basis — even today's kindergarteners, the law graduates of the year 2018, know how to use the Internet and fast become used to retrieving information from anywhere around the world almost instantaneously. What we cannot predict, however — as our predecessors in this library a century, or even two decades, ago could not predict — is exactly how, today, we should plan to meet the needs of our 21st-century scholars.

Ultimately, we face two issues: first, what to acquire; and second, when to acquire it. We try, as best we can, to answer these questions by evaluating the immediate needs of our faculty and students. Our first priority, obviously, is to meet current research needs by purchasing books, microforms and CD-ROMs. What we cannot purchase immediately we try to secure through legal databases, the Internet, and interlibrary loan — methods that suffice in the short term.

Many people question the need to actually buy books. We hear the argument all the time that so much is available on-line that books have become unnecessary or obsolete. Our experience has shown us, however, that nothing could be further from reality.

Our last decade of intensive growth has moved us toward the threshold of greatness.

We are now counted among the few research-quality law libraries in the country. Nevertheless, we still have work to do.

What about the scholar, decades (or even a decade) from now, who needs a piece of information we've secured once before by interlibrary loan or found on the web? Ten years from now, will it still be on Westlaw, LEXIS or the Internet? (We've seen many web sites go inactive or contain outdated material when the site provider loses interest in maintaining it.) Will we still be able to borrow it from another library? (Although we belong to a large network of libraries from which we can borrow much of what we need, no library will loan us their entire 10-volume set of the LAWS OF MALAWI to satisfy the needs of a single NDLS patron.) In some instances, we have no choice today but to hope that sources owned by others will be available. But if possible, we prefer to purchase information rather than just access someone else's information. Despite the advent of computer-based legal-research resources, building a research collection requires more than fifty computers and web access — and in fact, it will always require investing in the purchase of information and preserving it for future generations.

Moreover, reliance on the web and on interlibrary loans for scholarship presents a more general, but sometimes all-too-subtle problem — the inability to browse. It is tempting to dismiss the necessity and advantages of browsing. But think how often, in your own research, you have scanned the shelves, noticed a halfway-relevant title of a book, and fortuitously discovered an extremely relevant passage or article. This valuable — and legitimate — research method is impossible through interlibrary loan, and often is not as easy as it seems to accomplish on the Internet. Without ready access to books, on a shelf, grouped by subject matter, some information will be lost to the researcher.

But what to purchase? We know today that we need, for example, to enhance our international law collections. Recent faculty appointments have both reflected and kindled a new focus on international law in our curriculum; even a few of the "old timers" have developed a fresh interest in international aspects of their traditional

courses in, for example, criminal or labor law. These faculty are more likely to be looking for an English translation of the Russian Constitutional Court case on Chechnya than they are for a section of the U.S. Code.

The student body is also more diverse and more attuned to foreign and international law. The LL.M. program in civil and human rights, for example, each year attracts a dozen or so scholars from around the globe. Their research requires legal materials from international organizations like the United Nations and the Inter-American system, as well as the laws and cases from virtually any given country. (Speaking of these rather far-flung needs, the library reference staff currently is tracking down particular statutes and cases from Malawi, El Salvador, the Republic of Korea, Argentina and Pakistan! If you have any leads, please give us a call at [219] 631-5664.)

It seems easy enough to say that we need books, journals and database subscriptions. But ours, like all other libraries, does not have unlimited funds for building a foreign and international law collection, and the sheer mass of legal publications available for purchase is too extensive for any library to collect. We need to make choices. The choices are not always easy — and sometimes even the questions themselves are difficult to discern.

To meet the overwhelming needs of our faculty and students, should the library just concentrate on public international law issues such as human rights, international criminal law and international environmental law? Should the library select topics that concern most practicing international lawyers, including international business transactions, international trade, and foreign investment? (These publications are voluminous and almost always very expensive.) Should we totally ignore the law of foreign jurisdictions? If not, exactly which of the world's 185-plus countries should we represent in our collection? Once these decisions are made, we are faced with the further issue of determining what type of foreign material to acquire: Just the cases

and statutes? Any treatises and journals? On what topics? Should we restrict ourselves to English translations of these foreign primary and secondary sources, where such translations are available even if unofficial or possibly not current? And on and on the questions go.

In addition to these substantive policy issues surrounding the goal of building a good international and foreign law collection, the library faces some personnel matters as well. Beyond a certain rudimentary point, we must hire librarians and staff with specialized knowledge and training to identify the books to purchase (few African or Asian publishers furnish glossy catalogs of their legal publications), to help with the cataloging (try cataloging *Mujeres y derechos humanos* without some knowledge of Spanish), and to sort through the complexities of certain reference services (GATT/WTO documents are not as intuitive to use as they ought to be). Without adequate staff to support a foreign and international collection, it is probably folly to think that the collection will prove fruitful for the Law School community.

We are making progress. Limited resources make the progress painfully slow. And in the meantime, we are losing our ability to acquire some key sources — sadly, some of the most important titles are no longer in print and are otherwise unavailable.

Our last decade of intensive growth has moved us toward the threshold of greatness. We are now counted among the few research-quality law libraries in the country. Nevertheless, we still have work to do. We need to find ways to support the increasingly diverse research needs of our faculty and students. We need to decide how best to manage our resources to meet these needs both in the short and long terms. We need to position ourselves to meet the as-yet-unknown research demands of the next century. And we need to do this in a way that suits the unique character of the Notre Dame Law School.

We have some interesting questions to answer in the short term. But more interesting, in the long term, are the questions we haven't yet asked.

KRESGE LAW LIBRARY FACULTY

A recent survey of students conducted by the Kresge Law Library noted that students still complain about the things students have complained about seemingly for years — not being able to bring food or drink into the library, the lack of carrel space for non-journal students, the layout of publications in the stacks, etc. But consider the answers in most of the surveys in response to the question "What do you like best about the library?" For those students who took the time to answer the question, the answers overwhelmingly reflected admiration and respect, and even love, for the people who run the Kresge Law Library. Some students answered simply that they liked "the staff." Others named individuals who helped them with tough research assignments or who offered advice or friendship during a tough time. While there may always be issues regarding collection development, the implementation of technology, and whether caffeine-laced beverages should be permitted in the library during finals week, one thing is clear — the greatest asset of the Kresge Law Library is its faculty.

Roger F. Jacobs

Director, Kresge Law Library, and Associate Dean and Professor of Law



Associate Dean Roger F. Jacobs joined the Notre Dame Law School as director of the Kresge Law Library and professor of law in 1985, after serving from 1978 to 1985 as the Librarian of the Court for the United States Supreme Court. He became associate dean in 1990. He earned his A.B. from the University of Detroit in 1972, his

M.A.L.S. from the University of Michigan in 1964, and his J.D. from the University of Detroit in 1970. He was admitted to the Michigan Bar in 1970. He has worked as a librarian at the University of Detroit (1962-67), and as founding librarian and professor at both the University of Windsor in Ontario, Canada (1967-73), and the University of Southern Illinois (1973-77).

Janis L. Johnston

Associate Director of the Kresge Law Library and Librarian



Janis L. Johnston joined the faculty of the Kresge Law Library in 1987, as associate director for technical services, becoming associate director of the library in 1994. She earned her B.A. from Purdue University in 1972, her M.S.L.S. from the University of Illinois in 1976, and her J.D. from Indiana University (Bloomington) in 1987. In addition to serving as librarian and teaching legal research to first-year law students, she has served in a number of administrative positions at the Law School including acting director of the library (1992-93), acting assistant dean for administration (spring and summer 1994), acting associate dean (fall 1994), and acting associate dean and director of the library (spring 1997). She has been involved with the Law School's London programs as the American director (fall 1993) and as an instructor (fall 1995).

Prior to joining NDLS, she worked as a cataloger at the Indianapolis-Marion County (Indiana) Public Library (1976-77), as a librarian at the Marion County Law Library (1977-80), and as the serials librarian (1982-84) and assistant head of technical services (1984-87) at Indiana University (Bloomington). In 1980 and

1981, she served as a rural development volunteer with the Indian Institute of Cultural Affairs in Bombay, India.

Dwight B. King Jr.

Librarian and Head of Research Services of the Kresge Law Library



Dwight B. King Jr. joined the Kresge Law Library faculty in 1986 as a research librarian, and became head of research services in 1990. He earned his B.A., J.D. and M.L.S. degrees from the University of Michigan in 1977, 1980 and 1981, respectively. Prior to joining the library faculty, he worked at the University of Baltimore as public services librarian (1981-84) and associate law librarian (1985-86). He coordinates the required first-year Legal Research class.

Carmela Kinslow

Assistant Librarian and Head of Access Services



Carmela Kinslow joined the Kresge Law Library faculty in 1990 as head of access services. She earned her B.S., M.L.S. and M.S.A. degrees from Indiana University (Bloomington) in 1987, 1989 and 1991, respectively. Her areas of interest include resource sharing, dissemination and storage of

electronic information, and administrative and management issues such as cross training, staff development and supervising student assistants.

Patti J. Ogden

Librarian

Patti J. Ogden joined the faculty of the Kresge Law Library as a research librarian in 1990. She earned her B.A. from Northwestern University in 1977, and her J.D. and M.L.S. degrees from the University of Texas in 1980 and 1985, respectively. She has worked at the University of Minnesota Law Library and at the University of Houston Law Library as a reference librarian.

Lucy Salsbury Payne

Librarian



Lucy Salsbury Payne '88 J.D. joined the faculty of the Kresge Law Library as a research specialist in 1988, becoming assistant librarian in 1990, associate librarian in 1991, and librarian in 1996. She earned her B.Mus. from Andrews University in 1974, her M.A. from Loma Linda University in

1979, and her J.D. from Notre Dame in 1988, where she was a White Scholar, copy editor for the *Journal of Law, Ethics and Public Policy*, and recipient of the 1988 Kenneth V. Krepes Library Service Award for her outstanding student contributions toward the development of library services. She earned her M.L.S. from the University of Michigan in 1990. She was admitted to the bars of Indiana, Michigan and the federal district courts for the

northern and southern districts of Indiana in 1988, and to practice before the U.S. Court of Appeals for the Seventh Circuit in 1992. Prior to beginning her career in legal education, Ms. Payne spent eight years as a band director teaching music in elementary and secondary schools. She teaches in the required first-year legal research class and often teaches advanced-legal research to third-year students.

Warren Rees

Librarian



Warren Rees joined the library faculty of the Kresge Law Library in 1997 as a librarian. He earned his B.A. from Minnesota Bible College in 1978, his J.D. from Southern Illinois University in 1985, and his A.M.L.S. from the University of Michigan in 1986. Admitted to the Wisconsin Bar

in 1985, he has also worked as assistant and associate librarian at the University of Minnesota (1986-90), assistant director of the law library at Willamette University (1990-93), associate director of the law library at Gonzaga University (1993-94), and research librarian at Valparaiso University (1994-96).

Joseph Rosenfeld

Associate Librarian and Director of Law School Computing



Joseph Rosenfeld joined the Kresge Law Library faculty in 1995 as associate librarian and director of computing. He is responsible for designing and implementing automated services for the Law School faculty, administration and students. He earned his B.A. and M.L.S. degrees from the State

University of New York at Buffalo in 1981 and 1983, respectively, and his J.D. from Cleveland State University in 1991. He has worked at both Nova University Center for the Study of Law (1983-85) and Cleveland State University (1985-88) as the cataloging librarian, and has worked at Cleveland State University as bibliographic analyst for the NOTIS Project (1988-89), cataloging and automation librarian (1989-90), and automation librarian (1990-94).

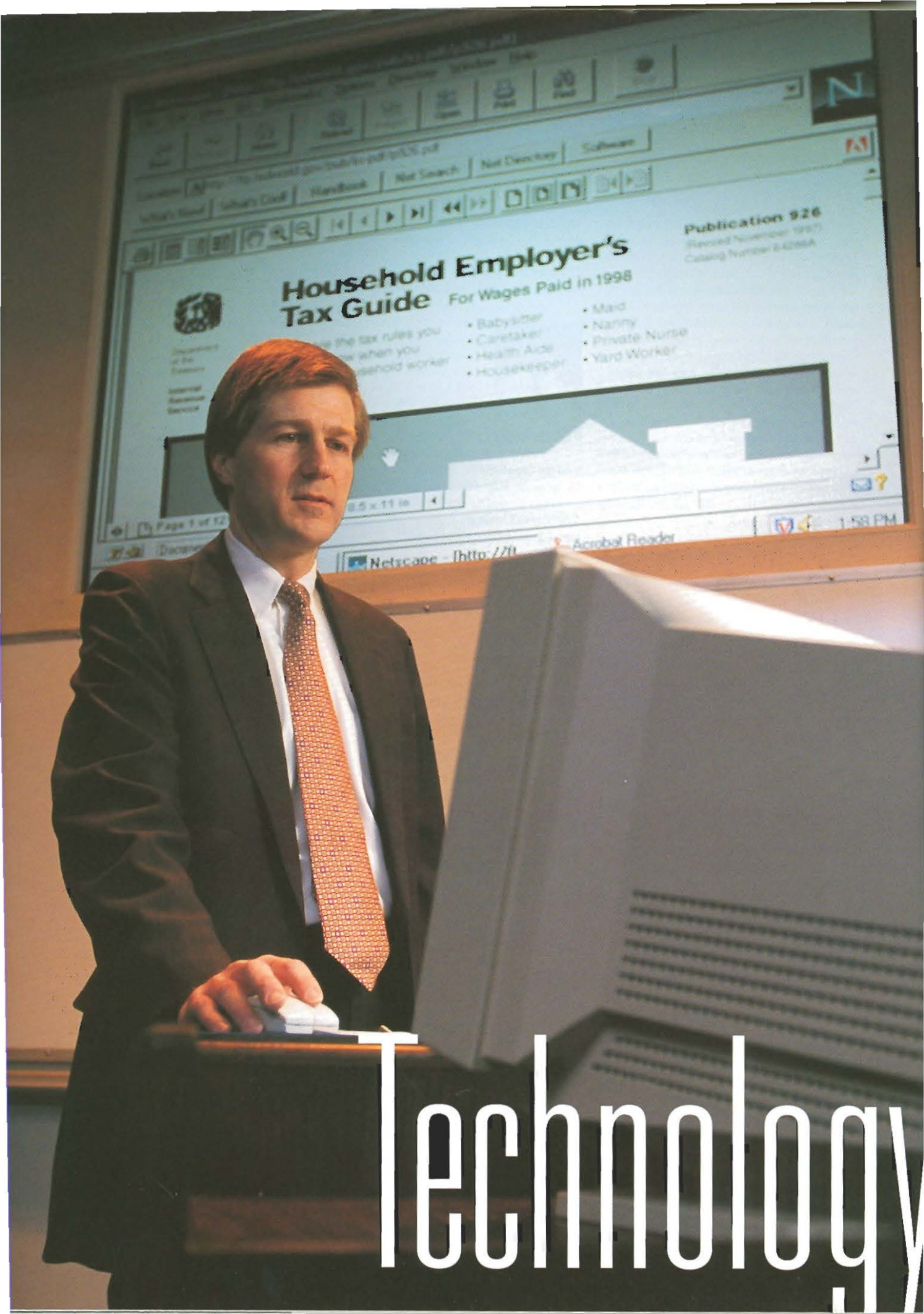
Joseph Thomas

Associate Librarian and Head of Technical Services



Joseph Thomas joined the faculty of the Kresge Law Library in 1989 as catalog librarian, became assistant head of technical services in 1992, and head of technical services in 1994. He earned his B.A. from the University of Kentucky in 1980 and his M.A.L.S. from the University of

Chicago in 1983. He has worked as catalog librarian at Eastern Kentucky University Library (1983-84) and at Indiana University School of Law Library (1984-88), and as assistant librarian in the General Electric Corporate Legal Library (1988-89).



Household Employer's Tax Guide

For Wages Paid in 1998

Publication 926
(Revised November 1997)
Catalog Number 84285A

- Babysitter
- Caretaker
- Health Aide
- Housekeeper
- Maid
- Nanny
- Private Nurse
- Yard Worker

Technology



ew technologies have promised to revolutionize the way we learn and live for many years now, yet somehow, the revolution has taken

longer to materialize in places such as law schools. Law, being somewhat conservative itself, and law professors, with their commitment to the Socratic method of teaching, responded more cautiously to new technologies that rapidly gained footholds in other professions and in other branches of education. As technologies developed, their applications to the field of law did not appear to offer advantages over traditional teaching methods. For a new technology to be accepted and used, it must improve the process of educating students: It must significantly improve the teaching process itself by making it easier for the professor to get the information to the student; it must help the student retain, understand and synthesize information; or it must assist the student in performing a task that is critical to success in the practice of law. Furthermore, any new technology must be easy to use, and the time involved in making it work must be reasonable in light of the results achieved.

We first saw a change in the thinking about technology and the law in the area of legal research about 15 years ago. The LEXIS and Westlaw databases offered such advantages over printed sources that they gained a solid foothold in the legal world. Practicing lawyers saw the advantages offered by the on-line research databases and began using them in everyday practice. As a result, law schools — NDLS among the first in the country — made training in the use of and providing convenient access to LEXIS and Westlaw a priority. Today, students learn how to use these services during the first year in additional training sessions beyond Legal Research and can access the on-line databases not only from every computer in the Law School Computer Lab, but also from their home computers or

lap-tops plugged into computer ports located throughout the Kresge Law Library.

Now, we're seeing an explosion in the use of Internet-based resources as well. The Internet allows communication between individuals via e-mail, is an interactive tool that permits a multifaceted presentation of information, and offers access to vast amounts of information.

Although still in its infancy, the Internet represents the first major technological development that holds the potential for offering significant assistance to both teacher and student in the legal education process.

Clearly, with its potential to access vast stores of information around the world, the Internet has opened new vistas into the world of research — legal research

LINK — NO, NOT THE DEAN!

