

4-1-1999

## Notre Dame Lawyer - Spring 1999

Notre Dame Law School

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### Recommended Citation

Notre Dame Law School, "Notre Dame Lawyer - Spring 1999" (1999). *Notre Dame Lawyer*. Book 10.  
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NOTRE  
DAME

O v e r T h e r e

# LAWYER

SPRING 1999

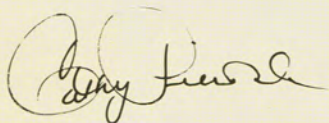
## Dear Notre Dame Lawyer,

IN THESE PAGES, you will read about the ever-broadening influence of the Notre Dame Law School — about programs that didn't exist a decade ago but that are having a tremendous effect on the lives of people who search for justice and peace.

In researching the information for these articles, I've learned a lot about NDLS — about what we do, where we do it, and how others appreciate our efforts. I've learned that the Notre Dame name is respected throughout the world — not for its football team, of which most people outside this continent are unaware, but for its emphasis on morality and values. I've learned that the institution we treasure serves as an inspiration around the planet. I've learned that we've enabled many, many people — alumni and friends alike — to follow the first part of Aristotle's admonition to "do good."

I hope that, as you read these pages, you become as proud as I am about what we mean to so many people in so many countries who will never see a Saturday afternoon football game or hear the "Fight Song," who will never set foot on this campus to gaze in awe at the statue of the Blessed Mother on the Golden Dome or light a candle at the Grotto, or who will never experience the joys of true freedom. I hope you see that Notre Dame — through the work and support of you, our alumni and friends — helps make our world a better place.

Yours in Notre Dame,



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*P.S. I'm still collecting reflections on Dean Link for an upcoming issue paying tribute to his leadership. Please feel free to contact me directly if you would like to contribute to this project.*

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### 1999 SPRING/SUMMER CALENDAR OF EVENTS

**May 13, 1999**

Ohio State Bar Association Annual Meeting  
Notre Dame Law Association Reception  
Renaissance Hotel, Cleveland, Ohio  
6 to 7 p.m.

**May 14-16, 1999**

Commencement Weekend

**June 4-6, 1999**

University Reunion '99  
Law School Continuing Legal Education Program

**June 15, 1999**

Deadline for submission for *Notre Dame Lawyer*, Summer 1999 issue

**June 24, 1999**

State Bar of Arizona Annual Convention  
Notre Dame Law Association Reception  
Phoenician Resort, Scottsdale, Arizona  
5:30 to 7 p.m.

**August 8, 1999**

American Bar Association Annual Meeting  
Notre Dame Law Association Reception  
Atlanta, Georgia  
5 to 7 p.m.





Spring 1999

LAW SCHOOL  
FOCUS



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Notre Dame Lawyer is published  
for the alumni and friends of the  
University of Notre Dame Law  
School, Notre Dame, Indiana.

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Spring 1999

## Over There

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A New Home in London

The Reason Why

Juan E. Méndez — A Dynamic Leader Working for Peace and Justice

Specialties — International Style

A Different Kind of Law School — "Down Under"

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## F R O M     T H E     D E A N

**T**his is a great time to be in Catholic legal education. At the Notre Dame Law School, we're experiencing some exciting opportunities to spread our vision throughout legal education; and within Catholic legal education, we're seeing some interesting new trends that should strengthen every religiously based law school in the country.

As you may know by now, University President Reverend Edward A. Malloy, C.S.C., has named Vice President for Student Affairs and Professor of Law Patricia A. O'Hara '74 J.D. the ninth dean of the Notre Dame Law School, effective July 1, 1999. Throughout the dean search process, we have examined our mission to identify our core values and have recommitted ourselves to supporting that mission. Now, in my new role as dean emeritus, I will be able to devote myself full time to exploring the idea of "healing in the law" — research that will result in a number of books as well as a PBS television series with Bill Moyers and provide yet another opportunity to spread the word about Notre Dame and our "different kind of law school."

You may have heard that Professor Doug Kmiec, who had been a member of our faculty since 1980, has decided to stay at Pepperdine University, another religiously based law school. And recently, Professor John Garvey, a noted scholar and member of our faculty since 1994, has been named dean of the Boston College Law School, a Jesuit-run institution. Although we will miss our esteemed colleagues and treasured friends, I know that, through their teaching and scholarship grounded in principles of justice, morality and the natural law, they will inspire their new colleagues and students. I thank them for their loyal service to Notre Dame and for their friendship.

You may also have heard that the founder of Domino's Pizza, Tom Monaghan, has established a new proprietary Catholic law school near Ann Arbor, Michigan. Ave Maria Law School — the nation's 25th Catholic law school — will open its doors to its first class of students in the fall of 2000. The law school will be headed by Dean Bernard Dobranski — who graduated from the University of Notre Dame in 1961, taught on the Notre Dame Law School faculty from 1977 to 1983, and served as dean of the religiously based law schools at both University of Detroit-Mercy and Catholic University of America. NDLS Professors Gerard Bradley and Charles Rice have agreed to serve on Ave Maria's Board of Governors.

What does this new law school mean for Notre Dame? I can think of nothing but good. The attention being paid to the opening of Ave Maria will help all religiously based law schools — including ours — to maintain their religion-inspired mission. We don't all need to do this in the same way, but each of us needs to remain true to certain fundamental principles including — in the case of Catholic law schools — the natural law. The presence of former and current NDLS faculty members in leadership roles at other law schools will help expand the influence of our "different kind of law school" throughout legal education. The competition and the interaction of faculty and deans will make all religiously oriented law schools stronger.

Of course, one fact that makes Notre Dame unique among such law schools is the loyalty of our alumni and friends. You have encouraged us to stay true to our mission, and you have provided us generous financial and emotional support to further that mission. And as you will read in this issue of *Notre Dame Lawyer*, our influence now extends well beyond continental borders — indeed, into every inhabited continent. I am proud of the work our Notre Dame lawyers do abroad, and I am heartened every time someone overseas reacts positively to a Notre Dame presence. You have enabled our successes in a number of ways, and your support has encouraged us to broaden our reach anywhere people yearn desperately for peace and justice.

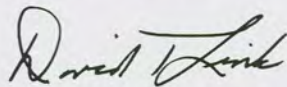
I hope you will take advantage of the opportunities presented within these pages to help Notre Dame succeed in its mission. You can help in a number of ways — through Notre Dame Advocates for Human Rights, through service in your hometown, or through enabling our students to serve the underrepresented. Together — and individually — we can have a tremendous impact on our profession and on the lives of those we serve.

On a personal note, I am happy to share with you some great news. My wife Barbara has finished her second series of chemotherapy treatments to combat the cancer with which she was diagnosed last May. The results of a recent CAT scan and other medical and chemical tests have all been negative. Her doctors have declared her condition to be in remission.

We have been blessed with extremely good medical services, but I doubt that the present success could have been achieved without your many prayers. I do not know how anyone can go through something like this without the support of a community like Notre Dame. Barbara and I will be forever grateful to the Notre Dame family, and we will keep each of you in our thank-you prayers.

With best wishes for you and your family, I remain

Yours in Notre Dame,



David T. Link  
Dean and Professor of Law



# Over There

*Conscious of its international heritage and tradition, the University of Notre Dame is strongly committed to providing its students with opportunities to enlarge their understanding and vision beyond the borders of this campus and this country, and produce a steady cohort of young graduates prepared for leadership roles in today's ever-changing world.*

— UNIVERSITY OF NOTRE DAME  
MISSION STATEMENT

One of the many issues raised during the recent debate about Notre Dame's decision to join the Big Ten Conference concerned whether affiliating with a conference of mostly Midwestern universities would change Notre Dame from a nationally known university into a regional one. But this concern belies the fact that Notre Dame has gone well beyond being even just a national university anymore. Through an increasingly international student body and alumni population, and through 19 foreign-study programs offered in 13 countries on six continents, the University founded by seven French and Irish immigrants nearly 157 years ago has developed a strong international reputation for academic and scholarly excellence, and as a force for ethics and values in academic and professional pursuits.

The Notre Dame Law School has been an integral part of the international reach of the University for more than three decades. And although the Law School currently

offers formal international-study opportunities only in London, England, its influence has also spread around the world. Particularly in the last decade, NDLS has attracted dozens of successful lawyers from around the world to LL.M. and J.S.D. programs in international human rights on campus, and to an LL.M. program in international comparative law in London. NDLS faculty increasingly have added international components to their teaching and scholarship, and their work often takes them abroad to teach and to learn from other lawyers and law professors. Alumni who live and work abroad represent well the professional and personal ideals for which NDLS stands.

Tangible evidence of the ever-broadening reach of NDLS has manifested itself on every inhabited continent. And this reach goes beyond just attracting students from these countries or keeping in contact with the 150 or so NDLS alumni who live abroad. Just a few examples illustrate the wide range of activities through which NDLS spans the globe:

BY CATHY PIERONEK '84, '95 J.D.,  
DIRECTOR, LAW SCHOOL RELATIONS

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## NORTH AMERICA

Interns at the NDLS Immigration Clinic assist clients who come to South Bend from all over the world with their immigration and asylum applications. Under the guidance of clinic director Barbara Szweda, student interns often travel south on semester breaks to places like Florida and Texas to aid immigration workers when, for example, a political crisis or hurricane causes a heavy influx of immigrants from Latin America.