With the implementation of our new Legal Information Key (LINK) catalog, the Kresge Law Library now has available for patrons a state-of-the-art tool for searching library holdings. LINK is our name for a product called Innopac, sold and serviced by Innovative Interfaces, Inc., of Emeryville, California. Innopac was, in many ways, an obvious choice for us when we began to search for a new automated cataloging system; for example, Innovative's 700 customers include over 100 law libraries, many at other leadership institutions such as Columbia, New York University, Yale and Michigan. The attraction of Innopac for law libraries lies in its sophisticated module for tracking the receipt of publications that are updated frequently. Innopac also features excellent modules for circulating library materials, ordering new books, keeping track of payments and, most obvious to patrons of the Kresge Law Library, a public catalog that is easy to access and use.

Gone now are the old wooden file boxes, familiar to patrons as recently as three years ago, containing dog-eared index cards identifying holdings and their locations. The advent of on-line public access catalogs in libraries more than a decade ago has introduced a new approach to library research. Instead of flipping through file cards to search titles, authors or subjects, patrons now sit at a computer and enter those same searches from a single spot with immediate access to holdings and circulation status. Additionally, searches by call number, government document identifiers or key words within a record allow the researcher to cast a wider net in search of relevant materials.

But even now, a new era has begun in the development of library cataloging. Soon, bringing up a record for a particular book could lead to a reference to an Internet or web page that could be accessed instantly; an unsuccessful search in the local catalog could be transferred immediately to several other library catalogs to determine holdings elsewhere; other catalog links might lead to the full text of journal articles or to relevant LEXIS or Westlaw files. The library catalog is fast on its way to becoming a fully integrated component of the infrastructure that holds together the world's knowledge. Using this catalog has become one of the most efficient ways to work through the tangles of information available to students and researchers.

Beginning this spring, LINK will be available on the World Wide Web. Using an Internet browser, a local patron or a lawyer on the other side of the country — or even the world — can check the Kresge Law Library holdings with equal ease. Check out our web page at <http://www.nd.edu/~lawlib/> and give LINK a try.

— Joseph W. Thomas, Associate Librarian

at NDLS

BY WARREN REES, LIBRARIAN, AND
JOSEPH ROSENFELD, ASSOCIATE LIBRARIAN AND
DIRECTOR OF LAW SCHOOL COMPUTING

Through the use of various aspects of the Internet and networking technology, a professor can provide students with access to all of the class materials, including syllabus, handouts, reserve readings, relevant cases and statutes, etc.

included. Government agencies and universities are putting cases, statutes and other primary- and secondary-authority materials on the web. Commercial publishers are creating products that exist only on the web. As a result, practicing lawyers, law students and professors alike are beginning to use the Internet more and more in their everyday work.

Beyond legal research, at NDLS the Internet has begun to filter into the classroom. Through the use of various aspects of the Internet and networking technology, a professor can provide students with access to all of the class materials, including syllabus, handouts, reserve readings, relevant cases and statutes, etc. Students and professors can communicate via e-mail, asking and answering questions electronically — long after class is over and everyone has gone home for the night.

And professors are beginning to take advantage of new, hybrid technology that combines the best of LEXIS and Westlaw with the best of the Internet, creating an “extended classroom” — a classroom that extends beyond the physical boundaries of the classroom and the time boundaries of the class schedule. For example, a West service called TWEN allows professors to create a “listserv” — essentially an e-mail address database of the students in a particular class — through which professor and students can communicate with each other, and through which students can access information in Westlaw’s database using web-like hyperlinks. Practitioners who are interested in particular topics are invited to join the discussion — as long as they have a valid Westlaw user ID number and the approval of the course instructor. LEXIS offers a similar service called LEXIS Exchange.

An extension of these services allows professors at other law schools to communicate with NDLS professors on particular topics and to exchange ideas about how to use particular texts. Associate Professor Matt Barrett ’82, ’85 J.D. hosts a TWEN author forum for his new book, ACCOUNTING FOR LAWYERS — one of fewer than a

dozen such fora currently active on TWEN. Other professors who use his book in their classes can participate in the author forum and, via e-mail, can ask Professor Barrett questions about the book, offer suggestions to enhance teaching, and engage in an on-line academic discussion about the subject. Professor Barrett also has made available his PowerPoint presentation graphics, so that professors at other law schools can use the same presentations — or modify them to suit individual needs. In this way, NDLS professors can extend their reach beyond the walls of the Law School, and indeed, beyond the University perimeter, to impact legal education all around the country.

To take advantage of these technological developments in our own educational processes — and to prepare our students for the high-technology world they likely will face upon graduation — the Law Library recently completed a new Instructional Lab that permits an instructor to demonstrate any computer application to a class. Students can see what the instructor is doing on an individual computer through the use of image projection; furthermore, each student has a computer on which the student can perform the same functions. In addition, this integrated lab permits instructors to teach the uses and comparative advantages of LEXIS, Westlaw and the Internet all from one location. Gone, now, are the days when — as recent graduates will remember — a student had to move from one room to another to access all the available on-line research tools. Today, the world of on-line legal resources is available on one computer.

We’ve come a long way in the last decade. But we can’t stop learning and adapting to new technologies. Every day brings new information to us, and every day, we need to find new, cost-effective and efficient ways to use this technology to enhance every aspect of the educational experience at NDLS — from the basics of legal research to the most exciting “extended classroom” applications. We at the Kresge Law Library are up to the challenge.

Law School on the Internet

Associate Professor **Matt Barrett ’82, ’85 J.D.** this year is teaching on the Internet. As part of The West Education Network (TWEN), Professor Barrett is hosting an author forum for law professors using his recently published ACCOUNTING FOR LAWYERS casebook (Foundation Press, 1997). The service, available for selected textbooks published by West Publishing and Foundation Press, allows law professors direct access to casebook authors through a dedicated web site. On his web site, Professor Barrett provides the PowerPoint slides he uses to teach his own classes at NDLS, in a format that other professors can download and use at their own law schools. Professor Barrett also answers questions and responds to comments from other professors using his textbook. Currently, the TWEN program involves fewer than a dozen casebooks, so Professor Barrett’s involvement places NDLS on the leading edge of this technology.

Additionally, Professor Barrett, Professor Joe Bauer, and Associate Professor Lisa Schiltz use another feature of the TWEN system in conjunction with their classes to allow students to ask questions and engage in on-line discussions about issues of interest. Rev. John H. Pearson, C.S.C., plans to use a similar service on LEXIS, called LEXIS Exchange, in upcoming courses.

Professor Barrett, in particular, would enjoy having alumni who practice in the area of federal taxation join the on-line discussion for his class this semester. If you have a Westlaw password and would like to help explain the intricacies of the federal tax code to NDLS students, please contact Professor Barrett by telephone at (219) 631-8121, or by e-mail at matthew.j.barrett.1@nd.edu.

Bridging the Gap: Electronic Document Delivery and Networked Information Services

BY CARMELA KINSLOW, ASSISTANT LIBRARIAN AND HEAD OF ACCESS SERVICES

Before Roger Jacobs assumed the directorship of the Kresge Law Library in 1985, we functioned basically as a self-contained library. Rarely did we share resources with other libraries. If we didn't own a title that a faculty member requested, we bought it — budget permitting, of course.

Over the past 13 years, however, economic and technological factors have caused libraries — ours included — to seek more creative ways to meet a variety of new research needs. No library has the resources to purchase all of the books its patrons demand, and in the last 15 years, the unit price of serials has increased by 138 percent and the unit price of monographs by 58 percent. Increased familiarity with the Internet and other on-line research services such as LEXIS and Westlaw has opened up research vistas previously unavailable when confined to a card catalog in a single library; faculty and students now expect us to be able to access in hard copy anything they can find on line. And they want it fast.

In response to these increased demands and pressures, libraries today work together to support the growth of networking, resource sharing and reliance upon commercial document delivery vendors as means of satisfying information needs. Through new "networked information" sources, libraries such as ours now have access to a collection far exceeding our hard-copy volume count. Just five years ago, the network of on-line library catalogs in North America alone numbered 450; today that network contains over 1,600 on-line catalogs. Clearly, joining these networks has provided us access to a great deal more information than we had when we were limited to research within the confines of our building.

In 1985, the Kresge Law Library joined the best-known library network, OCLC, a national and international network linking more than 15,000 libraries in 47 countries and territories to more than 35 million bibliographic records. OCLC has become our primary tool for the electronic transmission of interlibrary loan requests, helping deliver speedy and affordable electronic access to documents and titles we cannot own. Since joining the network, we have processed more than 24,000 requests in support of student and faculty research, providing access to books, articles, films, computer software and

other types of material. Some of OCLC's tailored products and services enhance the basic interlibrary loan request features of the network: FirstSearch gives library users access to over 60 on-line databases and more than 1.5 million full-text articles; Epic helps information professionals meet research demands efficiently and affordably by tapping into nearly 60 databases, many of which contain the full text of desired documents.

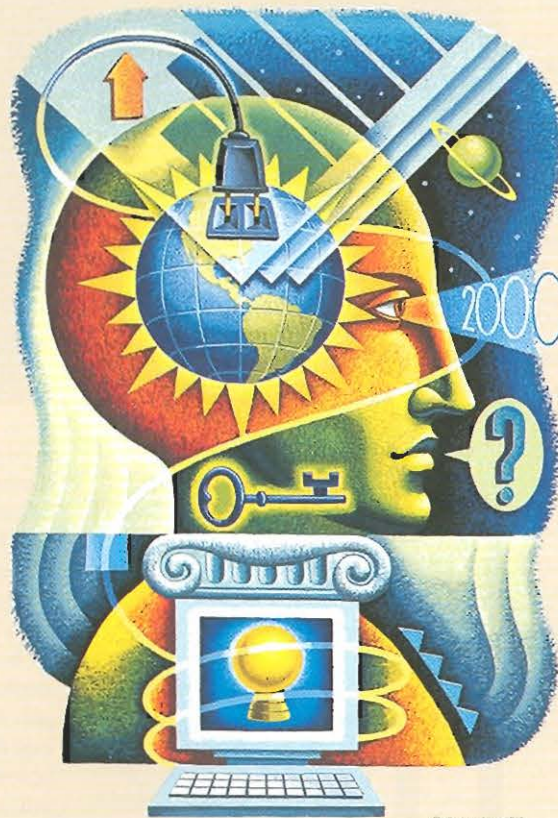
In addition to networking resources, we have employed some simpler means of receiving documents — for example, the fax machine we installed in 1987. And we are investigating the implementation of ARIEL, a document delivery system that permits rapid transmission of documents and images over the Internet. The images are higher quality and delivery is less expensive than fax transmission.

In 1993, we started using the new UnCover and UMI Article Clearinghouse document delivery systems for the delivery of single articles. UnCover, created by the Colorado Alliance of Research Libraries, links document delivery to an integrated library system database of journals that are scanned and stored electronically. UMI Article Clearinghouse offers quick service for copies of articles from a huge range of titles. We use UnCover and UMI as backups when costs from other document holders are high and when rapid response to requests is important.

Document delivery and interlibrary loan processes have evolved over the past 15 years, but at the Kresge Law Library, with our improved technology base and with increased interaction among our library faculty/staff and the faculty/staffs of other law libraries, we have been well poised to take advantage of these new methods for obtaining information. As our patrons seek out more and more information to satisfy their research needs, we

will continue to use these networked methods, and we will continue to support the development of enhanced methods of document delivery.

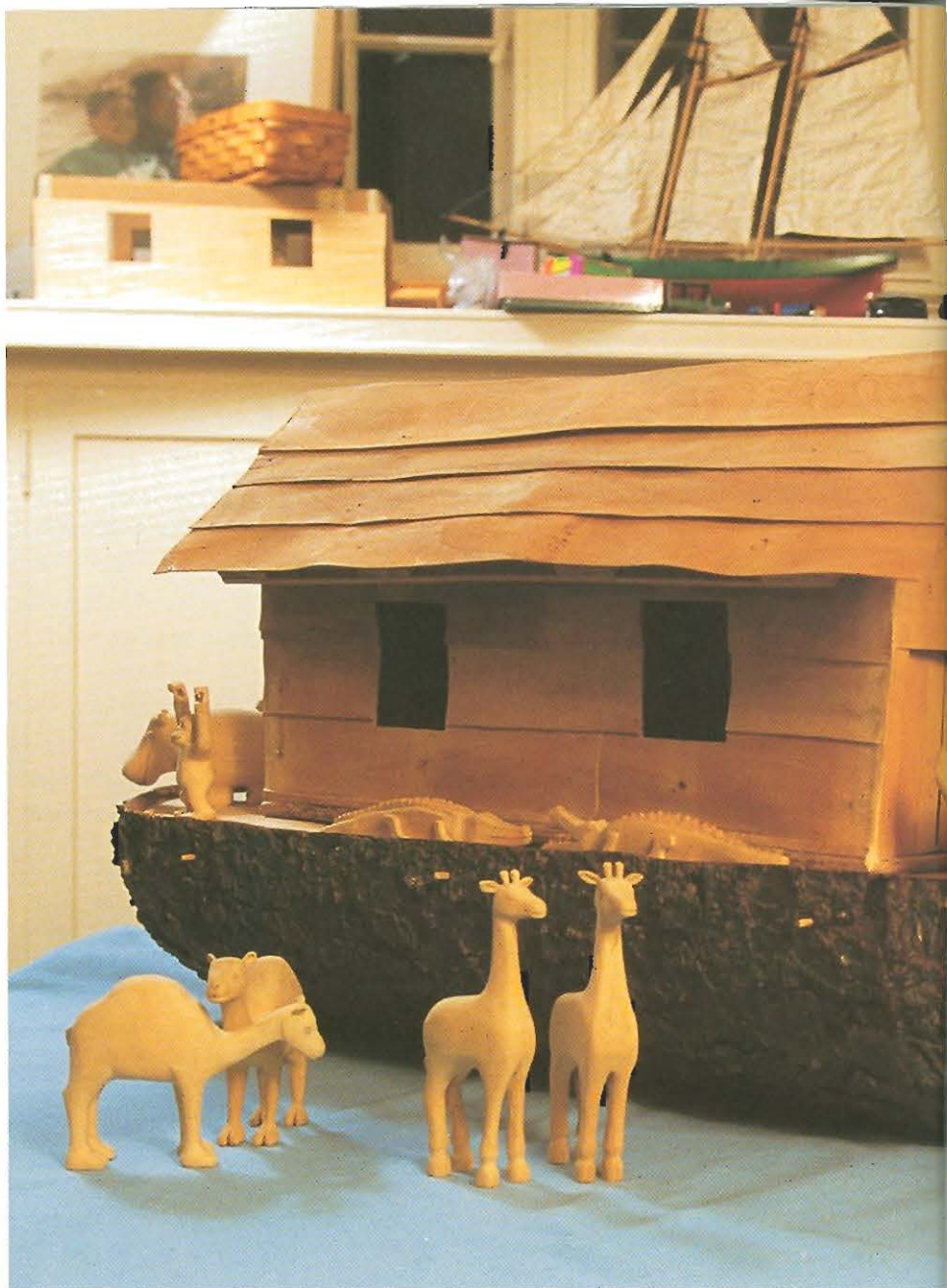
How the Kresge Law Library bridges the gap between the vision of the "virtual library" and our patrons' actual and immediate needs is a challenge that, based upon the history of service in the library, will not go unanswered.



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AFTER
HOURS

Dwight King: On the Cutting Edge



Dwight King, head research librarian at the Kresge Law Library of the Notre Dame Law School, has a reputation for being on the cutting edge in his profession. During the day, he coordinates the first-year Legal Research class, helps faculty and students conduct their own research — which could range from finding the latest Supreme Court decision on a particular topic all the way to in-depth research on admiralty law — and engages in his own research and scholarship

to ensure that the Kresge Law Library continues its climb into the nation's top echelon of research-class law libraries.

But “after hours,” all that changes. When not tending to the needs of his young family — he and wife Mary have four children, Elise, Matthew, Gabriel and Madeline — or coaching a young soccer hopeful on the fine art of heading, or perfecting his own skills as a black belt in judo, or taking a long bike ride, Dwight King sits down at a table in his family room, picks up a carving tool, and transforms a rough piece of basswood into a work of art.

“I started wood carving when I was about 12 years old,” says Dwight. “My grandfather and I decided to carve a

BY KITTY COONEY HOYE,
DIRECTOR OF CAREER SERVICES AND LAW SCHOOL RELATIONS



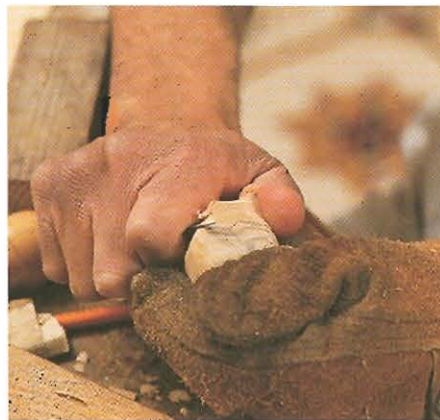
Derringer out of an old piece of pine." Although he didn't pick up another carving tool until he was in college, Dwight has always had a love of the art. "I was particularly interested in sculpture." While in college, Dwight took up wood carving as a way to reduce stress. It's no wonder he needed to find a release. Dwight earned three degrees from the University of Michigan in eight years — a B.A. in 1977, a J.D. in 1980, and an M.L.S. in 1981. (And in case you were wondering, in the fall, he

roots for "whoever signs my paycheck.")

Completely self-taught in his wood-carving art, Dwight now has nearly 30 pieces in his collection. Some projects he completes in a weekend; others have taken him years. "I would consider my Noah's Ark to be my best work so far. It has taken me over three years, and it's not done yet! I still have a few more animals to add." Dwight takes immense pride in every project. He painstakingly carves each piece by hand, without the use of any power tools.

He completed what he considers to be his first "real" piece shortly after the birth of his first daughter. It's a carving of Mary pushing Elise in a baby carriage. It has remained one of his favorites. Since that time, he has created a unique piece for each of his children, each capturing a different characteristic of childhood. "All of my pieces are special, but the ones for my children are very precious to me," says Dwight. When asked if he has ever sold his work, Dwight grins, "Only once, and it was one of the hardest things I ever did. After working so long on a particular piece, I grow very attached to it. It is really too hard to part with them."

Dwight characterizes his work as "folk art" — a term "generally reserved for those of us who lack real talent," jokes Dwight. Although noted folk artist and author Robert Bishop similarly describes folk art in his book, *AMERICAN FOLK SCULPTURE*, as "frequently amusing because the artist is incapable of realistic representation," anyone who has seen Dwight's work might take



issue with such a characterization. Dwight's pieces are vibrant and whimsical, and some are extremely detailed. His articulated alligator, for example, has individual teeth carefully made

with small pieces of toothpicks. Or his carving of wife Mary aboard a bicycle, which has jointed legs that actually propel the bike. Other favorites include the cowboy created for son Matthew and the horse-drawn carriage created for son Gabriel, which now sits on the mantle.

Dwight doesn't have an elaborate workshop, nor does he hide away in his garage to indulge in his late-night carving effort. "Actually, I find that I do my best work in the family room." Mary supports her husband wholeheartedly. "Well, let's say that she's extremely tolerant. It can get pretty messy at times."

Although his children have taken some interest in his work, Dwight isn't rushing to pass on his craft to them just yet. They love to watch him carve, but they're still too young to work with the sharp tools. "Actually, they're more interested in my judo. I visited a neighborhood school recently to talk to the kids about my career. I spent a few minutes on my position as a law librarian, and a few minutes on my art. But the thing that impressed the kids the most was when I 'threw' their teacher using a judo move!"

And what is Dwight's newest project? "Well, I've been inspired recently by another member of our family. It's a carving of me taking our cat Jinx to the vet!" Seems like there ought to be a few cutting edges in that piece as well.



F A C U L T Y

Notes

■ **Matthew J. Barrett '82, '85 J.D.** presented "Ethics for CPAs and Attorneys" at the Indiana Tax Institute, sponsored by the Indiana CPA Society and the Taxation Section of the Indiana State Bar Association, in Indianapolis in December. Dean Link has appointed Professor Barrett to the Law School's Curriculum Review Committee and to the Faculty-Student Public-Interest Law Committee.

■ **Geoffrey Bennett**, co-director of the London Programme, participated on a panel of speakers in an October conference held at the University of Barcelona (Spain) entitled "A Law Bar for Europe and America," co-sponsored by the University of Puerto Rico and the Barcelona Bar Association. The conference addressed how lawyers are trained and qualified to practice law in an increasingly global legal world.

■ **G. Robert Blakey '57, '60 J.D.** helped the State of Texas score another big victory in the tobacco wars. In January, the tobacco industry agreed to a record \$14 billion settlement with Texas, the industry's biggest setback yet in the face of a spate of lawsuits brought by state attorneys general against the industry. Affecting eight cigarette manufacturers, the civil settlement is the largest in U.S. history. The industry had vowed to fight hard in Texas, believing the state's case to be weak. Professor Blakey, however, redesigned the complaint and urged the judge to divide the case into three separate parts — one part involving the tobacco industry's violation of the Racketeer Influenced Corrupt Organization (RICO) Act, which was the strongest part of the state's case; a second part involving the industry's violation of antitrust and other laws; and a third part involving damages, originally the weakest part of the state's case since the tobacco industry intended to argue that Texas had no right to seek damages when for years it had tacitly approved of tobacco by taxing it. Because Professor Blakey drafted the complaint us-

ing the federal RICO statute, the tobacco industry settled rather than risk a judgment that could have resulted in issue preclusion on the matter of RICO liability in 47 other states (Florida and Mississippi had already settled with the tobacco industry under state statutes).

Professor Blakey also continues his quest to educate attorneys on the utility of RICO. He gave a continuing legal education presentation on RICO to the Pittsburgh law firm of Titus & McConomy at a lodge near Bradford, Pennsylvania, in September; gave a presentation on RICO to the staff of the Office of the Attorney General of New Jersey in September; and presented "Tobacco Litigation and RICO: A Turning Point?" at the Cornell Law School in October.

In November, Professor Blakey met with Judge Atsuo Wakazono, a representative of the Japanese Supreme Court, who is in the United States to study its wiretapping laws and practices. Also in November, he attended the meeting of the Council of the Criminal Justice Section of the American Bar Association in Washington, D.C. The council, of which Professor Blakey is a member, recommended to the ABA House of Delegates new standards for technology-assisted physical surveillance — a revision of the 1972 Standards for Electronic Surveillance for which he was the ABA's reporter.

He presented his paper, "The History, Scope and Rationale of Treble Damages," at a conference entitled "Deterring Corporate Misconduct" sponsored by Duke Law School and the Institute for Law and Economic Policy in Naples, Florida, in November. And he participated in a symposium on "Florida's Tobacco Litigation: Fact, Law, Policy and Significance," sponsored by the Florida State University Law School in Tallahassee in November. Conference participants included Florida Governor Lawton Chiles and Attorney General Robert A. Butterworth.

■ **Gerard V. Bradley**, an outspoken critic of the U.S. Supreme Court's 1973 *Roe v. Wade* decision, testified before the U.S. Senate Subcommittee on the Constitution, Federalism and Property Rights at a hearing entitled "The 25th Anniversary of *Roe v. Wade*: The Test of Time." During his remarks, Professor Bradley commented that "there is nothing more to the Court's opinion than judicial fiat," and he traced "some of the negative consequences of that arbitrariness." The SOUTH BEND TRIBUNE featured Professor Bradley on its front page on the day he testified, January 21, 1998.

■ **Penny Darbyshire** of the London Programme published *For the New Lord Chancellor — Some Causes for Concern about Magistrates* in the 1997 edition of CRIMINAL LAW REVIEW.

■ **Judge Harry C. Dees Jr.** spoke on "Article III Status for Bankruptcy Judges: Do They Need It to Do Their Jobs?" at the Annual Bankruptcy Institute of the Indiana Continuing Legal Education Forum in Indianapolis in December.

■ **Fernand N. "Tex" Dutille '65 J.D.** published *Law and Governance Affecting the Resolution of Academic and Disciplinary Disputes at Scottish Universities: An American Perspective* in the INDIANA INTERNATIONAL & COMPARATIVE LAW REVIEW. The article grew out of research he did as a senior visiting fellow at the University of Aberdeen (Scotland).

■ **Barbara Fick** has been elected chair of the University's Committee on Women Faculty and Students.

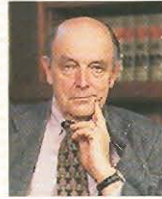
■ **John Finnis**, who has returned to England for the spring semester, presented "Re-Reading Aquinas on Sex and Marriage" at the University in October. During the late fall, he led weekly meetings of faculty members interested in discussing his manuscript on the social and political thought of Thomas Aquinas.

■ **John H. Garvey** hosted a conference on "Law and Logic" in November to celebrate the publication of Professor Robert Rodes' book *PREMISES AND CONCLUSIONS*. The participants included lawyers and philosophers from the United States, Canada, and Great Britain. Later that month Professor Garvey was a featured author (along with Bobbie Ann Mason and Wendell Berry) at the Kentucky Book Fair; he spoke about and autographed copies of his book *What Are Freedoms For?* Also in November, he had breakfast at the White House with President Clinton and a number of religious leaders to discuss the president's initiative on race relations in America. In January, he attended the annual meeting of the Association of American Law Schools, where he was elected co-chair of the Law and Religion Section; he and Marci Hamilton of Cardozo School of Law are planning a program on religion and public funding for next year's meeting.

He published *What's Next After Separationism?* in the Winter 1997 edition of the *EMORY LAW JOURNAL*.

■ **Alan Gunn** published *Basis and the Bad-Debt Deduction* in the October 20, 1997, issue of *Tax Notes*; and, with co-author Larry D. Ward, 1997 SUPPLEMENT TO CASES, TEXT AND PROBLEMS ON FEDERAL INCOME TAXATION, third edition (West Publishing Co.).

■ **William P. Hoye**, along with Robert M. Zerr, Notre Dame's director of risk management and safety, received a grant by United Educators Insurance Risk Retention Group to examine the general liability risks associated with the operation of international study-abroad programs by American colleges and universities. Professor Hoye led a discussion on the subject at the annual meeting of the National Association of College and University Attorneys in Seattle in June, and at the national conference of the University Risk Management and Insurance Association in Chicago in September.



Professor Rodes Honored at Conference

NDLS and the *Notre Dame Law Review*, under the direction of NDLS professor John Garvey, sponsored a conference in November entitled "Premises and Conclusions," to honor Professor Robert E. Rodes Jr. on the occasion of the publication of his book by the same title, co-authored with University of Miami philosophy professor Howard Pospesil. The conference explored the relationship between law and logic — a connection that, to many, often seems tenuous at best.

In addition to Professors Rodes and Pospesil, seven other scholars from the fields of law and philosophy came to NDLS for the day-and-a-half conference to discuss contemporary symbolic logic that focuses particularly on legal reasoning, including: Kevin Saunders, professor of law at the University of Oklahoma; Douglas Walton, professor of philosophy at the University of Winnipeg; Richard Friedman and Layman Allen, professors of law at the University of Michigan; John Rogers, professor of law at the University of Kentucky; Patricia Sayre, professor of philosophy at Saint Mary's College; and Larry Alexander, professor of law at the University of San Diego.

■ **Roger Jacobs** chaired the ABA Section of Legal Education and Admission to the Bar's team that conducted a sabbatical site inspection of the J. Reuben Clark Law School of Brigham Young University in March; the team's report will be used by the section's Accreditation Committee and Council to determine if BYU continues to

satisfy the Standards for the Approval of Law Schools. He also served with Professor Curtis J. Berger of Columbia Law School as a special AALS fact finder in discussions between the AALS and a member law school. In January, he chaired the meeting of the Library Committee of the ABA Section of Legal Education and Admissions to the Bar in San Francisco. He also completed his service as chair of the Constitutional Revision Committee of the Association of Jesuit Colleges and Universities Law Library Consortium, of which Notre Dame is an associate member, by reporting on amendments adopted by the consortium in January.

■ **M. Cathleen Kaveny**, together with Scott Appleby, director of the University's Cushman Center for the Study of American Catholicism, is involved in a television series sponsored by the Common Ground Initiative on the national cable network Odyssey. Established by the late Joseph Cardinal Bernardin of Chicago and now directed by Archbishop Oscar H. Lipscomb of Mobile, Alabama, the initiative is an attempt to end polarization among U.S. Catholics.

She has also been named to the advisory board of the University's new Erasmus Institute, established for advanced study with a specific focus on reinvigorating the role of Catholic intellectual traditions in contemporary scholarship.

The *NEW YORK TIMES* featured Professor Kaveny in an article on Notre Dame in its Education Section on Wednesday, December 10, 1997. The article focused on the University's success in "carving itself an important niche as an institution of serious scholarship with a deeply religious environment." Professor Kaveny, who holds both a J.D. and a Ph.D. from Yale, is planning a scholarly study of mercy — how a society should feed its hungry and comfort its sick. She notes that Notre Dame's religious environment allows her to pursue scholarship that, as a junior member of the faculty, she could never pursue at another law school. "I would be laughed at. Here, they are excited about it."

She gave the keynote address, "Women's Health and Human Rights," at a pontifical conference on women's health issues, sponsored by the Pontifical Academy for Life, at the Università Cattolica del S. Cuore in Rome, Italy, in February. The conference examined a wide range of issues, including ethical aspects of health care, careers and family health, procreation and fertility, substance abuse, poverty and nutrition, reproductive technologies, and pre-, peri- and postnatal care. Her talk focused on the intrinsic value of all people - women and men - and drew upon the early Christian model of caring for widows to suggest that Catholic moral tradition offers rich resources for developing health and health-care policies that support women at all stages of life.

Professor Kaveny is spending the spring semester at Georgetown University as a visiting professor.

- **Dwight King** has been appointed to the Law School's Admissions Committee.
- **Douglas W. Kmiec** continues as the Straus distinguished professor at Pepperdine University for the remainder of this academic year. He spoke to the Associated Press on the constitutionality of allowing religious organizations to be grantees and program directors under recent welfare reform legislation in January; gave an invited lecture on "Natural Law Originalism" at Princeton University in February; gave the keynote presentation at the "Conference on Constitutional Interpretation and the Declaration of Independence" sponsored by *Crisis* magazine in Washington, D.C., in March; and prepared a legal opinion for the U.S. Senate Judiciary Committee on legislation that would create new criminal liability or paparazzi-like events similar to the one that resulted in the death of Princess Diana.

In November, he gave the keynote address at a dinner honoring California Attorney General Daniel Lungren ('68 B.A.) hosted by the Notre Dame Clubs of Los Angeles and Orange County. In December, as an invited commentator, he

spoke on the viability of neighborhood associations as a source of community formation at a program sponsored by the George Mason University Law School and the Donner Foundation in Alexandria, Virginia. And in January, as an invited guest, he participated in the Liberty Fund Conference on "Freedom & Federalism" in Captiva Island, Florida.

Professor Kmiec also conducted a Bible study on the Gospel of Matthew at Pepperdine University Law School in November, and gave a series of lectures on the Book of Ecclesiastes at Pepperdine this spring.

At the first-ever reunion of the former heads of the Office of Legal Counsel of the U.S. Department of Justice in Washington, D.C., in October, Professor Kmiec was an honored guest, along with Chief Justice William Rehnquist and Associate Justice Antonin Scalia.

He has published *AN INTRODUCTION TO THE HISTORY AND NATURE OF AMERICAN CONSTITUTIONAL LAW*, Volumes 1 & 2 (Pepperdine University Federal-State Editions, 1997).

- **Donald P. Kommers** read a paper dealing with the constitutional problems in public finance under the German and Polish constitutions at the fifth annual Conference on the Individual and the State sponsored by the Central European University in Budapest, Hungary, in June. He delivered the concluding address, "What We Americans Can Learn from Constitutional Developments in Eastern and Western Europe," at an international colloquium entitled "Comparative Constitutionalism, 1945-1995: Rights and National Identity," sponsored by the College of Humanities and the Mershon Center at Ohio State University in Columbus in October. He discussed his research on comparative constitutionalism in the public address, "The Function of Judicial Review and the Role of Constitutional Courts in Europe," at Emory University in Atlanta in October.

He published: *AMERICAN CONSTITUTIONAL LAW* with John E. Finn of Wesleyan University (930 pp., West Wadsworth

publishers) in March; a refereed article, *Transitional Justice in Eastern Germany* in *LAW AND SOCIAL INQUIRY*; a book chapter, "The Changing Nature of the German Rechtsstaat" in *THE POSTWAR TRANSFORMATION OF GERMANY: DEMOCRACY, PROSPERITY AND NATIONHOOD* (edited by Gerald Feldman, published by the University of Michigan); and *The Constitutional Jurisprudence of Mary Ann Glendon* in *NOTRE DAME LAW REVIEW* as part of its Spring 1998 *Propter Honoris Respectum* issue.

He also received a five-year, \$1.5 million grant for the establishment of a Center for German and European Studies German Academic Exchange Service in the Nanovic Institute for European Studies.

- **Patricia Leonard '75 J.D.** has been appointed to the Law School's Admissions Committee and to the Faculty-Student Public-Interest Law Committee. She also conducted a "Personal Statement Seminar" for members of the University's undergraduate Pre-Law Society.

- **Dean David T. Link '58, '61 J.D.** delivered a Hesburgh Lecture on the topic of professionalism in the legal profession for the Notre Dame Club of Fort Lauderdale. The substance of his talk and a brief interview appeared in the December 11, 1997, issue of *THE FLORIDA CATHOLIC* newspaper, and has been reprinted in numerous Catholic newspapers nationwide.

- **Rev. James E. McDonald, C.S.C. '79, '84 M.Div.** is chairing several Law School committees including the Admissions Committee and the Faculty-Student Public-Interest Law Committee.

- **Garth Meintjes '91 LL.M.** presented "An International Human Rights Perspective on Corporate Codes" at a conference sponsored by the University's Center for Ethics and Religious Values in Business entitled, "Global Codes of Conduct: An Idea Whose Time Has Come?" in October. He also participated in a panel discussion on "Impunity: Truth Commissions and War Crimes Tribunals" at Amnesty

International's Midwest Regional Conference, entitled "Your Corner of the Globe," held at Northwestern University in November. And he served as rapporteur for "An International Conference on Reigning in Impunity for International Crimes and Serious Violations of Fundamental Human Rights" hosted by the International Institute of Higher Studies in Criminal Sciences in Siracuse, Italy.

■ **Carol Mooney** has been elected to membership in Phi Beta Kappa. She was initiated into the fraternity last November.

■ **Hon. John Noonan**, visiting professor of law, delivered two lectures at the Dayton University School of Law in October: "Conscience and Moral Values in Judging and Lawyering" and the Dedication Address for Keller Hall. During that visit,

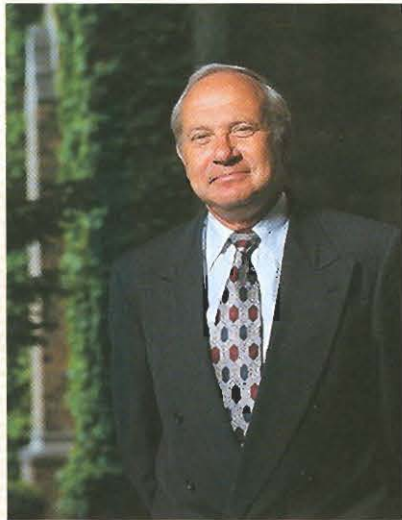
Judge Noonan also led a faculty colloquium entitled "Ethics Throughout the Curriculum." At NDLS, he spoke to students on judicial clerkships and gave a talk entitled "The New Crusade? The Global Campaign Against Corruption," co-sponsored by the Law School, the Office of the Provost, and the Departments of Theology and Philosophy.

Dean Link Honored by University Alumni Association

Dean David T. Link '58, '61 J.D. has been selected by the University's Alumni Association as the recipient of the James E. Armstrong Award for 1998. The Alumni Association established the award in 1978 to honor a Notre Dame graduate and current University employee who has performed outstanding services for the University.

In his letter to Dean Link, Chuck Lennon '61, '62 M.A., executive director of the alumni association, noted, "The current decision was not difficult. We deeply appreciate all you have done for Our Lady's University over the past years. The exemplary life you lead, in addition to service provided for the community and especially Notre Dame, all combine to highlight you as the perfect recipient of this distinguished alumni award."