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## SOUTH AMERICA

The late Reverend William E. Lewers, C.S.C., and the Center for Civil and Human Rights played a central role in the English-language publication of the report of the Chilean National Commission on Truth and Reconciliation, documenting human-rights abuses during the rule of General Pinochet — a document that today undoubtedly will aid authorities in determining the general's fate. At least one student from Chile participates in the center's LL.M. program each year. And graduates from the center's programs frequently serve postgraduate internships with nongovernmental human-rights organizations based in Central and South America.

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## EUROPE

J.D. and LL.M. students in London learn international law and the law of other nations from a cadre of distinguished British and other European practitioners and law professors. LL.M. and J.S.D. graduates from the Center for Civil and Human Rights, along with select faculty, have played active roles in the United Nations International Criminal Tribunal for the former Yugoslavia.

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## AFRICA

Other LL.M. and J.S.D. graduates from the CCHR, along with NDLS faculty, have helped train the lawyers and judges who will conduct the trials under the auspices of the International Criminal Tribunal for Rwanda. Each year, at least one student from South Africa participates in the center's programs, and over one-third of

the center's South African graduates now teach human-rights law at universities back home. The center is also the only educational institution to have been granted observer status at the African Commission for Human and Peoples' Rights.

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## ASIA

Each year for the last two decades, one judge and one prosecutor from Japan, both new to their professions but projected to enjoy great success, spend two semesters studying American law at NDLS.

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## AUSTRALIA

Dean David T. Link '58, '61 J.D. served as founding chancellor of the University of Notre Dame Australia, the first Catholic institution of higher education in that country. With other NDLS faculty, he has played a significant part in the development of the first and only Catholic law school in Australia, and has hopes for a student- and faculty-exchange program in the near future.



he reasons for NDLS to reach out overseas vary with the causes served by NDLS students, alumni and faculty.

But these reasons share a common thread — to deliver an excellent education to NDLS students who must practice law in an increasingly global economy and society, and to work toward the goal of securing justice and peace for those who do not enjoy the God-given rights of life, liberty and the pursuit of happiness.

The London Law Programmes (please see p. 6) provide students with the opportunity to study law in the nation that gave birth to the common law, learning from professors who teach at a range of British law schools. Through internships with British practitioners, they learn about legal practice in an increasingly global economy, in the cosmopolitan city that sits at the center of European commerce. The London law professors note that they learn from the students as well. Penny Darbyshire, a senior lecturer in law at Kingston University who

teaches a course for NDLS on the English legal system, is often surprised at how Americans view the English legal system. "When I teach about the English legal system, I'm sure the American students will find certain things odd or undesirable. I'm always amazed at how their view differs from my perception of what I think their view might be. I've learned to look at the English and American legal systems through their eyes, and my own scholarship has benefited from that interaction."

The LL.M. and J.S.D. programs in international human rights further the University's commitment to working for justice and peace in areas of the world that have experienced long periods of terrible civil strife and even genocide. Mr. Juan Méndez, who will become the fourth director of the Center for Civil and Human Rights this October (please see p. 10), comments that, in Latin America especially, "Notre Dame is a well-known moral force. Not only does the University have a strong academic reputation, but it has a strong reputation as a force for good."

The interaction between NDLS and the University of Notre Dame Australia — and in particular, with its new law school (please see p. 14) — provides an opportunity to explore what it means to be a truly Catholic law school while helping establish the first Catholic law school in Australia. In that work, NDLS can help effect true change in a nation whose laws and ethics were developed in the post-Enlightenment era, rather than from the firm foundations of the Judeo-Christian religious tradition.

The work performed each and every day by NDLS students, alumni and faculty affects the daily lives of individuals, the policies of governments and the operations of nongovernmental organizations worldwide. And through the efforts of the Notre Dame Advocates for Human Rights (please see p. 46), even more alumni and friends, working right from their own homes or offices, can help NDLS strengthen its worldwide reach by assisting attorneys abroad who lack the time and money to perform even the most basic legal research in support of human-rights causes.

We've accomplished a lot in 30 or so years of foreign outreach. In some places, we still have a long way to go. And we won't be back 'til it's over — over there.





## Did You Know?

- The Law School was the first University division to create a formal international-study program in London, beginning with the second-year J.D. program in 1968, and adding the six-week summer program in 1970. The College of Business Administration added a London M.B.A. program in 1977. The University followed with a program for undergraduates in the College of Arts and Letters in 1981, and with a comprehensive program for undergraduates in each of the four colleges in 1997.

- The University ranks first among research and doctoral universities in the percentage of students studying abroad. For 1996-97, 7.5 percent of the student body participated in international-study programs. Among research universities, Duke was second with 6.1 percent, and among doctoral institutions, Miami was second with 6.1 percent.

- The Summer London Programme is the oldest summer law program conducted in London by any American law school. Approximately 95 students from 40 law schools participate in the six-week program each summer.

- The London Law Programme for second-year J.D. candidates is the only year-long study-abroad program that has been approved by the American Bar Association. Participation levels vary from 20 to 50 students annually; this year, 28 second-year students have taken advantage of the benefits of overseas study.

- The London Programme awards the only LL.M. degree offered by an American law school abroad.

- The Law School's first LL.M. recipients graduated from the London Programme in international and comparative law in 1987. Since its inception, the program has awarded degrees to 120 graduates.

- The John Bruce Dodds '80 J.D. Memorial Fellowship and the Harry M. Bainbridge '80 J.D. Memorial Fellowship provide financial assistance to students in the second-year program, and the Kim Conness '81 J.D. Memorial Fellowship provides assistance to a third-year student who excelled in the second-year in London program.

# London

## A New Home in

**T**his past February in London, England, the University community celebrated the culmination of more than two years of planning, preparation and hard work with a formal dedication of Marian Kennedy Fischer Hall — the new home of the University's London campus. Located at the corner of Pall Mall and Suffolk Street, just one block from Haymarket and a couple of short blocks east of Trafalgar Square, the new facility more than doubles the physical space available for the University's programs to 27,000 square feet on five floors.

Past participants in the London Law Programme will recall the charming building with the colorful past at No. 7 Albemarle Street in the Mayfair District. Professor J. Eric Smithburn, who directs the summer program in London, recounts its history: "The beautiful building was constructed in the 1720s for Admiral Sir John Norris. During its restless history, the building [saw] more than a few chapters of history played out within its walls. Amelia Sophia DeWalmoden, Countess of Yarmouth, mistress of King George II, resided at 7 Albemarle Street for several years in the 1760s. During her residence, the Treaty of Paris with the French was, at least in part, negotiated at Number 7. The building became a fashionable hotel in the early 1800s, playing host over many decades to visiting royalty throughout Europe. One of the distinguished guests was Louis XVIII of

France, who stayed at Number 7 for several days in 1814 while preparing for his triumphant return to Paris and restoration as king. In later years, the building served as headquarters of a yacht club, a tailor shop and home of a literary society."

Notre Dame added its own history and traditions, taking occupancy of the building in the early 1980s under a lease containing extraordinarily favorable terms in a depressed real-estate market. At the time, the Law School's summer and second-year programs for J.D. students formed the core of the University's presence in London, although the M.B.A. program had recently added a semester-long program. In 1981, however, the University opened the doors of the London "campus" to undergraduates in the College of Arts and Letters, beginning a semester-long program for juniors. Over the last two decades, this undergraduate program has become very popular with students and faculty alike. In 1997, the University added a number of courses to make the program practical for juniors from all four undergraduate colleges. And while this program growth has gone a long way toward making Notre Dame the leading research and doctoral university in terms of the percentage of students studying abroad, it also rendered No. 7 Albemarle Street entirely too small to properly accommodate the University's growing presence in London.

So the University faced a challenge — to find an affordable building large enough to accommodate the London student body, which numbers about 400 annually, and

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BY CATHY PIERONEK '84, '95 J.D.,  
DIRECTOR, LAW SCHOOL RELATIONS

capable of being configured into modern classroom, study and social space. Letters to local colleges and universities inquiring about unused and rentable space went unanswered, until a letter from the British School of Osteopathy arrived indicating that the school had recently vacated a Crown property that — despite the lack of a sufficiently colorful history — might be suitable for Notre Dame's purposes.

From its construction in 1906 until 1979, the building served as the home of the Oxford and Cambridge Men's Club. According to Geoffrey Bennett, director of the London Law Programme, "The building's exterior reflects the discreet grandeur that was thought to be appropriate to an Edwardian club. The interior incorporates many of the period details to be expected of a building of this quality, including a sweeping central staircase, imposing reception rooms and marbled fireplaces."

Despite its historical grandeur, the first impression of those who surveyed the facility, which had stood vacant for a number of years, was that a clever real-estate agent might describe it as a "fixer-upper." To say it "needed work" would be quite an understatement. Nevertheless, the University realized the building's potential, and secured a 99-year lease from the Crown.