Dean Link left private practice in 1970 on a two-year leave to teach at NDLS. He assumed the deanship in 1975, and enjoys the longest tenure of any law-school dean in the country. With an average tenure of just under three years for deans at the 178 ABA-accredited law schools, Dean Link's 23-year tenure is legendary — in fact, of the 35 longest-serving deans in the country today, only 19 have held their positions more than 10 years. He is also the longest serving among the University's five deans. Under his leadership,



Dean David T. Link

NDLS has progressed from a good, regional Catholic law school to a strong, national law school.

Dean Link's lifelong dedication to promoting ethics and professionalism in the teaching and practice of law has put him at the center of a small, but growing movement to revitalize the practice of law as a healing profession. He still teaches the first-year course in ethics, and frequently gives lectures on the topic at national and regional meetings of attorneys, legal educators and Notre Dame alumni.

Last year, Dean Link was named director of the newly created World Law Institute, a not-for-profit organization formed to sponsor educational programs in fields of law relating to the global economy, world organizations and the emerging world common law.

Dean Link's strong social conscience has led him to be a force — locally, nationally and internationally — in providing quality housing for the homeless. He is a co-founder of the South Bend Center for the Homeless, nationally recognized as a model facility for the care of the homeless. He has participated on the Notre Dame Alumni Association's team in several Habitat for Humanity building projects, spearheaded by former President Jimmy Carter, both in this country and in Europe. Each April, he captains the NDLS house in the University's "Christmas in April" home renovation project.

The Alumni Association will present the award to Dean Link at a special luncheon on the weekend of the annual Blue-Gold game, during the Alumni Senate Meeting, April 25, 1998. Congratulations, Dean!

■ **Lucy Payne '88 J.D.** lectured on research sources for labor law in Professor William Leahy's class in labor law in the Department of Economics in January. Her PowerPoint presentation included sound effects. The student handout oriented the undergraduate students to research materials in the Kresge Law Library as well as to using LEXIS for labor-law research.

She has been appointed to the Law School's Curriculum Review Committee as the library representative.

■ **Rev. John H. Pearson, C.S.C. '68, '71 M.Th.** published both *The Law of Easements: Rights in the Property of Another and Real Covenants: Promises Concerning the Use of Land* in 1997 UPDATE, THOMPSON ON REAL PROPERTY, VOL. 7 (edited by David A. Thomas, published by Michie Co.). He has also been elected to represent the faculty in the A.M.S. House of Delegates through the year 2000.

■ **Teresa Godwin Phelps** served on the faculty for the First Appellate Practice Skills Institute for the Indiana Continuing Legal Education Forum in Indianapolis in November. She published "Syndrome Logic" of Donald Alexander Downs' *MORE THAN VICTIM: BATTERED WOMEN, THE SYNDROME SOCIETY AND THE LAW*" in THE REVIEW OF POLITICS.

■ **Walter F. "Jack" Pratt Jr.** has been appointed to the Law School's Admissions Committee.

■ **Charles Rice** presented "Capital Punishment: The Catholic Response" as part of the "Living Out the Gospel of Life" series sponsored by the University's Office of Campus Ministry. He has also been appointed to the Law School's Admissions Committee.

■ **John H. Robinson** participated in the 13th annual Notre Dame Medical Ethics Conference in March, speaking on the significance of the Supreme Court's 1997 rulings on the constitutional status of laws prohibiting assisted suicide.

■ **Vincent Rougeau**, visiting associate professor of law, moderated a luncheon discussion on the "Christian as Citizen" at a conference entitled "Challenges Facing 21st Century Christians" sponsored by the National Center for the Laity in Chicago in January.

■ **Patrick J. Schiltz** published: *Legal Ethics in Decline: The Elite Law Firm, the Elite Law School, and the Moral Formation of the Novice Attorney* in the February 1998 edition of the MINNESOTA LAW REVIEW; and *Don't Leave Religion Out of the Classroom* in the January 1998 issue of U.S. CATHOLIC magazine.

■ **Thomas L. Shaffer '61 J.D.** gave the sermon at the 47th annual Red Mass for lawyers at the University of St. Thomas in St. Paul, Minnesota, in September. He reviewed PUBLIC MORALITY AND LIBERAL SOCIETY: ESSAYS ON DECEIT, LAW AND PORNOGRAPHY by Harry M. Clor in the December 1997 issue of THEOLOGICAL STUDIES.

■ **Dinah Shelton** presented a paper entitled "Recent Developments in International Law Regarding Marine Archaeology" to a joint meeting of the Association of the Hague Academy of International Law and the European Council on Environmental Law" in Funchal on the Island of Madiera in November. In October in Washington, D.C., she argued before the Inter-American Commission on Human Rights supporting the petitioner's claim in *Maria Eugenia de Silva v. Guatemala*, a case concerning provisions of the Guatemalan civil code that restrict the rights of married women to work outside the home. In December, she presented "Reparations for Human Rights Violations" at the University's Hesburgh Center for International Studies.

■ **Carla Slaughter** of the London Programme published: *Corporate Social Responsibility: A New Perspective*, in volume 18 of THE COMPANY LAWYER; and *When Giving to Charity is Illegal* in the January 1998 issue of THE TREASURER.

■ **J. Eric Smithburn** served on the faculty of three continuing legal education-accredited training programs on juvenile law held in October and November in Indianapolis, Bloomington and South Bend and co-sponsored by NDIS and the Indiana University School of Law. He also serves as a member of the Advisory Committee for the Court-Improvement Project of the Indiana Supreme Court, and has been re-elected to the Board of Directors of the Indiana Juvenile Justice Task Force, which is Indiana's largest advocacy organization dealing with children's-rights issues. Professor Smithburn has also been appointed to membership on the Legal Education Conclave Action Committee of the Indiana State Bar Association. He is spending the spring semester with the London Law Programme.

■ **Jay Tidmarsh '79** has been named to the Law School's Admissions Committee.

■ **Rev. D. Reginald Whitt, O.P.**, in October, addressed the Guild of Catholic Lawyers of the Diocese of Norwich (Connecticut) on "'The Catholic Lawyer': It's Not an Oxymoron," following the Norwich Diocese's Red Mass in October. He presented a paper entitled "Changes in Canon Law Regarding Territorial and Personal Parishes: A Tale of Two Codes and Then Some," in October at a symposium on "The Parish as Social Institution: Past and Future," sponsored by the South Bend parishes of Saint Hedwig and Saint Patrick and by the Institute for Church Life in America. In March, he presented a paper entitled "Is 'Plenty Good Room' Enough?" at the meeting of the Black Catholic Theological Symposium at Marquette University.

He has also been appointed as the Law School's representative to the University's Committee on Libraries.

A L U M N I N O T E S

CLASS OF 1941

■ **Hon. Robert Rodibaugh** of South Bend has been honored by having the new federal bankruptcy courthouse in South Bend named after him. Judge Rodibaugh has headed the bankruptcy court in the Northern District of Indiana for 37 years.

CLASS OF 1951

■ **Bernard Franz** of Enon, Ohio, will graduate this June from Wright State University with a bachelor's degree in Latin and philosophy and a minor in Spanish. Upon turning 60, Mr. Franz began taking classes "as a hobby" through a WSU program that allows senior citizens to take courses for credit with no tuition payment. Over the last 14 years or so, he has accumulated enough credit for his third college degree.

CLASS OF 1954

■ **Carl Eiberger**, a long-standing member of the Notre Dame Law Association Board of Directors and a trial lawyer in the Denver law firm of Carl F. Eiberger & Associates, has been appointed United States Citizen Ambassador. As part of his responsibilities in this position, in December of 1997 he accompanied a delegation of prominent United States psychologists and psychiatrists to China to meet with Chinese medical authorities regarding stress management.

Also in 1997, the International Lions Club named Mr. Eiberger its Citizen of the Year. He was also reappointed to the Board of Governors of the Colorado Bar Association, representing the Denver Bar Association.

CLASS OF 1966

■ **Paul Niemeyer**, a judge on the United States Court of Appeals for the Fourth Circuit and chair of the Advisory Committee on Civil Rules, was featured in the October 13, 1997, issue of *THE NATIONAL LAW*

Paul Schierl '61 J.D., former chairman of the board of the Fort Howard Paper Company, and his wife, Carol, of Green Bay, Wisconsin, have pledged \$100,000 to the Kresge Law Library to endow a collection for the study of legal issues of the American Civil War. This gift reflects Mr. Schierl's lifelong interest in the Civil War, and his strong commitment to NDLS. Mr. Schierl currently serves as a member of the Law School Advisory Council.

JOURNAL in an article entitled *Many Suggest Changing the Nature of Discovery*, concerning the "length, breadth and costs of discovery in big cases."

CLASS OF 1967

■ **Clifford A. Roe Jr.** has been elected administrative partner of the Cincinnati law firm of Dinsmore & Shohl, L.L.P.

CLASS OF 1968

■ **John J. Coyle Jr.** has been appointed chair of the New Jersey State Bar Association's Municipal Court Practice Committee, which works to enhance the professionalism of municipal courts by identifying and working to resolve issues arising from the operation of and practice in municipal courts. He continues as a trustee of the NJSBA.

For the past 10 years, Mr. Coyle has served as an arbitrator for the Superior Court of New Jersey Automobile Arbitration Program and is an attorney for the borough of Alpha in Warren County.

CLASS OF 1971

■ **James C. Aranda**, a principal of the Lancaster, Ohio, law firm of Stebelton, Aranda & Snyder, has announced that his firm has been accepted into the International Society of Primercus Law Firms, a

nonprofit, nationwide network of small- and medium-sized law firms that are committed to the principles of professional service including: irreproachable integrity guiding decisions large and small; civility in dealings with the bench and bar; excellence of work; reasonable fees; continuous pursuit of legal education; and community involvement.

■ **James Flickinger** of the Grand Rapids, Michigan, law firm of Flickinger & Plachta, has been honored by the Young Lawyers Section of the Grand Rapids Bar Association with its 1997 Professional/Community Service Award for his outstanding contributions to the practice of law, dedicated service to the community, and status as a positive role model for new attorneys. Among his service activities, he and two friends have made 13 trips to Bosnia-Herzegovina and Croatia, where they helped at hospitals and refugee centers, and delivered over \$5 million in medical aid. He has arranged support for 125 destitute children in Croatia, and has worked with Serbian, Muslim and Croatian leaders to build a large playground for Sarajevo's children. Closer to home, he established a free lunch program that takes place every Tuesday at a local Veteran's Park, and through his outreach efforts, has made personal contact with local homeless and impoverished individuals and has helped many secure housing and substance-abuse treatment.

CLASS OF 1972

■ **Thomas P. Dovidio** and his co-counsel, Mitch S. McKay, recently won a jury verdict of \$812,500, including punitive damages, in Los Angeles Superior Court in a case involving a fraudulent scheme in connection with a restaurant venture.

■ **James Friedman**, a partner at the Milwaukee, Wisconsin, law firm of Quarles & Brady, has been nominated and is running for president elect of the State Bar of Wisconsin. He currently serves as an elected member of the Bar's Board of

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Governors and on the Bar's Finance Committee, Investment Subcommittee, and Strategic Planning Task Force.

In his work at Quarles & Brady, Mr. Friedman practices in the areas of financial institutions, corporate finance, corporate, international and health-care law, and he coordinates the firm's Financial Institutions Law Practice Group.

Mr. Friedman also serves on the Ethics Board of the City of Mequon, Wisconsin, and is a director of several charitable foundations and a human-services agency.

CLASS OF 1973

■ **Paul Armstrong** has been honored by his undergraduate *alma mater*, the University of Dayton, with its 1997 Distinguished Alumnus Award. In a lecture the day before the awards ceremony, Mr. Armstrong spoke about medical decision making at the end of life, and joined a panel of university professors to discuss the moral, ethical, religious and practical concerns faced by families, care-givers and others when life-or-death decisions must be made.

Mr. Armstrong has served as counsel to the families of Karen Ann Quinlan and Nancy Ellen Jobs in landmark court rulings concerning right-to-die issues. And on behalf of ten thousand physicians who oppose the practice of physician-assisted suicide, he presented an *amicus* brief to the U.S. Supreme Court in connection with the court's recent consideration of the issue.

■ **James McCrystal**, formerly a partner with the Cleveland law firm of Weston, Hurd, has joined the Cleveland law firm of Martindale, Brzytwa & Quick as a partner. His practice focuses on product liability and business litigation.

Recently, the Ohio Association of Civil Trial Attorneys named Mr. McCrystal the Frank Seth Hurd Member of the Year.

CLASS OF 1974

■ **Tom Connick**, a main partner in Boutwell & Connick, has received the 1998 Pro Bono Award for the 17th Judicial Circuit in Broward County, Florida. Among

his *pro bono* contributions, in 1989, he chaired the Deerfield Beach Housing Authority, which made significant improvements in local housing as a result of his work.

■ **Clark Stanton** has joined the San Francisco, California, office of Davis Wright Tremaine, L.L.P., as a partner.

CLASS OF 1975

■ **Hon. Willie G. Lipscomb**, of the 36th District Court in Detroit, Michigan, spoke at the University in February on the topic of improving race relations at a program sponsored by, among others, the University's NAACP chapter.

■ **Eugene Smary**, a partner at the Grand Rapids, Michigan, law firm of Warner, Norcross & Judd, L.L.P., has joined the NDLS faculty as an adjunct associate professor of law, teaching Environmental Law in the spring semester.

■ **Hon. Ann Williams**, a U.S. District Court Judge for the Northern District of Illinois, spoke at NDLS on October 16, 1997, describing her experiences as an African-American woman and judge, as well as her perceptions about gender-issue changes and trends in the law.

University President Rev. Edward A. Malloy, C.S.C., has named two NDLS alumni to the Law School Advisory Council: **George P. McAndrews '59 '62 J.D.**, chairman of the board and president of the Chicago law firm of McAndrews, Held and Malloy, Ltd.; and **Hon. Martha A. Vazquez '75 '79 J.D.**, judge on the U.S. District Court for the District of New Mexico. The Law School Advisory Council is one of 11 University advisory councils formed with the purpose of advancing the development of the core academic components of the University.

CLASS OF 1976

■ **Patrick Van Tiflin** has become a partner at the Detroit, Michigan, law firm of Honigman, Miller, Schwartz and Cohn; he enjoys nationwide recognition as an expert in local and Michigan taxation law.

CLASS OF 1978

■ **Joe Cari** is a senior partner at the Chicago law firm of Ungaretti & Harris. President Clinton recently appointed him vice chair of the Board of Trustees of the Woodrow Wilson International Center for Scholars, where he serves on the executive committee with former Secretary of State James Baker and with Joe Flom, senior partner at Skadden, Arps, Slate, Meagher & Flom. He has also recently served as National Finance chairman of the Democratic Senatorial Campaign Committee.

In addition, Mr. Cari serves on the Boards of Directors of Trias Capital Management, Inc., Basic Plastic Products, L.L.C., and Gateway Mortgage Acceptance Corporation, which is a wholly owned subsidiary of EVEREX Mortgage Group, Inc.

■ **Patrick Salvi** of Salvi & Schostok, P.C., a seven-attorney firm in Waukegan, Illinois, won an \$11.35 million settlement on behalf of a seven-year-old Rockford, Illinois, girl who was brain damaged at birth, against the doctor and hospital that were involved in her delivery. The settlement follows a \$10.23 million jury verdict, the largest ever in Winnebago County in July of 1996. After the verdict, the clinic and the doctor paid \$1 million and the hospital appealed the \$9.23 million it was ordered to pay. In October 1997, the appellate court ruled in favor of the plaintiff, and finally, in January 1998, the hospital paid not only the original verdict, but also more than \$1.1 million in interest.

CLASS OF 1980

■ **Ethna Marie Cooper**, a partner and member of the litigation department at the Cincinnati office of Thompson Hine & Flory, L.L.P., recently completed mediation training at the Harvard Law School.

A L U M N I N O T E S

■ **Stephen Ryan**, a partner at the Washington, D.C., law firm of Brand, Lowell & Ryan, testified on October 29, 1997, before the Crime Subcommittee of the House Judiciary Committee on the subject of federal prison industries. He appeared as the representative of the Hugh Quarters Finisher Manufacturers Association.

Mr. Ryan has served as general counsel to the Senate Committee on Government Affairs, as deputy counsel of the President's Commission on Organized Crime under President Reagan, as an assistant U.S. attorney, and as an adjunct professor of law at Georgetown.

CLASS OF 1981

■ **Nancy Gargula**, formerly in-house counsel at Bank One, Indiana, N.A., for 12 years, has joined the Indianapolis, Indiana, law firm of Baker & Daniels as a partner and member of the firm's Commercial, Financial and Bankruptcy Services Team. Her practice focuses on commercial litigation, banking, UCC matters, financial transactions, bankruptcy, and creditors' and debtors' rights.

■ **Jack Sawyer**, an attorney with the Atlanta law firm of Alston & Bird, has been elected to membership as a fellow in the American College of Trust & Estate Counsel.

■ **James Watkins III**, listed as "lost" on the pages of the Fall/Winter 1996 and Fall/Winter 1997 issues of *Notre Dame Lawyer*, saw his name in the magazine while doing research at the Georgia Tech Law Library. He reports that he is "found, alive and well," and after more than a dozen years of litigating brain-damaged-infant cases, has become a certified financial planner and has been working for the last three years in the Compliance Department of SunTrust Securities, Inc., in Atlanta, Georgia.

CLASS OF 1985

■ **Tom Ajamie** has formed Schirmmeister Ajamie, L.L.P., in Houston, Texas.

■ **Edward Rolwes**, formerly with Hinshaw & Culbertson, has joined the Chicago law firm of Flaherty & Jacobson, P.C., as a member of the firm. The firm's practice focuses on the representation of lawyers and law firms in areas such as malpractice, discipline and risk management, and represents other professionals and serves as trial counsel in complex commercial litigation.

■ **Joseph Shannon**, an attorney at the Detroit law firm of Jaffe, Raitt, Heuer & Weiss, P.C., was featured in the September 29, 1997, issue of *CRAIN'S DETROIT BUSINESS* in an article entitled *40 Under 40*, profiling 40 of the most successful business people under age 40 in the Detroit area.

CLASS OF 1986

■ **Robert Scott Cessar**, who has worked in the White Collar Crime Section of the U.S. Attorney's Office since 1990, is one of two attorneys being considered for appointment as district attorney of Allegheny County, Pennsylvania.

CLASS OF 1987

■ **Philip Kalamaros**, a member of the South Bend law firm of Edward N. Kalamaros & Associates, has been elected to the Board of Directors of the Defense Trial Counsel of Indiana. The organization, made up of civil-defense attorneys in Indiana, promotes excellence in civil litigation and supports the administration of justice in the courts and through mediation.

■ **Lee Korzan** has become a shareholder in the South Bend law firm of Dixon, Wright & Associates; his practice focuses on commercial transactions and civil litigation.

■ **Judge Daniel P. Ryan** of the 17th Judicial District Court in Redford, Michigan, has been elected to a one-year term as treasurer of the 268-member Michigan District Judges Association (MDJA), and will continue to serve as a member of the MDJA legislative committee. He has served on the MDJA board in various capacities since 1994.

Judge Ryan is also involved in a Redford-based literacy program, modeled after a similar program in Florida and the first comprehensive literacy program sponsored by a district court in Michigan. The program targets misdemeanor defendants who are supervised by the 17th District Court's probation department and who are illiterate or undereducated. The program focuses primarily on improving the literacy level of these individuals, which, in turn, will have a direct positive effect on their economic, social and self-esteem status. Judge Ryan and the court also hope that these positive effects will help reduce recidivism among the individuals involved in the program.

In addition, Judge Ryan published an article entitled *Generational Legacy*, in the *NJC ALUMNI MAGAZINE*, the periodical of the National Judicial College. The article recounts how, as a boy, he accompanied his father, Judge James Ryan of the Court of Appeals for the Sixth Circuit, for courses at the National Judicial College. Since his appointment to NJC in 1994, he has taken his own children to the college, where he has both taught and learned.

CLASS OF 1988

■ **Judith Andrews** is one of three partners in a new municipal-finance law firm, Gottlieb Fisher, headquartered in Seattle. The firm's public-finance work will include municipal law, federal tax law relating to tax-exempt bonds, and federal and state securities law.

CLASS OF 1989

■ **Dena Kohasic** has been elected to partnership in the litigation practice area of the Cleveland office of Thompson Hine & Flory, L.L.P. Her practice focuses on commercial, product liability and general tort litigation. She belongs to the Cuyahoga County, Ohio State and Cleveland Bar Associations, and is a member of the Defense Research Institute's Young Lawyers Steering Committee.

A L U M N I N O T E S

■ **Perry A. Napolitano** has been elected a partner in the Pittsburgh, Pennsylvania, law firm of Reed Smith Shaw & McClay, L.L.P.; his practice focuses on financial services litigation concerning insurance, banking and securities in both individual and class actions, as well as general commercial litigation and media/First Amendment law. He has also served as an adjunct lecturer at Duquesne University and Duquesne University Law School since 1991.

CLASS OF 1991

■ **Katheryne Zelenock**, a partner at the Birmingham, Michigan, law firm of Simpson Zelenock, published *Contingent Returns as Interest for Purposes of Usury* in the November 1997 issue of the MICHIGAN BAR JOURNAL.

CLASS OF 1992

■ **Geoffrey L. Blazi** has become a partner at the Lafayette, Indiana, law firm of Stuart & Branigin; his civil litigation practice focuses on railroad litigation, commercial litigation and insurance defense.

CLASS OF 1993

■ **Deborah Berez** has formed a new law firm, Berez & Klawiter, in St. Joseph, Michigan.

■ **Wendell Davis Jr.** has become a shareholder in the South Bend law firm of Dixon, Wright & Associates; his practice focuses on commercial transactions and civil litigation.

■ **Kate Smith**, a member of the Law School Advisory Council and formerly with Bowman & Brook in Phoenix, Arizona, has joined the Space & Systems Technology Group in the Cellular Networks & Space Sector of Motorola, Inc., in Phoenix as contract manager in the Contractual Alliances Department. She is responsible for proposals, negotiations and administration of contracts between Motorola and its customers and suppliers, primarily on the Iridium satellite program.

■ **Katheryne Zelenock '91 J.D.** and her firm, Simpson Zelenock, P.C., of Birmingham, Michigan, again this year have donated the funds to cover the costs associated with mailing the Law School's internal monthly newsletter, *NDLS Updates*, to alumni who have graduated within the last five years. In continuing her commitment to this effort through this annual contribution, Ms. Zelenock hopes "that this increased communication with younger alumni will result not only in increased positive regard for the Law School, but strengthened networking ties among alumni and increased contributions to the Law School Annual Fund."

■ **John Bellaschi '92 J.D.** and **Marlen McKinney '95 J.D.**, both former interns at the Notre Dame Legal Aid Clinic, have shared the joy of their recent marriage with the clinic. In lieu of wedding gifts, John and Marlen asked their guests to make donations to the clinic. As of mid-February, their friends have donated more than \$5,200.00 to the clinic's operating fund — and they have reported that more gifts are on the way. The NDLS community — and especially the folks at the Legal Aid Clinic — extends prayers and best wishes to John and Marlen for their long and happy life together, and extend sincere thanks for their selfless generosity.

CLASS OF 1994

■ **Asuncion Cummings** recently joined the Antitrust Division of the U.S. Department of Justice in the Merger Task Force. Her responsibilities include investigating mergers and acquisitions that require filing under the Hart Scott Rodino Act, and has been developing an expertise in radio mergers since the passage of the Telecommunications Act of 1996.

Before joining the DOJ, Ms. Cummings clerked for Judge Robert Bell, chief judge of the Court of Appeals of

Maryland, and worked as an associate in the special litigation unit of the Baltimore law firm of Miles & Stockbridge.

■ **Larry Liu** has joined the Newport Beach, California, office of Clausen Miller, P.C., as an associate; his practice will focus on insurance and construction litigation.

CLASS OF 1995

■ **Annette Brands** has joined the Chicago, Illinois, law firm of Sugar, Friedberg & Felsenthal; her practice will focus on estate planning and estate administration.

■ **Mary Jo Naples Miller** has joined the London, England, office of Shearman & Sterling; her practice will focus on corporate finance.

■ **Mark Quayle** has joined the in-house counsel team at Cargill, Inc. in Minneapolis.

■ **Justine Sliwka** has joined the Northville, Michigan, law firm of Fausone, Taylor & Bohm, L.L.P., as an associate.

CLASS OF 1996

■ **John Day** has joined the Boston law firm of Posternak, Blankstein & Lund as an associate.

■ **Luka Misetic** is an associate at the Chicago law firm of Pedersen & Houpt, P.C. He recently has been appointed as lead defense counsel for a Bosnian Croat indicted for alleged war crimes by the International Criminal Tribunal for the former Yugoslavia. He spends a substantial amount of time in Europe preparing the case for trial, which is expected to begin in the late summer or early fall of 1998.

■ **Jose Alfredo Reygadas, LL.M.**, has become director of business affairs for Universal Music Latin America, Inc., in Miami Beach, Florida.

A L U M N I N O T E S

CLASS OF 1997

- **David Butler** has joined the Columbus, Ohio, law firm of Chester, Willcox & Saxbe, P.C., as an associate; his practice will focus on litigation.
- **Daljit Doogal** has joined the Bloomfield Hills, Michigan, law firm of Miller, Canfield, Paddock & Stone as an associate in the firm's business-services department.
- **Christina Henriques** has joined the Lansing, Michigan, law firm of Trebilcock, Davis & Foster as an associate; her practice will focus on litigation.
- **Todd Miller** has joined the Birmingham, Michigan, law firm of Simpson Zelenock, P.C., as an associate.
- **Edward Morrissey** has joined the Irvine, California, office of Snell & Wilmer, L.L.P., as an associate.
- **Jeffrey Schmidt** has joined the Indianapolis, Indiana, law firm of Krieg DeVault Alexander & Capehart as an associate; his practice will focus on corporate and securities matters.
- **Andrea Sharetta** has accepted a two-year clerkship with Judge William Fay of the United States Tax Court.
- **James Steif** has joined the Cleveland office of Thompson Hine & Flory, L.L.P., as an associate.

Joe Ciraolo '97 Memorial Fellowship

Mr. and Mrs. Russell Ciraolo of Cheektowaga, New York, have established a fellowship fund in memory of their son, **Joseph '97 J.D.**, who died shortly before his class graduated last spring, from complications attendant to the soft-bone disease with which he suffered all of his life. The Ciraolos intend that the proceeds from the fund be given to a third-year student with financial need, with preference given to students from Canisius College, where Joe earned his bachelor's degree. The Ciraolos welcome contributions to this fund from anyone who wishes to help preserve the memory of this wonderful young man who touched so many lives at both Canisius and at Notre Dame. We thank them for their selfless generosity.

I N M E M O R I A M

Please remember these deceased alumni and their families in your prayers.

Earl J. O'Brien '31 J.D.,
Milwaukee, Wisconsin, November 30, 1997

Edward A. Olczak '33, '37 J.D.,
Indianapolis, Indiana, January 16, 1998

Louis J. Mustico '49, '51 J.D.,
Horseheads, New York, January 5, 1998

Wilbur L. Pollard '55 J.D.,
Kansas City, Missouri, December 5, 1997

Romelee Anthony Howard Jr. '85 J.D.,
Washington, D.C., February 22, 1998

Hon. Robert A. Grant '28, '30 J.D.,
South Bend, Indiana, March 2, 1998

Hon. Robert A. Grant '28, '30 J.D. of South Bend, who served the Northern District of Indiana as judge for 40 years, died at age 92 of natural causes on March 2, 1998, in a Sarasota, Florida, health care facility.

Judge Grant's passing marked the end of an era of public service that spanned 60 years. He began his public-service career as a deputy prosecutor in St. Joseph County from 1935 to 1936. He then served 10 years in Congress as a representative of Indiana's 3rd District; highlights of his time in Congress include service on the House Naval Affairs Committee, worldwide travel during World War II, meetings with heads of state, and service on the House Ways and Means Committee. From 1948 to 1952, he practiced law in South Bend before becoming the Indiana manager for President Dwight D. Eisenhower's first presidential campaign. In 1957, President Eisenhower appointed Judge Grant to the federal bench.

As a federal judge for 40 years, he took naturalization ceremonies into the schools to educate students. He also initiated the practice of hearing inmates' rights cases at the Indiana State Prison for security reasons. He first retired in 1972, moving to senior status. After the death of Judge George N. Beamer Sr. a few months later, he took over the federal docket in South Bend until a new judge was named, but continued working. For years, he spent several weeks each year in Puerto Rico presiding over trials to ease the backlog in the commonwealth's federal courts. Until 1990, he also often served on federal courts of appeals panels.

In 1992, on the occasion of the 35th anniversary of his appointment to the bench, he was honored by having the federal building in South Bend named after him.

Judge Grant also worked for years with the Boy Scouts, and with civic groups and fraternal organizations such as DeMolay, Scottish Rite, Shrine and Elks.

He is survived by his wife Margaret, his daughter Peggy Soderberg of South Bend, his son Robert A. Grant Jr. of Idyllwild, California, and two grandchildren. On behalf of the Notre Dame Law School and its alumni, Dean David T. Link extends prayers and deepest sympathies to Judge Grant's family.

L A W A L U M N I

CLASS OF 1958

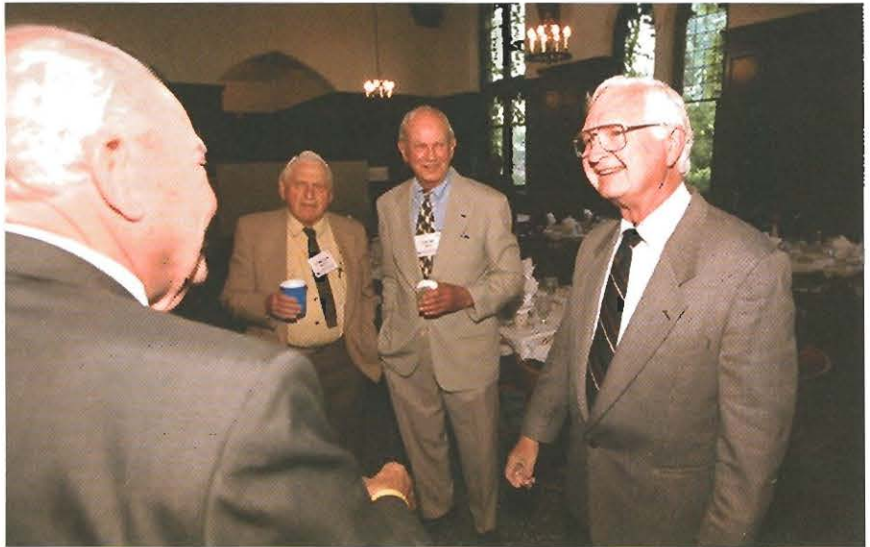
Members of the Class of 1958 are planning a special celebration for the weekend of **July 17-18, 1998**. Tentative plans include a country-club dinner on Friday night, a Law School tour during the day on Saturday, and dinner at a South Bend restaurant on Saturday. With such a small, close-knit class, hopes are for a high-percentage turn-out for the weekend. For more information, please contact **John Murray** at [work] (410) 750-1492 or [home] (410) 750-1491.

CLASS OF 1968 —
30TH REUNION

Members of the Class of 1968 are planning a special celebration for the weekend of **October 2-4, 1998**, in conjunction with the Notre Dame-Stanford home football game. Tentative plans include a cocktail party at the South Bend home of **Tim Woods** on Friday night, a continental breakfast and dinner on Saturday, and a special class Mass and breakfast on Sunday morning. To help with the planning, please contact **Tom Curtin** at (973) 292-1700.

CLASS OF 1973 —
25TH REUNION

Members of the Class of 1973 are hoping for a large turnout from the class at the University's Reunion '98 weekend, **June 4-7, 1998**. A committee consisting of **Tom Kronk, Ron Basso, Joe McDonough, Jim Viventi** and **Pete Wadel** has begun planning activities for the silver-anniversary class to add to the activities already planned for that weekend by the University and the Law School. For more information or to help with the planning, please contact **Tom Kronk** at (517) 321-4560, and check out the class website: <http://my.voyager.net/pwadel>.

CLASS OF 1978 —
20TH REUNION

Members of the Class of 1978 are planning a special celebration for the weekend of **October 23-25, 1998**, in conjunction with the Notre Dame-Army game. Tentative plans by **Joe Cari** and **Pat Salvi** include a cocktail party Friday night, and a continental breakfast and dinner on Saturday. A Continuing Legal Education in Ethics program will also be available for two ethics credits on Saturday morning. To help with the planning, please contact **Joe Cari** at (312) 977-4470.

CLASS OF 1988 —
10TH REUNION

Members of the Class of 1988 are planning a special celebration for the weekend of **September 25-27, 1988**, in conjunction with the Notre Dame-Purdue game. A Continuing Legal Education in Ethics program will also be available for two ethics credits on Saturday morning. For more information or to help with the planning, please contact **Tim Murphy** at (207) 284-2060.

LONDON LL.M.
CLASS OF 1988 —
10TH REUNION

Plans have changed for the 10-year class reunion for London LL.M.s from the Class of 1988 and for J.D.s in the Class of 1989 who spent their second year in London. Because of scheduling problems, the trip has been moved from Easter 1998 to the week of **September 17-24, 1998**. By this time, the University's new London facility, which will house all of the University's London programs including law, will be up and running. For more information, contact **Peter Illig '88 LL.M.** by phone at (716) 667-7018, by fax at (716) 876-1354, or by e-mail at pillig@habaco.com.



REUNION '98

■ NDLS graduates whose class years end in "3" or "8" are invited back to campus for Reunion '98 the weekend of **June 4-7, 1998**. In addition to the seminars, programs and opportunities for socializing scheduled by the University, NDLS will host an all-classes dinner on Friday night, and a Mass, continental breakfast and Law School open house on Saturday morning. In early March, the University's Alumni Association mailed registration information to all those eligible to attend. If you did not receive the information or have questions about Reunion '98, please contact the Reunion Office at (219) 631-6199.

CLASS OF 1959 — 40TH REUNION

■ Members of the Class of 1959, who will be celebrating their 40th reunion in 1999, are planning a special celebration for a fall 1999 home-football weekend to be announced. To help with the planning, please contact **Bill Harte** at (312) 726-5015.

Class Reunions — 1999

If your class is scheduled for a reunion in 1999 — that is, if your class year ends in "4" or "9" — it's not too early to begin planning for the festivities, particularly if you'd like to schedule a special reunion weekend in the fall apart from the University's Reunion '99 in June. The Law School Relations Office can facilitate planning, but we need volunteer class members to take leadership roles in encouraging classmates to attend and in organizing meaningful activities. Our most successful reunions begin as grass-roots efforts initiated by dedicated alumni on behalf of their classmates. If you want to help plan a memorable reunion for your class, please contact our office at (219) 631-6891.



REUNION '98 CLE PROGRAM

■ Again this year, NDLS will offer a Continuing Legal Education program for those returning to campus for Reunion '98. The program is open to all Notre Dame lawyers and their spouses or guests. The program will be held June 4-5, and will conclude in time for participants to join the Reunion '98 opening luncheon on Friday. Early housing will be available in the Law School reunion dormitory, Walsh Hall, for a nominal fee for Wednesday night. Scheduled presenters include:

- Dean David T. Link speaking on professionalism and ethics;
- Professor Tom Shaffer speaking on legal ethics in the law-office setting.
- Professor Charles E. Rice speaking on the natural-law foundations of our legal system;
- Professor J. Eric Smithburn speaking on law and ethics of antenuptial agreements;
- Professor John H. Robinson speaking on the ethical issues involved in physician-assisted suicide;
- Research Librarian Lucy Payne discussing legal research on the Internet.

For more information, contact the Law School Relations Office at (219) 631-6891.

CLE

CONTINUING LEGAL EDUCATION — FALL 1998

■ Again this fall, NDLS will offer three continuing legal education programs on the morning of home football games:

September 26, 1998 (ND vs. Purdue)
October 24, 1998 (ND vs. Army)
November 21, 1998 (ND vs. Louisiana State)

Each program will provide two hours of CLE ethics credit in whatever states our participants require. As last year, a limited number of football tickets will be available for purchase by seminar participants as well.