Two years later, thanks to a generous gift from the Charles K. Fischer '49 family of Fort Worth, Texas, this magnificent Edwardian structure in the heart of London has been renovated in a manner that satisfies the strict planning controls imposed on Crown properties, yet accommodates the requirements of a modern teaching facility, including increased capacity for computer connections back to South Bend. The



bright and spacious structure features classrooms, offices, libraries, social/reception space, apartments, a refectory and, in true Notre Dame tradition, a chapel. The Law School occupies two floors of the five-story building with classrooms, a moot-courtroom and dedicated law library. The decor incorporates cheery yellow tones and muted rose tones, with plenty of bright white-painted architectural details and trim. The refurbished exterior blends nicely with the surrounding buildings, and subtly conveys Notre Dame's growing presence in London.

In early February, University officers and the Board of Trustees traveled to London to dedicate Marian Kennedy Fischer Hall, honoring Mr. Fischer's mother. In addition to a formal dedication at Fischer Hall and a dedication Mass at Westminster Cathedral, the festivities included a reception at the American Embassy and a ceremony at which the University conferred the degree of Doctor of Laws, *honoris causa*, on four prominent Britons: George Basil Cardinal Hume, archbishop of Westminster, who gave the principal address at the ceremony; the Most Reverend George Carey, archbishop of Canterbury; Sister Dorothy Bell, R.S.C.J., an educator and AIDS ministry coordinator; and Lord St. John of Fawsley, a prominent Catholic author,

barrister, journalist and historian.

Celebrating its 30 years in London, the Law School hosted a special reception for the London law faculty, members of the British legal community including practitioners and educators, and a dozen or so NDLS alumni living in the United Kingdom. The event proved to be a great opportunity to thank those who have worked so hard to make the program a success — especially the dedicated faculty and

the practitioners who have made internships available to our students. It served as a way to introduce the Notre Dame London Law Programme to members of the British legal and legal-education communities who might be interested either in teaching in the program or in offering internships to our students, and has given our London alumni a place to call home — 4,000 miles away from home.

And how do the students feel about the new building? "I love it," notes Karen Edmonson '00 of Pleasant Hill, California. "The building is beautiful and it's in a great location." Other students point to nearby attractions, including the National Gallery just two blocks east, as some of the many benefits of the new location.

The London Law Programme forms the cornerstone of an international-study program that University President Reverend Edward A. Malloy, C.S.C., describes as "the linchpin of Notre Dame's rapidly expanding international presence." The University's commitment to the new London facility serves as a testament to all that has been accomplished through that program over the past three decades, and signals an even greater commitment to expanding the international outreach of NDLS well into the next century.

## LONDON — AUGUST 2000

In celebration of the new millennium, the American Bar Association will hold the second week of its annual meeting in 2000 in London. NDLS will host the meetings of the Section on Legal Education and Admission to the Bar at Fischer Hall, and will host its annual Notre Dame Law Association reception at the London campus, most likely on the first Sunday in August. If you're planning on traveling across the Atlantic for this meeting, watch for details of the meeting and reception in future issues of this magazine.

# The Reason Why



You don't have to spend too much time in England to realize that the English have a special relationship with their gardens. Understand the way the English feel about their gardens, and you understand an important aspect of the English national character. (I use the term "English" here advisedly. The Welsh and the Scots are not the same — which is something else you pick up quickly.) This point was first made to me by the former United States Ambassador to the United Kingdom, Admiral William J. Crowe Jr. An admirer of many things English and himself a keen gardener, Admiral Crowe often stole moments from his busy diplomatic schedule to learn from this nation of gardens and gardeners.

He often remarked that one of the things that impressed him most about English gardening was the emblematic English lawn — carefully weeded, trimmed and, most characteristically, striped. Once, while visiting an Oxford college, the ambassador came upon a college gardener rolling the grass to achieve that striped effect. The ambassador asked the gardener for the secret to his country's beautiful lawns. "There's no great secret," the gardener replied. "You simply water the grass, then mow it, and then roll it. A few days later, you water it again, mow it, and roll it. Then keep doing the same thing for 200 years."

By the time his assignment ended, Ambassador Crowe had collected quite a few new ideas for his garden back home, including a number of practical suggestions on gardening technique. He had also learned some important lessons about patience, care and concern — for beauty, for the physical land itself, for tradition. Based on his experience, then, you might conclude that if gardening is your interest, a few



months here in England could be a rich educational experience.

But Notre Dame law students go to England to study the law, not the lawns. And the question they frequently face is whether their academic sojourn is time well spent. What possible reason could there be to cross an ocean to study something that surely could be learned just as well from the law books and professors on the home campus? Of what benefit is study in London to someone who will likely practice law only on American turf? And if it is such a great idea, where is the Harvard London Law Programme?

Skeptics will point to the fact that students are often drawn to international-study programs for reasons other than their academic rigor. Study law in England, and job interviews likely will include such

questions as: "Now tell me, why did you need to go to London to study corporations? Or international business transactions? Or jurisprudence? Even international law? Couldn't you have studied these subjects just as well in South Bend, and surely with fewer distractions?" Behind such questions lies the lurking suspicion that law students who come to the London Law Programme simply decided to "goof off" for a while, away from the watchful eyes of the home campus.

The doubters have a point. After all, why should a serious law student change *location* in order to learn? If you were discussing art or architecture, for example, you could answer that a student of these subjects needs to *see* what others have made in order to learn from their achievements. Whether that argument holds for law students, especially those who plan to practice only American law, is certainly a fair and open question.

Before attempting an answer, I should, in the interest of full disclosure, acknowledge a vested interest in the matter. Having spent my second year as a Notre Dame law student (1978-79) in the London Law Programme, having returned to England to study for an LL.M. in international law at Cambridge, and now having taught in the program for the last three years, I may not be the most objective critic of international legal study. On the other hand, my *apologia pro vita sua* at least has the credibility of a first-hand account.

To begin with, as third-year students learn in Trial Advocacy, let me freely concede the weak points. Yes, students could read the same books just as easily at home. And yes, faculty members are not necessarily better just because they are not American, nor are their pedagogical methods so vastly different from or superior to their American counterparts.

What is unique about studying law in England, however, what gives it real value as a professional learning experience for American lawyers, is something simply not

offered in the United States. It is something the students have to seek out on their own, largely outside the confines of Fischer Hall, the University's magnificent new teaching facility in London, and the traditional approach to education it represents.

To find it, they must bring with them to London a precious heirloom. Something they will give no thought to packing. I mean, of course, the American legal tradition. In so many ways, this tradition is a legacy Americans inherited from the British when our republic was born. It is a legacy of legal principles, a way of thinking about law, a language of law and, perhaps most importantly, a way for ordinary people to live in a society governed by law. Once the students arrive in England, they have the opportunity to look closely at how, in the living laboratory of British society, the same general legacy has grown and developed into its present form, and how that growth and development differs from and compares with the American experience. If they take the task seriously — and *seeing* is always hard work — they will find the similarities as well as the differences striking and surprising, and will come to a much deeper understanding of how law shapes a society and how society reciprocates.

To take advantage of this opportunity, the law students must wisely use their time outside the classroom and the library. They must see for themselves how British laws are made by visiting the Houses of Parliament. They must see for themselves how British laws are enforced by visiting the Old Bailey, the Royal Courts of Justice and the Crown Courts, and by talking to British lawyers. The learning, however, must not stop there. To see how the law really works, our students must recognize that the most important role the law plays is not in the courts dedicated to addressing its occasional breach, but rather, is in the society where it is observed and respected on a daily basis — where, if you will, the law is “practiced” by everybody. In London, students have the opportunity to observe British society in action. They can listen carefully to what

British people say — most often indirectly — about the operation of law in their society. They can read, watch and listen to the British media, paying critical attention to the role of law in this society beyond the professional activities of lawyers, judges and lawmakers.

As law, like so many things, becomes increasingly global, the practical advantage of understanding other legal systems can be easily recognized as good in itself. The educational benefits of our London Law Programme extend, however, even to those lawyers who will never practice outside a limited field in their home jurisdictions. A student who plans to practice criminal law, for example, can seek to understand the relationship between criminal law and criminal activity in Britain. The United Kingdom has no death penalty, and yet Britain has far fewer crimes *per capita* than the United States of the sort that would warrant a death sentence. Does this reveal more about the homogeneity of British society, or more about the deterrent effect of the death penalty? Britain is generally perceived to be a safer society in America. Is this because the American *legal system* has failed, or because the American *people* have failed?

Our students should also take notice of what they do *not* find in the British media. In the States, for example, abortion remains a “hot button” issue in many political campaigns, while in Britain abortion as a political issue is mentioned rarely if at all. Why is that? Or consider that the liability of tobacco companies for causing cancer is the subject of some of the largest potential settlements in the history of American litigation, while American tobacco sales in Britain and Europe are booming. To smoke in America is considered *déclassé*. Many Britons, on the other hand, find the American intolerance of smokers a sign of bad manners. Is society shaping the law, or is it the other way around? Or is this an example of the dialectic between the two?

If these examples seem a bit narrow, consider some of the larger constitutional issues being debated in the British public

forum. In 1776, the Englishmen who founded the United States wrote to their erstwhile king to inform him, somewhat to his surprise, that governments were instituted to secure the rights of citizens, and that they derive their legitimacy from the consent of the governed. Our students in the London Law Programme now have the opportunity to listen carefully as the citizens of modern Britain consider whether and how to give their consent to an emerging European government, while simultaneously devolving legislative authority to new assemblies in Scotland and Wales as well as redesigning the House of Lords. Such debates offer our students an excellent opportunity to consider how well the United States Constitution would meet similar challenges.