Watch for more detailed information — including a list of presenters and topics for each of the programs — in your mail in July, and in the Summer 1998 issue of *Notre Dame Lawyer*.

S T U D E N T N O T E S

NDLS Students

Community Service

IN THIS ISSUE OF *NOTRE DAME LAWYER*, WE FEATURE SOME OF THE WAYS IN WHICH OUR STUDENTS TURN THEIR SCHOLARSHIP INTO SERVICE TO OUR COMMUNITY. THEIR SERVICE TAKES ON MANY FORMS, FROM THE PURELY ACADEMIC TO THE PURELY CHARITABLE — AND EVERYTHING IN BETWEEN. WE HOPE YOU'LL SEE FROM THE STORIES ON THESE NEXT FEW PAGES THAT OUR STUDENTS ARE TRULY COMMITTED TO MAKING THIS WORLD A BETTER PLACE — BOTH ON A GRAND SCALE BY EDUCATING OUR COMMUNITY ON ISSUES OF NATIONAL IMPORTANCE AS WELL AS ON A LOCAL, MORE PERSONAL LEVEL BY ADDRESSING BASIC HUMAN NEEDS. AND SPRINKLED THROUGHOUT ARE WAYS IN WHICH YOU CAN PARTICIPATE IN OR FACILITATE THEIR SERVICE.

IN SERVICE TO THE SOUTH BEND COMMUNITY

BLSA TARGETS HIGH SCHOOL STUDENTS FOR LAW CAREERS

BLSA invests in South Bend youth with a view toward building a better community.

In the wake of an assault on affirmative-action programs, which is aimed at dismantling decades of progress achieved by African-Americans with respect to legal education, NDLS has reaffirmed its commitment to diversity. While the Law School boasts an enrollment of 21.3 percent ethnic minorities in the Class of 2000, fewer than 3 percent of Law School students are African-American (slightly more than a dozen students). So Law School administrators and admissions personnel are actively seeking ways to expand the pool of qualified African-American applicants. And they are not alone. The NDLS Black Law Students Association (BLSA) is attempting to respond in its own way to the unique challenges that African-Americans face in accessing legal education opportunities.

BLSA has undertaken a number of efforts in conjunction with the Admissions Office to achieve a more diverse student body. For example, currently enrolled African-American law students and African-American law alumni have assisted admissions personnel in recruiting through such activities as participating in law fairs and fora, conducting phone-a-thons to encourage African-American students to apply to NDLS, and urging African-American applicants who have been admitted to enroll at one of the nation's premier law schools. And most recently, BLSA hosted more than 110 high school students from South Bend schools for a program that explored various careers in the law.

In collaboration with the University's Office of Community Relations, BLSA applied for and secured a \$1,000 grant from the Law School Admission Council (LSAC) to support minority recruitment activities. In awarding the grant, the LSAC hoped to find creative ways to target high school and early college minority students to introduce them to careers in the law.

On February 19, students from each of South Bend's seven high schools — both public and private — came to NDLS to participate in BLSA's "Minority High School Students Legal Profession Opportunities Program." After the students finished their box lunches, they heard a panel presentation of mostly African-American legal professionals discussing their careers in the

law. After welcoming and introductory remarks by BLSA president Kimberly Esmond '99 and Dean David T. Link '58, '61 J.D., students listened to and asked questions of Dahlia French, a South Bend immigration attorney; André Gammage, a local public defender who also maintains a general law practice; Jon DiGiulio, United States attorney; Arthur Grist, a special agent with the Federal Bureau of Investigation; and Steven Washington, an associate at the law firm of Baker & Daniels.

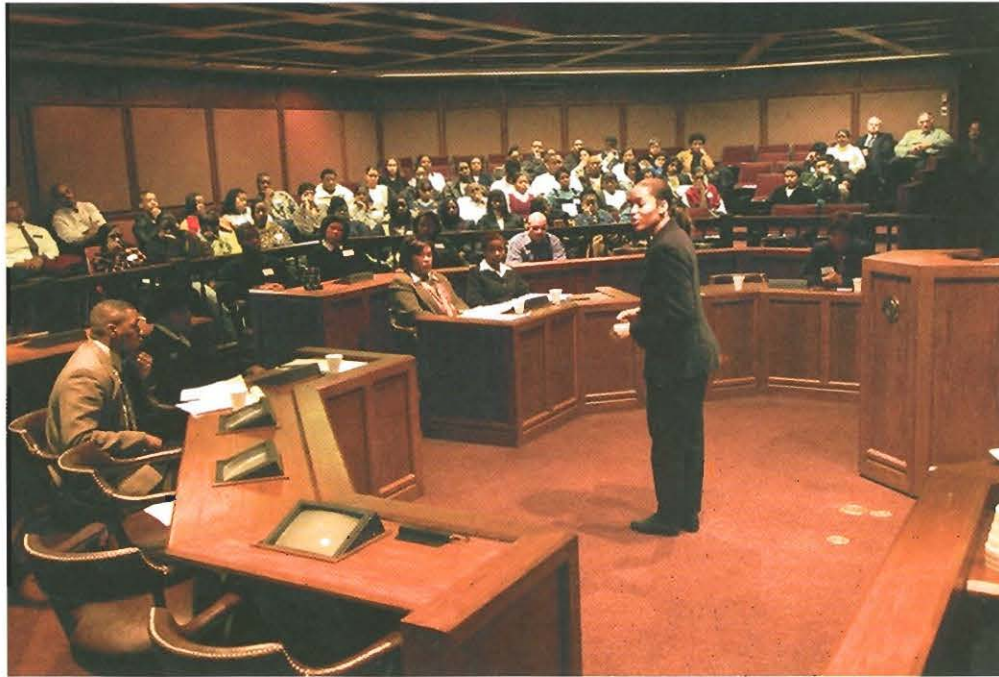
After the panel discussion, the students toured the Law School building guided by BLSA members, ending in the courtroom for mock trial presentations by BLSA members. Dean Link demonstrated the state-of-the-art technology installed in the courtroom, and set the stage for the mock trial presentations. Kimberly Hart '99 of Dallas, Texas, a current member of the Barristers Team, presented an opening statement; Dorphine Payne '98 of Kalamazoo, Michigan, a former member of the Barristers Team, followed with a closing argument. Then, two first-year moot court teams — appellants Dion Spencer of Detroit, Michigan, and Candace Clarke of Joliet, Illinois, and appellees Tamara Walker of Memphis, Tennessee, and Tiitlayo Marinho of Nigeria — presented abbreviated appellate arguments before a three-judge panel consisting of African-American faculty members Dwight King, research librarian; Vincent Rougeau,

visiting associate professor of law; and Rev. D. Reginald Whitt, O.P., associate professor of law.

Although the program lasted only two hours, BLSA members hope that the experience will remain with these students as they decide where to attend college and which career path to choose. And based on comments from the students, it seems that the program already has had some positive effects. LaToia Williams, a 10th-grader at Riley High School, commented, "The program motivated me and made me want to become a lawyer because I saw all of those African-Americans getting the job done. And that's what I want to do." Anthony Allen, a senior at Adams High School who is undecided about where he will attend college but who, nevertheless, aspires to become a lawyer, explained, "The program reaffirmed my career choice, gave me a sense of direction, and let me know that I can do it." He further noted that the program provided "a lot of information that would help students who are undecided about their careers choose to go into the legal field." Anthony, who competes on the Adams High School Mock Trial Team which, incidentally, recently captured the state title — also believed that the mock trial presentations "gave students an idea of an actual trial beyond the O.J. Simpson trial."

The professional participants also touted the initiative. Steven Washington, who practices health-care and municipal-finance law at Baker & Daniels, applauded NDLS BLSA, describing the program as "an honorable and successful endeavor." Mr. Washington explained, "I thought the program was well structured and organized. It effectively communicated to the youth the multitude of opportunities available within the legal profession, and impressed upon them that they should not be afraid to seize those opportunities."

Dahlia French, the sole African-American immigration lawyer in the St. Joseph County area, commented that the program helped the students realize that they could achieve a goal of becoming a lawyer, an FBI agent or a U.S. Attorney. Ms. French noted that the most beneficial



aspect of the program was that it "showcased African-Americans in the field who could serve as role models."

Professor James A. Roemer '51, '55 J.D., who directs the University's Office of Community Relations, speaking in reference to the dearth of African-American lawyers in the St. Joseph County area, expressed hope that this program would represent only the beginning of efforts to effect a significant change in this area. "Our local bar has 500 lawyers, and only five of them are black. Therefore, through programs such as this, we must continue to encourage our high school minorities to attend college, graduate school, and law school."

Dean David T. Link '58, '61 J.D. explained that BLSA's program constituted an important part of a resurgent effort at NDLS to attract more ethnic minorities to apply for admission. "It is extremely important to the system of justice in this country that more ethnic minorities enter the legal profession. And we in law schools must maximize our efforts to attract these students. Our efforts must begin as early as secondary school, and we must nurture potential students throughout their college years. It was exciting to see so many high-school students actively participating in this program, and I commend the BLSA

students for their initiative and hard work in securing funding and organizing this and future programs to stimulate interest in the legal profession among ethnic-minority youth."

The recently revised BLSA Constitution lists as one of the organization's purposes "assist[ing] in the recruitment, admission and enrollment of African-American students." While some may question the effectiveness of targeting high school students for law-school admission, BLSA members believe that it is never too early to provide information and encouragement to young people to positively impact their lives. After all, building coalitions is the means by which we build better communities — communities in which we are all proud to live and serve. BLSA hopes that by building coalitions that will impact the community by increasing the presence of minority legal professionals, the citizens of our community will realize that each of us, whether here permanently or temporarily, has something at stake irrespective of race. For as Harvard Law Professor Lani Guinier admonished at a recent talk at the University, "Affirmative action is neither the real problem nor the whole solution."

SERVICE LEARNING — TURNING SCHOLARSHIP INTO SERVICE



© Michael Halbert/SIS

Thanksgiving Food Drive

The Social Justice Forum, under the leadership of its president, **Karen DuBay '99** of Troy, Michigan, provided Thanksgiving meals to over 65 local families — more than double the number of families assisted just two years ago. Members of the Black Law Students Association, under the leadership of its president, **Kimberly Esmond '99** of Fairburn, Georgia, along with 40 other student volunteers, assisted SJF in delivering the baskets the week before Thanksgiving. Local community-service organizations including the Salvation Army of South Bend, the Salvation Army of Mishawaka and La Casa de Amistad helped identify the recipient families.

The ability to help so many families resulted both from generous contributions of food and money from individual NDLS students, faculty and staff, as well as from the increasingly popular "Immunity Days" program. During "Immunity Days," individual professors may opt to excuse from answering questions those students who bring canned goods for the food drive — and setting a new NDLS record, associate professor **Lisa Schiltz** achieved 100 percent class participation in her course on Credit and Payment Devices.

NDLS students have a long history of engaging in community service during their years at law school. Their service takes on many forms — ranging from formal group-oriented programs through student organizations all the way to individual commitments to programs like Big Brothers/Big Sisters or the South Bend Center for the Homeless. Participating in activities such as these certainly makes students aware of the benefits of community service — experiencing personal satisfaction from helping those in need while also seeing concrete changes made in the lives of those helped.

Often, however, these service experiences don't show students how they can integrate community service into their practice of law. In fact, other than the programs of the Notre Dame Legal Aid Clinic, which incorporate significant substantive learning elements through a substantial classroom component, these more personal service activities seem to exist in a world apart from the practice of law. And although these activities do benefit the students, there is a danger that the students will begin to see service as something to do *in addition to* their practice of law, rather than *as a part of* their practice of law.

And that's where "service learning" comes in — to bridge the gap between service and education by encouraging students to take what they have learned in the classroom and apply it to effect change within their communities. Service learning has become a popular component of the educational experience at many elementary and high schools, and indeed, at some colleges; the state of Maryland, for example, currently requires high school students to engage in service learning as a graduation requirement. However, this movement has not yet caught on at the postgraduate and professional-school level. In fact, many law schools limit community service to running legal aid clinics; and many of these clinical programs — NDLS being one of a few exceptions — contain no significant classroom

component, further exacerbating the apparent distinction between the practice of law and commitment to community.

Determined to change the way many students view community service, visiting associate professor of law Dennis Hirsch organized a service learning project last fall for students in his Property II class. He guided 10 2Ls — under the administrative structure of a one-credit directed-readings program — who created a program to teach local residents, low-income tenants in particular, about the mutual obligations of landlords and tenants. The eight women and two men researched Indiana's landlord-tenant laws, created a pamphlet outlining tenants' rights and responsibilities, and in teams of two, gave a total of five presentations over a one-week period at various sites in lower-income neighborhoods around Michiana including the Charles Martin Youth Center, the 100 Center, the Rum Village Partnership Center, the Northeast Neighborhood Center and La Casa de Amistad (a presentation given in Spanish). The students themselves canvassed lower-income neighborhoods encouraging attendance; in some cases, students went door-to-door handing out information on the presentations.

The presentations addressed tenants' rights, but also tenants' responsibilities, teaching that the best way tenants can ensure stable living situations is to understand and carry out their responsibilities. Specific topics covered included rent increases, evictions, troublesome lease provisions and the retrieval of security deposits. The students also responded to questions from landlords who attended some of the sessions. Attorneys from the Notre Dame Legal Aid Clinic volunteered to supervise the presentations.

"Service learning in law school satisfies three purposes: It enhances the students' substantive learning; it motivates the students to become more interested in a subject that they might not otherwise find interesting; and it teaches students the practical implications of the law they are

learning," explained Professor Hirsch. "More specifically, however, I had four distinct goals in mind when I offered to work with these students. First, since we are not born with an 'ethic of service,' students need to learn through experience the rewards of service. Hopefully, this will stay with them throughout their years in practice, as they perform *pro bono* work either in response to specific requests or in satisfaction of bar-association requirements. Second, I wanted students to see the practical implications of the law they learned in class. In preparation for the presentations, we went to Small Claims Court to watch eviction proceedings — or as Indiana has chosen to call them, 'immediate possession' proceedings — and saw how the system treats low-income tenants. Third, I hoped that the research the students performed in support of this project would enhance the substantive learning from class. And fourth, I wanted to find a way to help build bridges between the Law School and the South Bend community."

Some of the presentations had better attendance than others. Professor Hirsch attributes this to the difficulty in notifying people in certain neighborhoods and then ensuring that they actually come to a presentation. In the future, he and the students agreed that these presentations should be scheduled for "captive audiences" — residents at the South Bend Center for the Homeless, the YWCA women's shelter, etc., where people have gathered for another purpose.

Whether an individual crowd was large or small, each of the students involved certainly benefited from this unique experience. Traci Griffith '99 of Tallahassee, Florida, bubbled over with excitement when she recounted how the program has inspired her. "It was real. I got a true sense of what I hope to be doing when I graduate." She added that her efforts sparked in her a real interest in property law. In fact, Ms. Griffith has seen such a need for disseminating this information into the

community that during the spring semester, on her own time, she will be repeating her presentation at the YWCA women's shelter, to teach women in transition what they need to know before renting an apartment.

Kim Hart '99 of Dallas, Texas, wasn't particularly interested in property law but thought she could become more interested if she participated in the program. She also enjoyed the opportunity to engage in community service along with the challenge of finding new ways to interact with the people of South Bend. "I gained a better understanding of the principles of Indiana's property law. In fact, I was shocked at the way the law favors one side (landlords) over the other (low-income tenants). I also enjoyed the opportunity to talk with people about their problems and to help them find practical solutions."

Professor Hirsch expressed true admiration for the work these students performed and the time they devoted to the project. "I only rarely had to ask them to do more than they were doing. In fact, I think they did enough work for a two-credit class. They gave a lot beyond what they needed to." Traci Griffith, for example, attended all five presentations to support her classmates. Astrid Lebron '99 of Hartford, Connecticut, arranged for cookies and cocoa at each of the sites.

And several community leaders who attended the presentations hope that this program will be an ongoing effort. At La Casa de Amistad, for example, the staff members also attended the presentation so that they could better serve their mostly Spanish-speaking immigrant population.

Professor Hirsch summed up the goals of the program: "When students see that the law they are learning is not an end in itself, but can be used to make a difference in people's lives, it makes them much more motivated to learn." Clearly, the students felt the same way. Hopefully, this experience will follow them into practice, and inspire future NIDS students to do the same.

Cathy Pieronk '81, '95 J.D.

IN SERVICE TO THE NATION

CAMPAIGN FINANCE REFORM SYMPOSIUM

The JOURNAL OF LEGISLATION hosted a panel discussion to enlighten the campus community about the current campaign finance debate. The panel included representatives from the National Republican Senatorial Committee, Common Cause, the Brennan Center for Justice, and the White House. The symposium drew quite a lot of attention from the University and the local press. Several hundred law and undergraduate students and faculty attended all or part of the three-hour program, held the morning of November 14, 1997, at the University's Center for Continuing Education. In fact, several undergraduate professors thought the issue so important that they mandated attendance at the symposium in lieu of classes for their students. The SOUTH BEND TRIBUNE ran a front-page feature article the next morning.

Former Massachusetts Governor Michael S. Dukakis set the tone for the conference in his keynote address to the JOURNAL staff and some faculty members at the kick-off dinner the night before the symposium. He emphasized the need for community involvement in politics as a countermeasure to the corrupting influence of big-money fund raising, and hoped that those in attendance would realize that the only way to change the current situation is for dedicated citizens to get involved in politics. He applauded the JOURNAL staff, as well as the University's Student Union Board and Student Government, co-sponsors of the event, for their hard work in organizing such a well-conceived symposium on such an important topic.

Public concern over campaign finance reform is nothing new. Federal legislation enacted as far back as the 1800s limited contributions made to candidates. And despite the fact that the Watergate incident sparked a round of campaign-finance-reform measures, few people today know enough about the current debate even to

STUDENT NOTES

fathom the connection of the recent White House “coffees” and Lincoln Bedroom “sleepovers” to that particularly ignominious moment in our nation’s history. The JOURNAL staff hoped to contribute to the debate by attracting a range of speakers on all sides of the complex issue including: Mr. Dukakis; Craig Engle, general counsel to the National Republican Senatorial Committee; William Marshall, associate counsel to the president of the United States; Donald J. Simon, executive vice president of Common Cause; Bradley A. Smith, adjunct scholar with the CATO Institute; and Kenneth Weine, staff attorney for the Brennan Center for Justice at the New York University Law School.