These examples illustrate what is, in the end, the reason international legal study — particularly in England — can be so worthwhile: By living in this society and by looking critically at the pervasive role of law within it — something that *cannot* be done in South Bend — our students can compare the legal fabric of British society with that of their own. The principles at the heart of the law Notre Dame lawyers will practice are so closely woven into the fabric of our society at home that many people barely notice them, or worse, take them for granted. In the course of a year in London, however, the similarities and differences between the two legal systems stand out in a way that puts the operation of law in society into sharp relief.

Seeing the elements of a common heritage of British legal tradition at work here, but in a different arrangement and in a different relationship to the British people, our students come away with more than just a valuable understanding of the British system. They become better able to *discern*, to understand how things might be otherwise — for better and for worse. This experience will prove uniquely valuable to our students in their professional lives as lawyers, judges and perhaps even lawmakers in the years ahead.

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JAMES A. GRESSER, A DOUBLE-DOMER WHO SPENT HIS SECOND YEAR OF LAW SCHOOL IN THE LONDON LAW PROGRAMME, IS ATTORNEY-IN-CHARGE WITH THE UNITED STATES DEPARTMENT OF JUSTICE, CIVIL DIVISION, EUROPEAN OFFICE, AT THE AMERICAN EMBASSY IN LONDON, ENGLAND. DURING THE 1998-99 ACADEMIC YEAR AS AN ASSOCIATE PROFESSOR OF LAW IN NOTRE DAME'S LONDON LAW PROGRAMME, HE TAUGHT A COURSE IN INTERNATIONAL ENVIRONMENTAL LAW TO THE PROGRAM'S J.D. AND LL.M. STUDENTS.



# Juan E. Méndez

A DYNAMIC LEADER WORKING FOR PEACE AND JUSTICE

**S**ince the death of Reverend William E. Lewers, C.S.C., in April of 1997, the University and the Law School have engaged in a worldwide search for his successor as director of the Center for Civil and Human Rights (CCHR). During his decade as the center's director, Father Lewers developed the CCHR into an internationally recognized leader in the field of international human-rights education. He reformed the center's mission and institutional structure by adding a unique graduate teaching program to the existing research and service activities developed by his predecessors, former CCHR directors Professor Howard Glickstein and Professor Donald Kommers. And now, this October, the CCHR will welcome its fourth director — a visionary leader and outstanding human-rights lawyer who plans to strengthen the center's existing degree programs and expand its influence both abroad and at home.

Juan E. Méndez, a native of Lomas de Zamora, Argentina, has dedicated his legal career to the defense of human rights, and will bring to the CCHR a long and distinguished record of human-rights advocacy throughout the Americas. He hopes to build on the strong international reputations of the CCHR, the Law School and the University to effect true change in international law issues such as human rights and peace, and international criminal justice for war crimes and crimes against humanity.

He earned his law degree from Stella Maris University, a Catholic university in Mar del Plata, Argentina, in 1970. He began his human-rights work as a student leader trying to encourage the implementation of social reforms promoted by the Second Vatican Council in a country where weak civilian governments, suddenly replaced by oppressive military dictatorships, dominated the political landscape. As a lawyer, he began his practice by serving those who wanted to change the norms imposed by those dictatorships.

Specifically, he represented trade unions working for labor reform, but quickly became involved in representing political prisoners. It was dangerous work. Many of the better-known lawyers who represented these political prisoners left Argentina out of fear. Many of those who stayed faced the very real prospect of being executed by the government. As a young and relatively unknown lawyer, he was able to work on these cases quietly between 1970 and 1975. But as he became more successful and better known, he was arrested, tortured and eventually placed in administrative detention under the "state of siege." The Argentinian dictatorship held Mr. Méndez for a year and a half without bringing formal charges against him. More than one hundred other lawyers suffered similar treatment, most of them for even longer periods.

The United States government, at the urging of the American family with whom he had lived while an exchange student, pressed for his release. Amnesty International adopted him as a "prisoner of

IN HIS ANNUAL ADDRESS to the University faculty last October, President Edward A. Malloy, C.S.C., highlighted the strengths of academic programs across the University. Among the Law School programs mentioned, Father Malloy noted the significance of the Center for Civil and Human Rights. "If you think, for example, about the dilemma between England, Spain and Chile right now, with former (Chilean) President Pinochet and all of the things that bring to the surface the role of immunity from prosecution and how this affects Rwanda, Burundi, the former Yugoslavia, Northern Ireland and many other places, the role of the Center for Civil and Human Rights and the kind of international perspective that [its faculty and students] bring to the campus is visible when you see those who participate in [the center's] programs and the range of countries and cultures represented. I really do believe we can have a major impact on how we think collectively about the present world order."

The center's faculty contribute to the discussion of peace, justice, human rights, civil rights and the present world order in a number of ways — sponsoring and co-sponsoring conferences at the University, participating in conferences and the work of international organizations around the world, and teaching and writing about human-rights issues and international law.

The summer 1997 issue of *Notre Dame Lawyer* highlighted the center's faculty, whose scholarly interests are wide ranging.

■ Professor **Dinah Shelton** concentrates her teaching and scholarship on international human rights law and international environmental law. She has published or revised three human-rights texts in the last four years, and has served as a consultant to the United Nations, the European Community, the Council of Europe and various governments and nongovernmental organizations. She has lectured on international-law topics around the world — most recently in Switzerland, Hungary, Japan and New Zealand, in Iowa City, and in Funchal on the Island of Madeira. Last June she taught a course on Environmental Rights at the Academy of European Law in Florence, Italy.

■ Associate Professor **Paolo Carozza** clerked for Chief Justice Edward C. King of the Supreme Court of the Federated States of Micronesia. As an associate at the Washington, D.C., law firm of Arnold & Porter, he engaged in international-law practice and significant human-rights *pro bono* work. He has had experience as a researcher at the University of Chile and as a visiting professor at the University of Trent (Italy). He has co-authored two books and a number of articles on comparative law and human rights, including a co-authored book on the Supreme Court of Argentina published in Argentina in 1995, and *Uses and Misuses of Law in International Human Rights: Some Reflections on the European Court of Human Rights* published in volume 73 of the *NOTRE DAME LAW REVIEW* last year.

■ **Garth Meintjes '91 LL.M.**, associate director of the center, teaches and writes in the areas of international criminal law, human-rights ethics, international humanitarian law and human-rights research methods. He has established a number of human-rights internships and service projects around the world both to give graduates of the center's LL.M. programs practical experience in human-rights law and practice, as well as to further the cause of peace and justice. In 1994, with financial assistance from the MacArthur Foundation, he established an internship program for the International Criminal Tribunal for the former Yugoslavia, and has since broadened the center's internship opportunities to include such notable institutions as the International Criminal Tribunal for Rwanda, the Inter-American Commission of Human Rights, the United Nations Human Rights Centre, the African Commission on Human and People's Rights, and the Inter-American Institute of Human Rights in Costa Rica. He has organized a number of conferences at the University on the topic of international human rights, including one this March titled "The Permanent International Criminal Court: Will it Make a Difference for Peace and Human Rights."

■ **Ada Verloren Van Themaat '90 LL.M.** joined the center this past fall as assistant to the director. She represented NDLS at the recent meeting of the African Commission for Human and Peoples' Rights, has helped coordinate the center's March conference on the Permanent International Criminal Court, and assists in the center's other programs.

■ **William P. Hoye**, associate vice president and counsel and concurrent associate professor of law, has joined the center's LL.M. program in international human rights. His interest in this area grew out of work he has performed at the University in developing the University's code of conduct for licensees, adopted in 1996 and the first code of its kind in any American university. He chairs a campus-wide task force to examine the more complex issues surrounding the "sweatshop" question, including whether to require public disclosure of all manufacturing sites where University-licensed products are made, whether to require the payment of a living wage, and whether to require companies not to interfere with the right to free association and the right to organize. He is also involved in the University's efforts with PriceWaterhouse Coopers to independently monitor factories that manufacture University-licensed products — another first in higher education.

"I really do believe we can have a major impact on how we think collectively about the present world order."

REVEREND EDWARD A. MALLOY, C.S.C.

conscience." When extraterritorial pressures grew too great, the Argentinian government released him — actually escorting him from detention directly to an airplane bound for Paris. After reuniting with his wife and children, who had spent the last few months of his detention in Brazil awaiting his release, he came to the United States.

With the help of his American family, he settled in Illinois and continued his human-rights practice, working for the Catholic Church in Aurora, Illinois, to protect the rights of migrant workers. In 1978, at the request of the Lawyers' Committee for Civil

Rights Under the Law, he moved to Washington, D.C., to help in the committee's wide-ranging civil- and human-rights programs. In 1982, the then-nascent organization now called Human Rights Watch asked him to start its Americas program (then called "Americas Watch") and to open its Washington, D.C., office. For 15 years, he worked with Human Rights Watch, concentrating his efforts on human-rights issues in the western hemisphere, and helping to build the organization into one of the most widely respected human-rights nongovernmental organizations in the world. In 1994,

he became general counsel of Human Rights Watch, with worldwide duties in support of the organization's mission and with responsibility for the organization's litigation and standard-setting activities. In 1996, he became the executive director of the Inter-American Institute of Human Rights in Costa Rica where, among other things, he has had the opportunity to teach about human rights to police and military officers, lawyers, journalists, public officials and others throughout the Americas.

Along with all of his international human-rights experience, Mr. Méndez brings a

familiarity with Notre Dame as well. He first became aware of the work of Father Lewers and the CCHR in 1993, when the center published the English translation of the Report of the Chilean National Commission on Truth and Reconciliation, which remains the most thorough documentation of human-rights abuses in Chile during the Pinochet regime. He has also had the opportunity to study and teach at the University. In 1994, the Helen Kellogg Institute for International Studies invited him to campus as a guest speaker. In the 1996 fall semester, as a visiting fellow at the Kellogg Institute, he also taught in the CCHR's LL.M. program. And in 1998, the CCHR honored him with its inaugural Reverend William E. Lewers, C.S.C., International Award for Distinguished Service in Civil and Human Rights.

Mr. Méndez sees the directorship of the center as the next logical progression of his career in human-rights law. While at Human Rights Watch, he helped direct research into human-rights abuses, particularly in the western hemisphere. And as the organization's general counsel, he became aware of the complexities of the development of international law in the area of human rights. Beginning in 1992, he has had a number of opportunities to teach human-rights law, including at Georgetown University, at the Johns Hopkins University School of Advanced International Studies, and most recently at the Oxford University Summer Program in International Human Rights Law. Teaching, therefore, has become an ever-increasing part of his interest in the human-rights movement. This interest has continued to grow through his duties at the Inter-American Institute. As the director of the CCHR, he will have the ability both to teach and to research key human-rights issues, and a strong platform from which to address major civil- and human-rights issues all around the world through teaching, writing and sponsoring conferences.

He sees the LL.M. and J.S.D. programs as the mainstays of the center, and will continue to strengthen the program's offerings to its students. He plans to

As the director of the CCHR, [Mr. Méndez] will have the ability both to teach and to research key human-rights issues, and a strong platform from which to address major civil- and human-rights issues all around the world through teaching, writing and sponsoring conferences.

capitalize on the unique features of the program that distinguish it from other LL.M. programs, especially the international student body and the postgraduate human-rights internship program that has sent Notre Dame lawyers to work for human rights all around the world, including, for example, at the international criminal tribunals for the former Yugoslavia and Rwanda, with the Catholic Church in Guatemala, and with civil- and human-rights organizations in South Africa.

Building on this strong foundation, Mr. Méndez plans to make the work of the center accessible to the rest of the Law School community — in particular, the J.D. students. He recognizes the gap between the J.D. students and the center's LL.M. and J.S.D. students, and hopes to bridge that gap

by offering courses oriented to U.S. civil-rights issues. He believes such programs will appeal to J.D. students and will have the beneficial side effect of exposing them to the myriad of opportunities available in the fields of civil rights and human rights not only in oppressed nations around the world, but also at home in the United States.

Beyond teaching, Mr. Méndez believes that the center is in a strong position to intervene in major international law issues beyond human rights, including international criminal justice — noting specifically the current Pinochet case. He knows from personal experience the high quality of the center's graduates and the respect these Notre Dame lawyers enjoy throughout the world. And he comments that the University of Notre Dame commands respect worldwide for its moral authority and the quality of its educational platform. He believes this combination will make it possible to effect true and lasting change in areas of the world that lack a strong moral foundation to their systems of justice.

But as he prepares to lead the center into the next century, he reminds all Notre Dame lawyers that working toward civil and human rights is not simply the responsibility of those few individuals educated by the center each year. He urges all Notre Dame lawyers to find ways to become involved in the causes of civil and human rights both at home and abroad, and to participate in the work of the center — through attending conferences, providing financial support for students and for research projects, or by taking a more active role as a member of the Notre Dame Advocates for Human Rights (please see page 46).

For a quarter of a century, the Center for Civil and Human Rights has been making a difference in the lives of oppressed people all around the world. And now, under the new and exciting leadership of Mr. Juan Méndez, the center and its graduates have the opportunity to branch out in new directions and make even greater impacts abroad and at home. We welcome him, and welcome the new challenges he brings to all of us.

## Specialties — International Style

**A** number of faculty members have become involved in international law through their specialized areas of teaching and scholarship, either by adding an international dimension to a traditional substantive course or by developing comparative scholarship in a specialty area.

■ In the criminal law arena, Professor **G. Robert Blakey '57, '60 J.D.** and Associate Dean and Professor **Jimmy Gurulé** have participated in conferences and developed scholarship on international criminal law topics. Professor Blakey, the nation's foremost authority on racketeering and wiretapping laws, has consulted with representatives of the Japanese Supreme Court on U.S. wiretapping laws and practices, has given presentations to U.S. and Canadian law-enforcement officials on organized-crime prosecutions, and has addressed the possible application of U.S. racketeering laws (RICO) to international human-rights violations. Professor Gurulé, who prosecuted drug-trafficking crimes while with the Department of Justice, has given presentations on international cooperation in prosecuting illicit-drug trafficking, and has participated in workshops sponsored by the American Bar Association and the Department of Justice to assist former Soviet Socialist Republics and members of the Warsaw Pact in their efforts to democratize their criminal-justice system. He also co-authored the first legal textbook covering international criminal law, *INTERNATIONAL CRIMINAL LAW: CASES AND MATERIALS* (Carolina Academic Press 1996).

■ Building on his decades-long interest in the law of education, Associate Dean **Fernand N. "Tex" Dutille '65 J.D.** has published a number of articles comparing the law of education in the United States with similar laws in British Commonwealth countries, including: *Law and Governance Affecting the Resolution of Academic and Disciplinary Disputes at Scottish Universities: An American Perspective* in the *INDIANA INTERNATIONAL & COMPARATIVE LAW REVIEW*,

which grew out of research he did as a senior visiting fellow at the University of Aberdeen, Scotland; and *Law, Governance, and Academic and Disciplinary Decisions in Australian Universities: An American Perspective* in the *ARIZONA JOURNAL OF INTERNATIONAL AND COMPARATIVE LAW*. Since 1996, he has served as an invited member on the editorial board of the British journal *LAW & EDUCATION*.

■ Professor **Barbara Fick** has extended her labor-law specialty into eastern Europe, having participated in seminars on international labor standards and worker rights in Bosnia and on trade union's rights in Poland, and has published articles relating to those conferences. In addition, in 1997, she prepared the United States National Report on "Discrimination in Employment" for the 15th World Congress of Labor Law and Social Security in Buenos Aires, Argentina.

■ **Roger Jacobs**, associate dean and director of the Kresge Law Library, regularly consults with Canadian law libraries, and in 1998 was honored by the Canadian Association of Law Libraries for his efforts, while at the University of Windsor (Ontario) Law School, in moving the Canadians from a regional chapter of the American Association of Law Libraries (AALL) to an independent national association that today has almost 500 active members and has become a major force in the development, delivery and preservation of legal information across Canada. **Janis Johnston**, librarian and associate director of the library, has represented NDLS and the AALL at international programs, including a recent program in Rome that focused on developments in international private law.

■ Professor **Walter F. "Jack" Pratt**, whose scholarship concentrates on legal history, organized a symposium on "Irish Legal History" for the University of Galway and members of the Irish Legal History Society during his academic leave in Ireland.

■ Professor **James Seckinger '68 J.D.** and Honorable **Sanford Brook**, through their

work with the National Institute of Trial Advocacy, have presented a number of trial-advocacy, witness-deposition and teaching-techniques programs in British Commonwealth countries and elsewhere around the world. As a member of the adjunct faculty of the Nottingham Law School in Nottingham, England, Judge Brook has taught advanced litigation techniques and has presented a course on lecture techniques in the teaching of advocacy. Professor Seckinger has presented programs on trial advocacy in Edinburgh, Scotland; on expert-witness preparation in London, England, and Toronto, Ontario, Canada; and on witness-examination techniques in Toronto. He has also been instrumental in preparing the prosecutors for the International Criminal Tribunal in Rwanda as they approach the upcoming war-crimes trials.

■ Professor **J. Eric Smithburn** has added an international dimension to his scholarship in family law by teaching a course in comparative family law in the London program. He has spoken on international child abduction and the Hague Convention, and has served as a consultant to the Ancillary Relief Advisory Group in Britain, which prepared for presentation to the British Parliament a set of recommendations on property division and antenuptial agreements.

■ **William P. Hoyer**, associate vice president and counsel and concurrent associate professor of law, has presented programs on legal issues that need to be considered in international-study programs at the National Conference on Law and Higher Education, hosted annually by Stetson University. At this spring's conference, he served on a panel with Associate Professor **John Robinson '72 M.A., '75 Ph.D.**, University Vice President and General Counsel **Carol Kaesebier** and **John Hall**, a British solicitor at the Eversheds law firm in London, discussing risk-management issues for American universities abroad, contrasting the American view of those issues with the views of lawyers in host countries.