The 1970s saw a wave of efforts to end corruption or the appearance of corruption in the campaign finance system including: the enactment of campaign finance regulations such as the Federal Election Campaign Act of 1971 and its amendments; the establishment of the Federal Election Commission; and the Supreme Court’s ruling in *Buckley v. Valeo*. Despite these efforts now a quarter-century old, campaign finance reform has resurfaced as a significant issue today largely

because of concerns over “soft money” contributions.

“Soft money” refers primarily to indirect contributions made to candidates that escape the candidate contribution limits established by law.

Mr. Simon, in his remarks, advocated a complete ban on soft money, observing that the current system “does not promote the values that most Americans want to promote in the political process.” He went on to argue that, as a result, continuing the current campaign-finance system, complete with allowing soft-money contributions, would “be a catastrophe.” Mr. Smith disagreed, however, arguing that, in light of the long

line of case law since *Buckley*, the recent efforts to ban soft-money contributions are “constitutionally infirm.”

Mr. Engle articulated another underlying theme in the current debate. “Money follows ideology. It doesn’t create it. And people contribute (money) because they agree with you, not because they want to change your mind.” He believes that much of the proposed campaign-finance-reform legislation is about “taking money out of the system.” He then argued that, by taking out the money, campaign finance reform actually would hinder issue advocacy,

and thus, would run afoul of the First Amendment.

The debate, at times lively and somewhat contentious, certainly enlightened all who attended. But Mr. Dukakis, in his remarks, hoped that the symposium would have far grander results. “I hope nothing you’ve heard today will discourage you from getting deeply and actively involved in the political life of state and country. . . . There is an opportunity . . . when you leave here, to make a real difference in our life and in the lives of your fellow citizens. And if there’s one message that I think all of us would agree on, it is that good people, and especially good young people, have to get into this actively, in whatever capacity. . . . There is a lot to be done. . . . We have an opportunity to build a wonderful nation and a strong and peaceful world . . . the political system does beckon.”

The JOURNAL OF LEGISLATION staff hopes that this debate can extend beyond the borders of the Notre Dame campus as well, and has published volume 24, issue 2 of the JOURNAL as a special Campaign Finance Reform Symposium issue. The issue was distributed to members of Congress during the first week of March in preparation for a cloture vote on campaign-finance-reform bills pending in the Senate and discussion on that same issue scheduled in the House.

Maribelle Estella '98

“At some point, voters have to care . . . and educate themselves.”

— BRADLEY A. SMITH



If you would like a copy of the campaign finance reform issue of the JOURNAL, please contact:

by mail: Managing Editor
Journal of Legislation
Notre Dame Law School
Notre Dame, IN 46556
by phone: (219) 631-5918

The JOURNAL OF LEGISLATION is a completely student-run organization, funded by its subscribers and published twice yearly. To offer suggestions for future symposium topics or to submit an article for review for publication, please contact the articles editor at the above address and phone.

NOTES IN BRIEF

- **Peter Tomas Morgan '98** of South Bend, drafted the brief in support of the petitioner's claim in *Maria Eugenia de Silva v. Guatemala*, which concerns provisions of the Guatemalan civil code that restrict the right of married women to work outside the home. Professor Dinah Shelton argued the brief before the Inter-American Commission on Human Rights in Washington, D.C., in October.
- A recent issue of NAELS, the newsletter of the National Association of Environmental Law Societies, prominently features two NDLS students. The front page includes a letter from **Sarah Stancati '99** of Kalamazoo, Michigan, who currently serves as chair of the association; and inside, **Cathleen Tobin '99** of Rochester, New York, published an article entitled *The Death and Resurrection of CERCLA*.
- The November/December 1997 issue of *The National Jurist* featured J.S.D. candidate **George Mugwanya** of Kampala, Uganda, in an article entitled "Law Around the World." One of four lawyers profiled, Mugwanya recounted his experiences studying law at Makerere University in Uganda — including the need to study in the library because of the shortage of textbooks, the political activism among Ugandan law students, and the basic format of a Ugandan legal education.
- In that same issue of *The National Jurist*, **Mark Telloyan '98** of South Bend published "The ABCs of Law School Exams" in the "Off the Bench" column. Telloyan listed 24 terms familiar to most first-year law students — one for almost every letter from A to Z — and added his own humorous definitions of the terms.
- **Karl Eichelberger '98** of Atlanta, Georgia, played a significant part in the opening ceremony for the 1996 Summer Olympics in Atlanta — he appeared in the cast and was involved with the writing for and production of the event, which recently received an Emmy Award for the best live production on television.
- Two teams of students, under the direction of Hon. Jeanne Jourdan '75 J.D., represented NDLS at the Midwest regional barristers competition in January; the 3L team consisted of **Rahul Gupta** of Alta Loma, California, **John Pansiko** of Richland, Washington, and **Heath Weaver** of South Bend; the 2L team consisted of **Robert Dunn** of Endwell, New York, **Ronald Foster** of South Bend, **Kimberly Hart** of Dallas, Texas, **Rebecca Magee** of Petersburg, Illinois, and **Patrick Ryan** of South Bend.

PUBLIC-INTEREST LAW COMMITTEE

- Dean Link has appointed **Margaret McCaffery '99** of South Bend, **Cynthia Morgan '99** of East China, Michigan, and **Stacy Soper '99** of Farmington Hills, Michigan, along with Assistant Deans Rev. James E. McDonald, C.S.C. '79, '84 M.Div., and Patricia Leonard '75 J.D., and Associate Professor Matthew J. Barrett '82, '85 J.D., to the newly created Faculty-Student Public-Interest Law Committee. The committee will study the status of public-interest efforts at NDLS and will make recommendations aimed at promoting public-interest law among NDLS students and alumni. Among other things, the committee will consider: the role of a public-interest coordinator; a public-interest resource center; a public-interest mentor program; on-campus interviewing by public-interest organizations; public-interest seminars and panel discussions; NDLS membership in Pro Bono Students America; public-service fellowships; public-interest summer fellowships; loan assistance or forgiveness programs; public-interest student groups; *pro bono* graduation requirements; faculty *pro bono* service; and public-interest internships and externships. The committee is anxious to receive suggestions from alumni on how to improve public-interest efforts at NDLS; if you wish to help, please contact the committee chair, Rev. James E. McDonald, C.S.C., 103 Law School.

BENGAL BOUTS

- Again this year, several NDLS students under the direction of Professor Charles E. Rice, helped raise money for charity by participating in the 68th annual Bengal Bouts in February. **Kevin "The Jersey Meathook" Murphy '99** of Morganville, New Jersey, lost in the quarterfinal round in the 155-lb. weight class; but **Jeevan "Superman" Subbiah '98** of Cincinnati, Ohio, and **Robert Alter '99** of Girard, Ohio, in the 150-lb. and 170-lb. weight classes respectively, both advanced as far as the semifinal rounds in their classes.



This year's event involved 71 University students in 10 weight classes boxing through three rounds of competition. Boxers trained six days a week for six weeks before the event, which emphasized traditional boxing techniques and safety. All proceeds from public ticket sales go directly to support the Holy Cross Missions in Bangladesh.

CURRICULUM COMMITTEE

- Dean Link has appointed **Jessie Barrett '99** of South Bend, **Stephen Griesemer '98** of Springfield, Missouri, **Traci Griffith '99** of Tallahassee, Florida, and **Mark Kromkowski '98** of Baltimore, Maryland, along with Associate Professors Matt Barrett '82, '85 J.D. and Paolo Carozza, Professor Jimmy Gurulé, Research Librarian Lucy Payne '88 J.D., and Associate Dean Jack Pratt to the Law School's Curriculum Review Committee. The committee is charged with reviewing the current curriculum and with recommending changes to the faculty for review.

Moot Court Showcase Argument

NDLS again this year hosted three distinguished federal jurists to preside over the 48th annual Moot Court Final Argument on Friday, February 20, 1998. **Hon. Diarmuid F. O'Scannlain**, of the U.S. Court of Appeals for the Ninth Circuit, presided as chief justice of the United States Supreme Court, and **Hon. Joseph H. Rodriguez** of the U.S. District Court for the District of New Jersey and **Hon. John Gleeson** of the U.S. District Court for the Eastern District of New York served as associate justices in a case argued by four members of the Class of '98.

Matthew McGovern of Evansville, Indiana, and **Susan Wyffels** of Geneseo, Illinois, represented the petitioner United States against **Daniel Overbey** of South Bend and **Kristen Olson** of Marquette, Michigan, who represented respondent Mrs. Eunice Euclid. The case involved 18 U.S.C. § 1001 (making a false statement to a government agent), 18 U.S.C. § 731 (conspiracy to defraud the United States), and 26 U.S.C. § 7206 (filing a false tax return). In the facts, Mrs. Euclid, a certified public accountant, had filed a false tax return for a client, Mr. Thagoras, after he had threatened to reveal that he had accepted a bribe from Mrs. Euclid's husband, a member of the "federal judiciary." She later lied to an IRS agent about filing the false return for Mr. Thagoras. A couple of years later, Mr. Thagoras, then working as a government informant, induced Mrs. Euclid to file yet another fraudulent tax return, again threatening to expose the bribe to Mrs. Euclid's husband.

Mr. McGovern and Mr. Overbey argued whether 18 U.S.C. § 1001 extended to false exculpatory responses to questions initiated by government agents, and Ms. Wyffels and Ms. Olson addressed the issue of whether the respondent was entrapped when she conspired to defraud the United States and file a false tax return. As is customary, the justices did not decide the case. Rather, after the hour-long argument, they commended the student-attorneys on their preparation and presentation skills, and answered questions from the student-attorneys regarding the program. Associate Dean Walter E. "Jack" Pratt Jr. commented that the three-judge panel came well prepared to ask tough, but not overwhelming, questions, and that the experience provided a wonderful learning opportunity for the students involved.

The Notre Dame Moot Court, established in 1950, offers students the opportunity to develop skills in the art of appellate advocacy through a series of competitive arguments. All first-year students participate in one appellate brief writing and oral argument exercise. Second-year students may participate in four rounds of appellate argument before courts comprised of practicing attorneys, faculty and third-year law students. The highest-ranking participants from this program represent NDLS in national competition during their third year. This year's team argued in the regional competition sponsored by the Young Lawyers Committee of the Association of the Bar of the City of New York, under the guidance of faculty advisors Dean Pratt and Adjunct Associate Professor of Law Robert Palmer. The student-attorneys were assisted in the preparation of their program by third-year Moot Court board members **Marlon Alvarado** of San Jose, California, **Christopher Bopst** of Checktowaga, New York, **Scott Cockrum** of South Bend, **Brian Nettleingham** of South Bend, **Kevin O'Scannlain** of Portland, Oregon, and **Jennifer Trock** of Jenison, Michigan.



Fr. Mike "Talent" Show

The 11th Annual Fr. Mike Talent Show, held Saturday, February 21, 1998, at the Alumni-Senior Club on campus, drew its largest crowd ever, estimated at around 320, and raised \$2,350 for the Rev. Michael Dillon McCafferty, C.S.C., Fellowship Fund.

The show's producer, **Burke Harr '98** of Omaha, Nebraska, commented, "This year, we're emphasizing quantity over quality" — and he wasn't kidding! In perhaps the longest show in recent memory — including a brief intermission, a production of over four hours — NDLS students and faculty good-naturedly satirized life at NDLS, drawing inspiration from current events, television and the movies.

This year's show featured a strong faculty presence, which enhanced the community spirit of the event. Research Librarian **Lucy Payne '88 J.D.**, a student of Father Mike's, recounted Father Mike's impact on NDLS during his all-too-brief 10 years on the faculty and in administration, and introduced the video created last year to help celebrate his life on the occasion of the 10th anniversary of his 1987 death. Associate

THE McCafferty

FUND



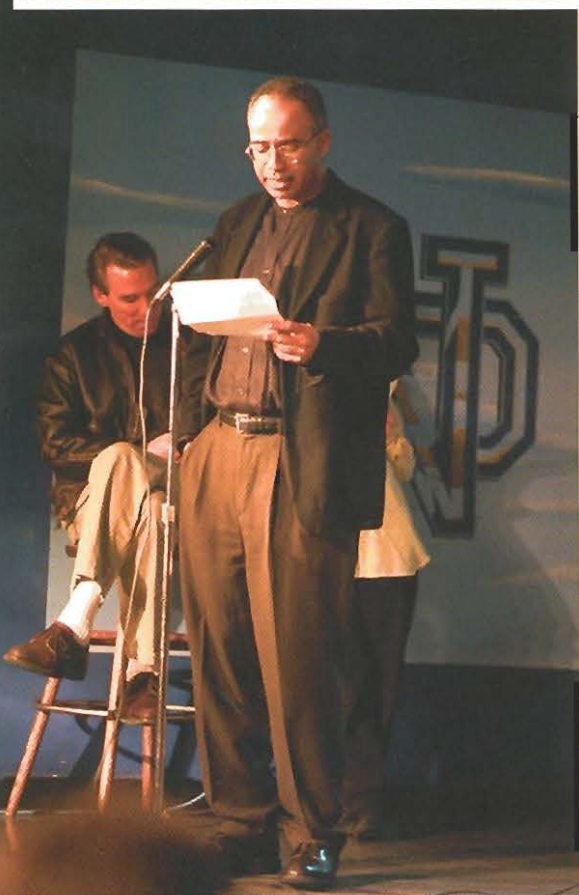
Professor **Matt Barrett '82, '85 J.D.**, Professor **John Garvey '70 (A.B.)** and part of the faculty "Brat Pack" — Associate Professors **Lisa Schiltz**, **Pat Schiltz** and **Rev. D. Reginald Whitt, O.P.** — performed "Faculty News." Associate Professor **Jay Tidmarsh '79 (A.B.)** performed a "Carnac" routine based on the old Johnny Carson sketch, with **Steve Boettinger '99** of Mishawaka as sidekick Ed McMahon. And Assistant Dean **Patricia Leonard '75 J.D.** performed "Stupid Human Tricks."

A group of third-year women spoofed the musical group "Spice Girls" with their performance as the "Tax Girls." Second-years **Shon Holyfield '99** of Roswell, Georgia, and **Ha Kung Wong '99** of Mishawaka presented their own original video, "A Day in the Life," chronicling the educational experience of the "typical" NDLS student. And members of the Class of 1998 continued their tradition of presenting a professionally filmed video based on a current popular movie — this year, "Study!," a not-too-gory take-off on the horror flick "Scream!" featuring **Dean David T. Link '58, '61 J.D.** as the stalking villain and Assistant Dean **Rev. James E. McDonald, C.S.C. '79, '84 M.Div.**, Professor **Charles Rice** and many staff members in cameo appearances.

As usual, the program did showcase some actual talent sprinkled among the satire, including several original songs performed by **Adam Scarlatelli '98** of Long Valley, New Jersey, and **Walt Mancing '98** of Beaver Falls, Pennsylvania; a heartwarming tune sung by **Margaret McCaffery '99** of South Bend and her family; and a blockbuster performance of Billie Holiday and Gladys Knight songs by **Kim Hart '99** of Dallas, Texas.

Emcees **Greg Butrus '98** of Birmingham, Alabama, and **Traci Griffith '99** of Tallahassee, Florida, kept the crowd entertained between acts. And **Jonathon Coury '99** (SBA president) of Phoenix, Arizona, **Joan Gallagher '99** of Broomall, Pennsylvania, **Jen Healy '99** of Scottsdale, Arizona, and **Alex Nakis '98** of Hollywood, Florida, supported the production in a number of indispensable ways.

All-in-all, the evening provided a great opportunity for fellowship among NDLS students, faculty, administration and staff. It reminded us of the many gifts and talents we have among us, and reminded us of some of the gifts and talents we may have lost in body but still have in spirit — one of the most important being the spirit of community that is, perhaps, the ultimate legacy of Father Mike's short life.



THE
CLASS
OF

2000

BY ANNE HAMILTON, DIRECTOR OF ADMISSIONS

The inaugural issue of *Notre Dame Lawyer*, in 1994-95, mentioned the first graduates of the Notre Dame Law School — the three men who comprised the Class of 1871. We know very little about these pioneers. These three men came to the fledgling law school in 1869, armed with the standard liberal arts education of the day, to study law for two years. We know nothing about their backgrounds, their aspirations, or the ideals underlying those aspirations. We can only imagine, based on the curriculum of the time, that these students came to law school to learn how to practice law in their home jurisdictions. We do know that they likely were better educated than their peers at other law schools, since Notre Dame had higher admissions standards than even the University of Michigan at the time. We believe that they chose rather traditional careers in the law. In fact, we do know that one of those first graduates, Lucias G. Tong, joined the law faculty immediately after graduation, and we assume that the other two, James A. O'Reilly and Andrew J. O'Reilly, engaged in the traditional practice of law. Their reasons for coming to Notre Dame, including whether they were attracted to its Catholic character, remain unknown.

How things have changed! Not only has the curriculum evolved to meet the increasingly complex demands of the

practice of law in the late 20th century, but our students have evolved into more complex beings, excited by aspects of the law that the practitioners of a century ago could not have even imagined, and motivated to study the law to become more than just practitioners — indeed, to become healers and peacemakers in our society. Many revel in the fact that Notre Dame remains Catholic amid a sea of ever-more-secularized law schools.

The Class of 2000 embodies these differences in a myriad of ways. No longer are the faces in a Notre Dame Law School classroom just a small, select group of men seeking simply to become practitioners of law.

Perhaps you would call some members of this class idealists; but perhaps, on closer investigation, you would find their idealism firmly centered in real-world experiences. Take, for example, **Kelly Galvin** of Orlando, Florida. Before she came to law school, she worked at a mission in the Franciscan Center in inner-city Baltimore. Ministering to the poor in gang-infested areas, Ms. Galvin described her calling to the law by recalling the prosecutor who told her, "Prosecution is [also] missionary work."

Or consider **Jonathan Bridges** of South Bend, a Quaker who, as an alternative education teacher, has served as a peacemaker among the inner-city youth of Indianapolis. After six summers of farming,



Christy Brown



George Perez



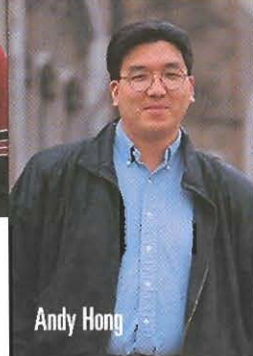
Maureen Kramlich



Kira Lodge



Sean Scott



Andy Hong

he is acutely aware that the children of today grow up in worlds far removed from the satisfaction of a hard day's work in the serene countryside.

Leaders have a vision of what the world should be. As a seventh-grader, **Maureen Kramlich**, a Notre Dame undergraduate, knew she should pursue a career in law as her life's path. While an undergraduate, she served as president of the student right-to-life organization and volunteered countless hours at the local Women's Care Center, lending her time and energy to a cause that has been her life's work. **Titi Marinho's** life's passion involves a cause a half-a-globe away from Ms. Kramlich's, but Ms. Marinho embodies a similar commitment and dedication. With an undergraduate degree from Rutgers University and a law degree from Notre Dame, she hopes to effect political and economic reform back home in Nigeria.



Amy Boettcher



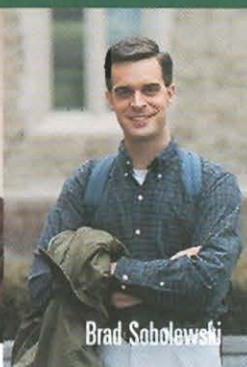
David Petron



Tití Marinho



Stone Grissom



Brad Sobolewski



Jonathan Bridges



Wilda Wahpepah



Brendan Gardiner



Angela Scott



Kelly Galvin



Katie Meierotto



Karen Edmondson

Not only do the members of the Class of 2000 have different ideals and goals, they come with a vast array of prior experiences — both in their community service and in their professional lives. **Katie Meierotto** of Kansas City, Missouri, spent much of the last five years living abroad in China, Spain, England, Germany and Costa Rica. "Living abroad has forced me to look at the world differently and to question things that I would have otherwise simply accepted — a skill that will be important in law school. I [now] realize that there are other ways of doing things that are not better or worse, but simply different."

Before **Kira Lodge** of Missoula, Montana, joined Teach for America in Phoenix, Arizona, as a bilingual teacher, she served as project coordinator with Habitat for Humanity in Marks, Mississippi. **Christy Brown** of Waurika, Oklahoma, volunteered at the YWCA

Rape Crisis Center in Oklahoma City and interned in the local probation office. Their commitment to service — along with the commitment of the overwhelming majority of the Class of 2000 — echoes the Law School's commitment to service as described in its mission statement: to provide a solid education in the law and witness to establishing justice.

Wilda Wahpepah of Portland, Oregon, worked two years for the Associated Press in Columbia, South Carolina, and 11 years for THE OREGONIAN (in Portland) as the team leader for crime, justice and public safety issues. She established THE OREGONIAN's Native-American affairs beat, and still found time to volunteer at Cathedral School in Portland.

Angela Scott of Columbus, Ohio, the recipient of the Billy T. Files Award at Kodak, Inc., earned the recognition of her international group of peers at Kodak for her outstanding commitment, work ethic

and team leadership. She is a strong role model for her daughter, who is a freshman at St. Joseph's High School in South Bend.

For many, Notre Dame's Catholic tradition, with its strong curricular emphasis on values, made the difference in their selection of which law school to attend. **Amy Boettcher** of Granger, Indiana, and her husband Brad, a family physician, have two children. The Boettchers found the Catholic tradition at Notre Dame to be a strong factor in their choice of law schools.

And **David Petron** of McKeesport, Pennsylvania, former editor-in-chief of the Honors Program UNDERGRADUATE RESEARCH JOURNAL at George Washington University, emphasizes this in his e-mail byline: "Faith is a passion." He will be a part of Notre Dame for seven years, studying for both his J.D. and his Ph.D. in philosophy.

Many others bring equally interesting experiences to the community. **Stone Grissom** of South Bend appeared for two seasons on "Northern Exposure." **Karen Edmondson** of Pleasant Hill, California, served as an assistant to the executive producer of "Majority Rules," and saw the development of that show from conception to production. **Andy Hong** of Bellevue, Washington, graduated from the Human Biology Program at Stanford University and interned at the AIDS Research Center. **George Perez**, as the first college graduate in his family, spent four years in retail and restaurant management before coming to NDLS.

And among this class are as many reasons for coming to law school as there are students. **Brad Sobolewski** of Northfield, Ohio, sees learning as a social experience. **Sean Scott** of Whitefish Bay, Wisconsin, hopes for a career in academia. **Brendan Gardiner** of South Bend loves research and writing.

Each member of this class has a story. And each brings to NDLS experiences and commitments that enhance our community. These students, by their very presence and their very natures, will change the face of NDLS over the next few years — and the face of the legal profession well into the next century.

News from Law School Development**Law Library Challenges and Opportunities**

BY DAVID M. MORRISSEY

The need in the Kresge Law Library for additional collections and new equipment — along with the space to house both — comprises a major component of the Law School's portion of the University's comprehensive fund-raising program. *GENERATIONS: A Campaign for the Notre Dame Student*. Our goals for this aspect of the campaign — \$4.5 million for collections and equipment and \$4 million for additional space — are modest but necessary as the library aspires to be competitive with the nation's premier law libraries.

As you have read elsewhere in this magazine, current library holdings support teaching the core subjects of the law, but cannot accommodate the evolving research agenda of our faculty, the advanced research needs of our students, and the expanding work of the Center for Civil and Human Rights. The problem is worsened by the high costs of published materials and the increasing volume of legal periodicals.

The library staff has developed a list of approximately 60 collections needed to meet the increasingly more sophisticated research needs of our faculty and students. A few select collections can be purchased with a one-time outlay of funds, but most

require the establishment of an endowment to purchase and ensure annual funding to keep each collection current. Benefactors — either individuals or law firms — who provide \$100,000 or more to underwrite one of these collections will be honored by a commemorative plaque, featuring a specially designed bookplate, that will be displayed in both the Hesburgh and Kresge Law Libraries.

In addition, current and emerging technologies have created new demands on the library that translate directly into additional expenses. The effective application of these new technologies requires special and ongoing efforts to enhance hardware, software and staff resources. In order to progress in these areas, we need to enlarge study carrels, update equipment, and hire additional institutional and support staff. We also require an expanded library facility, since we are now in the 11th year of using a facility completed in 1987 to meet the Law School's needs for only a decade.

Planning is under way to address these priorities. The *GENERATIONS* campaign will strive to meet these challenges and provide the necessary funding to help the Kresge Law Library grow into one of the nation's top research-quality facilities.

Order of St. Thomas More Reaches Initial Goal

When the books closed for 1997, membership in the Order of St. Thomas More had surpassed our initial goal of 300 members by the end of the year. The final total indicated that 315 alumni and other friends of NDLIS had made generous gifts during the past year of at least \$1,000 each, earning them recognition as members of the Order of St. Thomas More.

Most importantly, this significant increase in membership will provide much-needed additional financial aid funds for incoming and current law students. This increased funding will translate directly into a more outstanding student body and, in turn, a much finer law school.

We will continue our efforts to take the Law School's story to our graduates around the country. Alumni in Dallas-Fort Worth and Minneapolis-St. Paul can look forward to visits in June by the leadership team of Dean David T. Link '58, '61 J.D. and Patrick E. McCartan '56, '59 J.D., managing partner at Cleveland's Jones, Day, Reavis & Pogue, University trustee and chair of the Order of St. Thomas More.

The accompanying table on the next page shows giving by each class to the Law School in 1997. In addition to the 275 graduates noted as members of the order, another 40 friends chose to support the Law School at the \$1,000 level and above.

Newly Endowed Chair at the Law School

Thanks to the generosity of a benefactor who wishes to remain anonymous, the Law School will receive funding to establish a new endowed professorship, bringing to seven the number of endowed chair holders at the Law School. The historic \$8 million benefaction, known as the Edward Frederick Sorin Program for Academic Distinction, honoring the Holy Cross priest who founded Notre Dame, will establish a total of six new chairs across the University — one in each of the four colleges, the School of Architecture and the Law School.

These prestigious chairs will help us attract the most distinguished teachers and scholars in their respective fields, whether from inside or outside the

University. Appointments will be made after consultation with professors who currently occupy other endowed chairs. Each chair will be named in honor of a distinguished Notre Dame faculty member in each of the six academic disciplines, providing us with a wonderful opportunity to honor those faculty members who have helped make Notre Dame the truly fine institution it is today.

The gift, part of the University's *GENERATIONS* campaign, also provides funding for a new outdoor site honoring past, present and future Notre Dame endowed chair holders and the tradition of teaching and scholarship they represent. And it helps us meet our *GENERATIONS* campaign goal of adding 45 senior endowed professorships and 55 endowed assistant professorships across the University.

Law Class	Number of Graduates Contacted	Graduates who Made a Gift to the Law School	Percent of Participation	Order of St. Thomas More Members
1913	1	0	0.00%	
1922	1	0	0.00%	
1926	1	0	0.00%	
1927	1	1	100.00%	
1928	1	1	100.00%	1
1929	4	0	0.00%	
1930	4	0	0.00%	
1931	5	1	20.00%	
1932	3	1	33.33%	
1933	6	0	0.00%	
1934	3	1	33.33%	
1935	3	0	0.00%	
1936	11	0	0.00%	
1937	7	1	14.29%	1
1938	7	1	14.29%	1
1939	7	2	28.57%	
1940	13	4	30.77%	1
1941	11	2	18.18%	
1942	15	5	33.33%	1
1943	8	1	12.50%	
1944	12	4	33.33%	3
1945	6	3	50.00%	1
1946	6	1	16.67%	
1947	15	5	33.33%	
1948	40	8	20.00%	3
1949	45	15	33.33%	3
1950	37	15	40.54%	5
1951	67	19	28.36%	5
1952	41	8	19.51%	3
1953	39	12	30.77%	4
1954	31	7	22.58%	2
1955	42	10	23.81%	3
1956	46	8	17.39%	3
1957	39	11	28.21%	2
1958	28	9	32.14%	4
1959	34	17	50.00%	9
1960	27	8	29.63%	5
1961	44	11	25.00%	7
1962	37	19	51.35%	4
1963	31	13	41.94%	6
1964	40	15	37.50%	8
1965	39	11	28.21%	3
1966	50	21	42.00%	11
1967	58	16	27.59%	6
1968	54	17	31.48%	7
1969	77	32	41.56%	11
1970	69	18	26.09%	11
1971	76	26	34.21%	9
1972	128	53	41.41%	19
1973	191	49	25.65%	11
1974	133	37	27.82%	6
1975	114	36	31.58%	13
1976	132	25	18.94%	5
1977	143	32	22.38%	6
1978	142	22	15.49%	8
1979	138	29	21.01%	7
1980	152	39	25.66%	7
1981	145	44	30.34%	15
1982	143	40	27.97%	7
1983	162	31	19.14%	2
1984	157	31	19.75%	1
1985	154	28	18.18%	2
1986	172	34	19.77%	4
1987	162	37	22.84%	6
1988	166	27	16.27%	1
1989	177	39	22.03%	4
1990	170	22	12.94%	1
1991	178	22	12.36%	3
1992	186	22	11.83%	
1993	211	30	14.22%	
1994	184	17	9.24%	1
1995	196	25	12.76%	2
1996	199	24	12.06%	
1997	203	28	13.79%	1
Total	5,480	1,203	21.95%	275

Alumni Receptions Around the Country

The Law School Relations Office is hosting receptions for Notre Dame lawyers at bar association meetings around the country. Mark your calendar now and plan to join us if you'll be at your local bar convention. This is a great way to network with other Notre Dame lawyers in your bar association.

We'd like to host more receptions in even more exotic locales — we do like to travel! If your state bar association will be meeting in the latter half of this year, and if you'd like to help us plan the event, please contact the Law School Relations Office at (219) 631-6891.

We find that these receptions are most successful when a local graduate, who knows both the city and the people likely to attend, spearheads the effort to organize a reception. We at the Law School will do the rest — from developing the appropriate mailing list, to mailing invitations, to taking the RSVPs. All we need to know is when the meeting will be taking place, a contact person at your state bar association, and that you'd be willing to be a local representative for the Law School.

INDIANA STATE BAR ASSOCIATION

Thursday, April 23, 1998, 5:30 to 6:30 p.m.

Hyatt Regency Hotel

Indianapolis, Indiana

OHIO BAR ASSOCIATION

Thursday, May 7, 1998, 6 to 7 p.m.

Crowne Plaza Hotel

Dayton, Ohio

Local host: Edward J. Duffy '51 J.D.

ARIZONA BAR ASSOCIATION

Thursday, June 11, 1998, 5:30 to 7 p.m.

Westin LaPaloma Resort

Tucson, Arizona

Local host: Christopher Coury '91, '94 J.D.

briefs

News from the Career Services Office

NDLS graduates exceed national averages when it comes to employment.

Over 95 percent of NDLS graduates are employed within six months of graduation. According to the National Association for Law Placement (NALP), this rate is well above the 87 percent national average (based on statistics for the Class of 1996, the most recent for which we have complete data at this time). Nearly 60 percent of our graduates enter private practice, compared with just 36 percent at the national level. Judicial clerkships comprise the second-largest employment category, with 15 percent of the NDLS graduates securing one- or two-year clerkships following graduation. This, too, is well above the 11.4 percent national average. Traditionally, a majority of the students who begin their legal career as judicial clerks accept positions in private practice after completing their clerkships.

Although over 43 percent of our graduates stay in the Midwest, more than half travel to the four corners of the country, practicing in states like California, New York, Texas and Minnesota. Although cities like Chicago, Washington, D.C., New York and Los Angeles continue to be popular areas for our graduates, we are finding that more and more students are looking at practicing in cities such as Kansas City, Phoenix, Houston, Atlanta and other equally exciting areas. This changing interest is certainly reflected in our on-campus interview schedule for the past few seasons. Last year, we experienced a 25 percent increase in the number of employers visiting campus. Of those employers new to the NDLS on-campus schedule, over 50 percent of them were from cities outside the Midwest including Boston, Charlotte, San Diego and Minneapolis.

For more information on how you or your law firm can join the growing number of on-campus interviewers, please call the Career Services Office at (219) 631-7542.

News from the Center for Civil and Human Rights

Human Rights Roundtable Lecture Series

The Center for Civil and Human Rights this year initiated a Human Rights Roundtable Series to bring to the University scholars from other institutions who are working on human rights and a variety of other disciplines in order to discuss informally their works-in-progress and generate seminar-style discussions concerning the issues presented. In October, **Rev. David Hollenbach, S.J.**, Margaret O'Brien Flatley professor of Catholic theology at Boston College and for decades a very prominent scholar of human-rights and social-justice issues, reflected on his recent tenure as a Fulbright scholar in Kenya addressing "Human Rights and Communal Solidarity: African and Western Convergences?"

Distinguished Speakers at NDLS

- The Olin Distinguished Lecture Series, funded by a grant by the Olin Foundation to the NDLS-headquartered Natural Law Institute, featured two distinguished speakers in November: **Robert P. George**, associate professor of politics at Princeton University, presented "Is There a 'Moral Reading' of the Constitution?"; and **David Novak**, chair of Jewish studies at the University of Toronto, presented "Natural Law and Judaism."

- On March 25, NDLS and the South Bend office of the law firm of Baker & Daniels co-sponsored the Indiana Forum Luncheon featuring prominent journalist **Lynn Sherr**, presenting the keynote address, "Society and Change."

- **Professor Anthony D'Amato**, Leighton professor of law at Northwestern University, presented "Cross-Country Adoptions: A Call to Action," in which he suggested that some neutral entity such as the Catholic Church should become actively involved in the process of cross-country adoptions to stem the rising tide of problems associated with this increasingly common practice.

- **Cody McCone**, vice president of the Irish American Unity Conference and Defense Counsel for the last IRA case tried in the United States, spoke on "The Struggle for Human Rights in the North of Ireland and the Irish Peace Process" at a November lecture sponsored by the Irish Law Society, National Chapter of the Brehon Law Society.

- **Kathryn Abrams**, professor of law at Cornell, spoke at a faculty colloquium on "How to Have a Culture War," which addressed the Oxford University Press publication, *BEYOND ALL REASON: THE RADICAL ASSAULT ON TRUTH IN AMERICAN LAW*, by Daniel A. Farber and Suzanna Sherry.

Death-Penalty Vigil

On November 19, at 11:30 p.m. in the Law School student lounge, students, faculty and staff participated in a death-penalty prayer vigil sponsored by the Center for Civil and Human Rights on the eve of the execution of Indiana prisoner Gary Burris. The vigil concluded with a candlelight procession to the Grotto of Our Lady of Lourdes; and some of those in attendance joined Sister Kathleen Beatty, S.S.J., rector of Lyons Hall, on her trip to Michigan City to join an on-site vigil.

News from the Admissions Office

Top candidates visit NDLS.

This February, the Admissions Office hosted 28 of our top applicants for the Class of 2001 at a Fellowship Weekend, to allow them to experience the NDLS community first hand before they make their decision on which law school they will attend. Participants, who came from as far away as Los Angeles and as close as the Notre Dame campus, spent a busy Friday attending first-year classes, interviewing with the assistant and associate deans, touring the campus, and dining with NDLS faculty and administrators at lunch and with current NDLS students at dinner. On Saturday morning, the guests heard presentations on financial aid, career services, and housing and student life. With a little unscheduled time on Saturday afternoon, the students were free to roam around and take in the beauty of the campus — fortunately, a balmy weekend uncharacteristic of mid-February in South Bend. That evening, they joined with the NDLS community at the Fr. Mike Talent Show.

The students seemed impressed by the reception they received at Notre Dame — not just at the Law School, but around the whole campus. And those who met with the applicants were overwhelmingly impressed with them individually, and as a group. We hope to see these faces back on campus in the fall, forming the core of the Class of 2001.