## A Different Kind of Law School

# “Down Under”

**N**otre Dame lawyers around the world have left their marks on the law and legal practice abroad through their personal efforts on behalf of oppressed people, in helping emerging democracies establish legal systems, and in going about the everyday business of law as true professionals. Reflecting on these accomplishments brings a sense of pride to Notre Dame lawyers, realizing that colleagues, friends and fellow alumni work every day of their lives to make a significant difference in peoples' lives all around the world.

But what about the contributions of NDLS as an institution on the general course of legal education and law practice abroad? Do the institutional ideals of NDLS matter anywhere but in northern Indiana or in the hearts of NDLS alumni? The answer is “yes” — at least for Catholics and lawyers in Australia.

When the University of Notre Dame Australia set out to establish its own “different kind of law school,” founding dean Greg Craven turned to NDLS for inspiration. And with its strong, NDLS-inspired emphasis on ethics, morals and

professionalism in the law, the College of Law at ND-Australia has already made significant impacts on law and on legal education and practice “down under” — even though the college’s first graduation ceremony is still more than a year away.

Like most of the western world, Australians face significant challenges to legal practice and to the law itself — from practical matters such as a general lack of ethics and civility among attorneys to more complex matters such as reproductive freedom, euthanasia and other bioethical questions. But Australians address these issues in an environment very different from many western democracies. More than three-quarters of the Australian population identifies itself as Christian, with 26.1 percent of the population Anglican, 26 percent Roman Catholic, and 24.3 percent other Christian, according to 1998 data. Yet unlike most western democracies with large Christian populations, whose long-standing legal and ethical norms derive from the millennia-old Judeo-Christian religious tradition, Australian culture and law are dominated by the comparatively new ideals of secular humanism — that is, in the belief that people are capable of self-fulfillment and ethical conduct without recourse to supernaturalism or without

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BY CATHY PIERONEK '84, '95 J.D.,  
DIRECTOR, LAW SCHOOL RELATIONS

reliance on God. It is, according to some, the world's first post-Christian democracy, coming of age as it did in the post-Enlightenment period.

For some, the post-Enlightenment ideological framework within which Australia has developed as a nation has created a serious crisis in values in Australian society. To work toward stemming the effects of this crisis and creating a values-based culture in Australia, a group of prominent Catholics determined that Australia needed strong moral and ethical leadership, and further, that Australia's publicly-funded higher education system could not meet this need.

These visionaries — who included in their discussions University of Notre Dame President Emeritus Reverend Theodore M. Hesburgh, C.S.C., and NDLS Dean David T. Link '58, '61 J.D. — believed that investing in values-centered higher education would produce a strong cadre of ethical and moral leaders who would be well equipped to address the difficult issues facing Australian society. And so they petitioned the Australian government to charter a Catholic institution of higher education — the first and only one of its kind in Australia. In 1989, an Act of Parliament established the University of Notre Dame Australia — an “independent university committed to the advancement of learning, knowledge and the professions within a context of Catholic faith and values.”

Although not technically or legally affiliated with the University of Notre Dame or with the Congregation of Holy Cross, the University of Notre Dame Australia shares what could be termed spiritual and intellectual affiliations with Notre Dame. ND-Australia's promotional literature touts these spiritual and intellectual ties, stating that ND-Australia has drawn much of its founding inspiration and philosophy from, in their words, “that outstanding Catholic University.” Dean Craven has commented that what most impressed him “about the entire University of Notre Dame was its ability to provide a community of Catholic education — rather than [being] just an educational institution.” This is something he hopes to achieve half a world away in Fremantle.

Notre Dame has provided much more than inspiration for ND-Australia. Notre



Dame has loaned ND-Australia strong leaders. From 1991 to 1993, Dean Link served as founding chancellor of ND-Australia, and in that role helped establish a culture at ND-Australia that embodies the best of everything that Notre Dame means to its students and alumni, including pastoral care for students and an emphasis on community service. And Dean Link and Father Hesburgh have maintained strong ties with ND-Australia as trustees of that university. Notre Dame has also given ND-Australia the benefit of more than 150 years of experience in higher education, guiding ND-Australia in its efforts to become a strong educational institution as well as a dominant moral force in Australian culture.

The founders of ND-Australia dreamed of establishing a university that could train Catholic leaders to address some of the most serious problems facing Australian society. They believed that a values-based education would be the key to ensuring that Australia, as a nation, developed a culture of respect for life along with a culture of ethics and morality in business and professional practice. To help achieve these goals, the ND-Australia administration established key educational programs from the start, initially offering only an undergraduate degree in education, to strengthen the supply of teachers for the nation's Catholic primary and secondary school systems. Soon after, ND-Australia added undergraduate degree programs in the arts and business, to educate the

professionals who would be instrumental in shaping the direction of Australian society.

But truly Catholic higher education requires more than just earning a degree from an institution affiliated with the Catholic Church. In Notre Dame's experience, it means engaging in an education grounded in the Catholic intellectual tradition. So to ensure that these new leaders would approach their professional lives with a profound respect for Catholic morality, ND-Australia also established courses of study in the disciplines that form the cornerstones of Catholic thinking, developing undergraduate majors in theology and philosophy, and in 1996 adding an undergraduate program in law. Today, this young university also offers master's degrees in a number of education, arts and business subjects, and plans to offer a master of laws program once its undergraduate law program is fully established.

With Notre Dame as its spiritual and intellectual inspiration, ND-Australia has created core educational programs to develop strong moral leadership for Australia in the 21st century. But ND-Australia also faces some unique challenges in its efforts to bring about marked moral and ethical changes in a democratic society dominated by the ideals of secular humanism.

Claimed as part of the British Empire in 1788, Australia became an independent federation with the consent of the Crown in 1901. In formulating their constitution and system of government, Australians drew on

the political traditions of both Britain and the United States. The nation retained the British-style governmental structure adopted during the colonial period, but incorporated an American-style written constitution to define the powers of the national government and the relationship between the federal and state (formerly colonial) governments. But missing from this hybrid of British and U.S. governmental styles is much of the substance that animates British and U.S. law — specifically, the Judeo-Christian religious tradition that provided the framework within which British and U.S. law developed. And although many factors have conspired over the last two centuries to reduce the influence of religion-based values on U.S. law in particular, the underlying framework of the U.S. Constitution — the protection of those God-given and inalienable rights of life, liberty and the pursuit of happiness — remains a driving force in American constitutional interpretation.

In contrast, consider this summary of the influence of secular humanism in Australia. Speaking to the Global Cultural Diversity Conference meeting in Sydney in April 1995, Australian Prime Minister Paul Keating remarked that Australians “have in

our modern nationhood at least some of the elements of a 21st-century model — diversity, tolerance, openness and worldliness within the boundaries of national purpose and cohesion.” These are the humanistic values that define Australian society.

In Dean Craven’s opinion, this departure of law and legal practice from a natural-law foundation has created the current values crisis in Australia. Examples of this crisis abound, especially with regard to recent legislation. Consider two examples. The Northern Territory recently enacted a euthanasia law more liberal than prevailing law in the Netherlands, which borders dangerously close to mandatory termination of life. Around that same time, Western Australia attempted to enact abortion laws more permissive than those of every other nation except the People’s Republic of China.

So when the ND-Australia College of Law opened its doors in 1996, it faced an obviously challenging environment for the law, and consequently, for legal education. But as the only Catholic law school in the country, ND-Australia seems to have found its niche very quickly.

Dean Craven credits much of this success to the influence of NDLS on many

aspects of the law program, including the personalized admissions process, the curricular emphasis on law as an ethical discipline as well as a profession, and the college’s goal of providing a rigorous and highly practical curriculum directed toward producing first-class practitioners.

While Australia’s 20 public law schools have struggled to fill their classrooms with bright students, ND-Australia boasts a surfeit of qualified applicants. And selecting from that applicant pool presents challenges similar to those faced by NDLS each year. Dean Craven describes the intentional similarities. “We get a lot of applicants who, based on their ‘numbers,’ could walk in the door of any law school in this country. But we reject many of these top academic candidates. Our challenge involves selecting students who will be the kinds of lawyers that can have a positive impact on the law and on legal practice.” Through interviews and references, along with an assessment of secondary-school grades and test scores, Dean Craven strives to admit students with the “personality, conscience, ethical intelligence and practical intelligence” necessary to become ethical and moral practitioners and leaders of Australian society.

And he and the rest of the faculty put a tremendous amount of effort into ensuring that students receive the maximum benefits from a very personalized educational process. The first two classes will graduate around 60 students each, and the eventual cap on enrollment will be 80 students per class year. Dean Craven believes that individual courses should have no more than 30 or 40 students each to allow students to benefit from the personal attention needed to develop into highly skilled, as well as ethical and moral, practitioners.

The curriculum concentrates in two subject areas: “land law” and ethics. “Land law” in Australian legal education involves studying the development of the system of property interests in Australia as well as the pervasive nature of property concerns in modern society. The ethics part of the curriculum — much like at NDLS — includes formal instruction in the foundation of the moral and ethical concepts that influence approaches to life, society and the practice of law, as well as ethical discussions relevant





to every substantive subject taught. And much like NDLS, the curriculum is very structured, allowing only five elective courses over four years of instruction to ensure that graduates are well qualified to be competent practitioners and influential advocates.

When asked why the fledgling University decided to step into a saturated and otherwise challenging legal education market, Dean Craven reflects upon the traditions of Catholic higher education. "If you're going to have a great Catholic university, it's incredibly important to study certain disciplines. In the Catholic tradition, three areas stand out as necessary for a great Catholic university — theology, philosophy and law." He also believes that it is not possible for the Church to have any influence on the secular Australian society without Catholic-trained advocates to influence law and policy-making.

Following a similar line of thinking, ND-Australia soon will open a college for the study of health sciences to educate

members of the health-care professions within a moral and ethical framework. Dean Craven sees collaboration between the health-sciences programs and the College of Law as an essential part of the University's efforts to provide a values-based input to national debates on legal-medical questions such as euthanasia, abortion and bioethics.

And although ND-Australia has yet to graduate its first class of Notre Dame lawyers "down under," it has already made major impacts on legal education and law practice in Australia. ND-Australia's innovative community-service requirement made front-page news in local and national newspapers. Faculty of the College of Law worked with the Australian federal government to overturn the liberal euthanasia legislation passed in the Northern Territory and to block passage of the proposed abortion legislation in Western Australia. And ND-Australia was invited to send two delegates to the recent Australian Constitutional Convention — more than any other law school in the country.

Dean Craven hopes that the ND-Australia College of Law will continue to be a tremendous support to a profession in crisis in his country. Early indicators point to great potential for success. The program has very quickly established a great reputation among Australian legal professionals for its rigorous and practical curriculum, and for its responsiveness to the needs of the profession.

Moreover, Dean Craven hopes that NDLS and ND-Australia will develop even stronger ties through student- and faculty-exchange programs and other collaborative efforts. The program hopefully will include internships or clerkships with Australian firms, and will give NDLS students the opportunity to expand their education into the increasingly important area of international law in Asia and the Pacific Rim. An added benefit of this program for NDLS will be the presence of an equivalent number of ND-Australia students and perhaps faculty at NDLS for one semester.

NDLS has built on its heritage and traditions over the course of 130 years to become a different kind of law school — one that emphasizes faith and values in the practice of law, as well as community spirit inside and outside the classroom. Inspired by that success, and cognizant of the key factors that have contributed to that success, ND-Australia has created its own different kind of law school and has adapted to the specific needs of legal education in Australia. And through collaborative projects in the future, NDLS and the College of Law at ND-Australia together can use a shared understanding of the role of Catholic legal education in the practice of law and in society to promote ethics and values in Australian and U.S. political and social systems.

Dean Craven and the ND-Australia College of Law are attempting to do something different "down under." Their own different kind of lawyer will provide moral and ethical input to important legal debates, raising a perspective often ignored in Australian political debates. Expect nothing less from any Notre Dame lawyer.



# T r a v e l s

with an Itinerant Trial Advocacy Teacher

**JIM SECKINGER '68 J.D.**

FORTY-FIVE OF THE 50 UNITED STATES, six of the 10 provinces of Canada, Panama, England, Scotland, Ireland, Australia, New Zealand, Malaysia, Singapore, Israel and Africa.

Name a city in the English-, French- or Spanish-speaking world of common-law trials, and Professor **James Seckinger '68 J.D.** has probably been there, either through his writings or in person, teaching law students, lawyers, expert witnesses or judges in the art and skill of trial advocacy in a common-law courtroom, or training aspiring teachers in the art and skill of teaching and critiquing.

Growing up in New Rockford, a small farming town in rural North Dakota, Professor Seckinger didn't travel much, other than to see relatives on nearby farms. He recalls one family vacation to South Dakota to see the Black Hills — a trip that ended early because his father didn't like driving in the high elevations. But after high school, Professor Seckinger left North Dakota and started on a life of traveling to places he hadn't been before. He attended college at St. John's University in Minnesota and graduate school at Vanderbilt in Tennessee, performed research in nuclear physics in Chicago, attended law school at Notre Dame, and during one summer break clerked in Washington, D.C. He turned down a federal clerkship in Minneapolis and one in Birmingham because he'd "been there before," and decided to begin his law

practice somewhere new — in Denver.

Six years later, he broke his string of moving somewhere new with each successive career change and returned to Notre Dame to teach trial advocacy. "I thought it was an up-and-coming law school that would be supportive of new and creative teaching and scholarship. I was right — much to my relief — because I had turned down offers from some law schools considered better than Notre Dame at that time, but not today," he recalls.

When he came to NDLS, Professor Seckinger had already joined the faculty of the National Institute for Trial Advocacy (NITA). He shared the latest trial advocacy techniques, scholarship and research with NDLS students, and continued to teach in advocacy programs and teacher-training programs throughout the United States. His work with CLE programs, law firms and bar associations nationwide invigorated him intellectually, professionally, personally and as a father. He notes with some pride that it also helped promote NDLS. "Early on in my travels from Notre Dame, I was often greeted with the remark, 'Gee, I didn't know Notre Dame had a law school.' And now, thanks to Dean Link and the University administration, that refrain is no longer heard."

NITA moved its headquarters to NDLS in 1979, the year Professor Seckinger became director. "I had even more of an opportunity to travel professionally. My

'barnstorming' teaching across the country proved very interesting and quite satisfying to me. I had the opportunity to meet both aspiring and experienced trial lawyers — whom I liked very much as people and as lawyers. I was able to see how the litigation process in various jurisdictions had shaped trial lawyers' style, mannerisms and approaches to trying lawsuits."

His travels also gave him the opportunity to spend time with his children. "I started a tradition of taking each child, at the arbitrary age of 9, on a solo trip with me. I have had great solo trips with each of my children, and those trips are some of our fondest memories."

He began the overseas part of his teaching career in 1985 with a trip to London. Australia, New Zealand, Singapore and Panama followed. In 1993 and 1995, he conducted a series of advocacy training programs in the United Kingdom. But it was as a result of programs he conducted in Canada that he was asked to embark on one of his more interesting and meaningful assignments. Madame Justice Louise Arbour of the Ontario Court of Appeal, now serving as chief war-crimes prosecutor for the United Nations Tribunal, wanted Professor Seckinger's help in training the prosecutors for the Rwandan tribunal.

And so in November 1996, he went somewhere else he had never been before — Kigali, Rwanda. In recalling his visit, he notes some of the difficulties of travel in a

war-torn third-world nation. "In a driving rainstorm, our ancient Boeing 737 Kenya Airlines jet circled Kigali International Airport, waiting for an opening to land. It isn't much of an airport, really — just a one-runway strip of asphalt in the midst of a small and narrow high-mountain valley surrounded by towering hills. Through the rain-streaked windows of the creaking 737, I could see the forested hilltops and the lush green hillsides surrounding Kigali, but not the fertile palm-tree-lined valley below with our safe harbor — the landing strip. For the first time in my innumerable plane flights, I was nervous about the landing. It was time to call upon Our Lady's assistance for a safe arrival in Kigali."

After the nerve-wracking landing, he made his way to the terminal. The atmosphere was less than welcoming. "Bullet holes peppered the plate glass windows of the airport lounge, and soldiers milled around conspicuously. But a young man named Innocent — tall, graceful, quietly efficient and helpful — guided us to our van. Innocent and the van would be our constant companions during our stay in Kigali." Nothing about the drive to the hotel suggested that the atmosphere would get any better. "On that drive, we passed the crater-scarred and bullet-ridden Parliament House. Innocent managed to skirt the mud-ridden and waterlogged intersections of downtown Kigali that were clogged with cattle, herdsmen and four-wheel-drive vehicles. Foreign journalists and TV equipment overran our hotel preparing to cover the return of Rwandan refugees from Zaire."

Rwanda, a predominantly Catholic country in Central Africa, is considered the world's poorest nation. The effects of its French, and later Belgian, colonial past remain evident in Kigali as well as throughout rural Rwanda. One of those remnants of colonial times is the intense and horribly destructive hatred that exists between the indigent Hutu and Tutsi tribes.

Historically, at 85 percent of the population, the Hutus have comprised the popular majority in Rwanda, with the Tutsis a distinct minority at only 15 percent. During colonial times, however, the tall, elegant Tutsis — considered by the French and Belgian colonists to be bright, energetic and valuable as managers and

administrators — dominated the educated, administrative and civil-servant classes. The Hutus — labeled by the Europeans as short, squat and of lower intelligence — were relegated to common labor and domestic work. Naturally, over time the Hutus built up deep resentments and anger toward the colonists and the Tutsis.

When France and Belgium ceded control of Rwanda to its citizens, the people elected a Hutu-controlled government. And until 1994, Rwandans of both tribes intermarried, lived as neighbors and worked together, despite nearly constant civil war between the tribes. In 1994, the president of Rwanda, a moderate Hutu, agreed to a power-sharing government coalition with the Tutsis to finally end the civil strife. Shortly thereafter, the president's plane was shot down and the Tutsis were blamed. Within days, the United Nations peacekeepers guarding the late president's successor were murdered, and the U.N. pulled out of Kigali. In 90 days, two-thirds of Rwanda's 1.2 million Tutsis were slaughtered with machetes and other ancient farm tools — a slow process carried out methodically but with lightning speed, considering the implements used to effect the genocide. The outside world did nothing while churches, hospital wards, offices and soccer stadiums filled with compliant and trusting Tutsis who were then locked in and hacked to death with crude tools.



*Tribunal lawyers discuss trial strategies.*

Today, Rwanda's jails are full of the soldiers of death awaiting trial in the Rwandan state courts, even though the country has no lawyers or judges who survived the genocide. About 30 of the leaders of the genocide await trial before the U.N. Tribunal sitting in Arusha, Tanzania. The

U.N. war crimes prosecutor for Rwanda must gather evidence and prosecute the leaders of the genocide in a common-law format with a contingent of prosecutors from all around the world. Although some of the prosecutors come from common-law countries — two from the United States, two from Canada and one from Australia — most hail from civil-law countries such as Ethiopia, Madagascar, Tanzania, Senegal, the Netherlands, Switzerland and Belgium. Professor Seckinger and a team of Canadian lawyers, teachers and judges, including his wife Sheila Block, had a week to teach the basics of common-law trial procedures, rules of evidence, and oral-advocacy and witness-examination techniques, to ensure that the trials proceeded properly. He notes that the prosecutors from common-law countries served as excellent instructors themselves, modeling adversary-system trial techniques, and expresses gratitude for the invaluable assistance of native Ugandan Rosette Muzigo-Morrison '93 M.A., '94 LL.M., who helped prepare the witnesses for the trials.

His trial-advocacy teaching experiences around the world prepared him for the mechanics of the task at hand, but Professor Seckinger's students left a strong impression on him. "I will always be grateful for having had the opportunity to share in that training process. The prosecutors we trained in Kigali were a young group of idealistic and energetic common-law trial lawyers, and a group of equally idealistic and energetic civil-law lawyers who thirsted for the tools of the trade in a common-law courtroom."

As for his other travels, instead of taking his now-grown children with him on business trips, Professor Seckinger spends time visiting his children as they enjoy international-study experiences through the University. He has visited his son Greg in Italy, Israel and Turkey; his step-daughter Emily in Athens; his son Doug in Kyoto and Hiroshima, Japan, and in India.

And he has some advice for his youngest step-daughter Ellen, a first-year student at Notre Dame: "Pick a great travel spot for your year abroad — someplace that you might not get to later in life, and somewhere new for dad and family to come and visit!"

# F A C U L T Y

# notes

■ **MATTHEW J. BARRETT '82, '85 J.D.** published a special 58-page update to *ACCOUNTING FOR LAWYERS*, co-authored with David Herwitz.

He has also been appointed as chair of the Committee on Audit and Association Investment Policy of the Association of American Law Schools, effective January 1999.

■ **JOSEPH P. BAUER** made an invited presentation at a faculty colloquium on the topic "The Erie Doctrine Revisited: Does a Conflicts Perspective Aid the Analysis?" at Quinnipiac College School of Law in Hamden, Connecticut, in January. In February, he spoke on the Microsoft antitrust trial at a meeting of the Law School's Business Law Forum.

■ **GEOFFREY J. BENNETT**, director of the London Law Programme, published *Criminal Procedure and Sentencing* in *ALL ENGLAND LAW REPORTS ANNUAL REVIEW OF 1997*.

■ **G. ROBERT BLAKEY '57, '60 J.D.** in November argued *Humana v. Forsyth* before the United States Supreme Court. In January, the Supreme Court unanimously affirmed the Ninth Circuit's holding that the McCarran-Ferguson Act does not preclude the application of the federal Racketeer Influenced and Corrupt Organizations Act (RICO) to claims against insurers licensed in a particular state, giving Professor Blakey a "win" before the high court.

He has been busy with other RICO-related activities as well. In October, Senator Dan Coats of Indiana introduced S.2614, the First Amendment Freedoms Act of 1998, which was drafted by Professor Blakey. The bill aims to protect first-amendment freedoms in the context of civil RICO and other litigation against demonstrators. Although Senator Coats retired in January, Senators Hatch and Leahy have

expressed interest in the legislation, which could be reintroduced in the 106th Congress.

Judge John Heyburn upheld parts of the federal RICO claim argued by Professor Blakey for the Kentucky Labor's District Council Health & Welfare Trust Fund in its litigation against the major tobacco companies. And he successfully argued twice for a reversal of the district court's dismissal of *Trial Lawyers for Public Justice v. Falk*, a RICO suit stemming from a 1996 Fourth Circuit case involving an alleged scheme to cheat poor people by foreclosing on auto mortgages and then not crediting the person with appropriate equity on resale.

In August, Attorney General Janet Reno announced that the Department of Justice would reopen, on a limited basis, the investigation into the 1968 assassination of Reverend Martin Luther King Jr. In October, Professor Blakey and Congressman Louis Stokes met with Bill Lann Lee, assistant attorney general for civil rights, to brief the Department of Justice on the details of the investigation into Dr. King's death conducted by the House Select Committee on Assassination from 1977 to 1979.

In October, Judge William Bauer forwarded to the Judicial Council for the Seventh Circuit revised pattern jury instructions for criminal cases. The instructions resulted from a multiyear product of an Instructions Committee chaired by Judge James B. Zagel. The committee membership included prosecutors, defense counsel and judges from the Seventh Circuit, with Professor Blakey as the only law professor.

Professor Blakey gave one of the principal addresses, "Tobacco and RICO," at the 14th Annual Tobacco Products Liability Conference in Boston from October 30 through November 1. The conference considered the status of international, national and state litigation against the tobacco industry. He published *Of Characterization and Other Matters: Thoughts About Multiple*

*Damages* in *LAW & CONTEMPORARY PROBLEMS*, which traces the history of multiple damages in Jewish, Greek, Roman, English and American law, and reconsiders that history in light of modern economic analysis. And, he featured prominently in one part of a four-part series on the History Channel that examined law enforcement, in particular in a segment titled "Tales of the F.B.I.: Taking on the Mob."

■ **GERARD V. BRADLEY** spoke on "The New Constitutional Covenant" at a conference on "Reining in Judicial Imperialism: Effectively Limiting the Judiciary to Its Constitutional Powers," sponsored by the American Public Philosophy Institute in Washington, D.C., in October.

■ **THOMAS BRODEN '49 J.D.**, professor emeritus, published an op-ed piece titled *Homeless Women, Children Need Community's Help* in the February 2, 1999, edition of the *SOUTH BEND TRIBUNE*.

■ **HONORABLE SANFORD M. BROOK**, who has served NDLS for many years as an adjunct associate professor of law in the trial advocacy program, has been appointed to the Indiana Court of Appeals.

■ **PAOLO CAROZZA** published *COMPARATIVE LEGAL TRADITIONS IN A NUTSHELL* (West Publishing Co.), co-authored with Mary Ann Glendon and Michael W. Gordon.

■ **SISTER DEBORAH CERULLO, S.S.N.D.**, associate professional specialist in the Notre Dame Legal Aid Clinic, has been appointed co-chair of the Consumer Protection Regional Advisory Council by the Indiana Attorney General's Office. The council's efforts focus on better informing and protecting consumers, and especially vulnerable citizens, through education, problem-solving and legislative initiatives.

## FACULTY NOTES

■ **FERNAND N. "TEX" DUTILE**

'65 J.D., participated in a panel discussion on "The U.S. Justice System: The Death Penalty in Question" sponsored by the University's African and African-American Studies program and the Department of History in February.

■ **BARBARA FICK** published *Does a Conspiracy to Terminate At-Will Employment Constitute an Injury to Property? An Analysis of Haddle v. Garrison* in PREVIEW OF UNITED STATES SUPREME COURT CASES, and *The Law and Practice of Collective Bargaining in the Czech Republic, Hungary and Poland* in volume 10 of the INTERNATIONAL REVIEW OF COMPARATIVE PUBLIC POLICY.

She presented two two-day seminars titled "International Labor Standards and the Role of Trade Unions in a Democratic Society" to trade-union leaders in Brcko, Bosnia-Herzegovina, in December, through a program funded by the American Center for International Labor Solidarity. She also served as one of three teachers presenting a two-and-a-half day in-house training workshop on "Negotiation and Mediation" for the Canadian law firm of McCarthy Tetrault in Mont Gabriel, Quebec, in January.

■ **JUDITH FOX '93 J.D.**, an associate professional specialist in the Notre Dame Legal Aid Clinic, participated in a January conference titled "Fathering in the New Millennium" sponsored by the Law School, the University's psychology and sociology departments and the University's Henkels Visiting Scholars Program. In February, she presented her research on the development of the legal definition of the term "father" to that same group, which engages in interdisciplinary research on family issues.

■ **JOHN H. GARVEY '70** has been named dean of the Boston College Law School, effective July 1, 1999.

He lectured on "School Vouchers: Enlightened Social Policy or Threat to the Constitutional Separation of Church and State?" at the Cornell Law School in April 1998. He gave the Sawyer Lecture on Law and Religion, funded by the Mellon

Foundation, at the University of Chicago Divinity School and the University of Chicago Law School in May 1998, speaking on "Catholic Judges in Capital Cases." Also in May, he addressed the University's Board of Trustees on the subject of "Teaching Ethics to Professionals." And he gave an address to the Fourth Tantur International Conference on Religion and Culture in Jerusalem in June.

He published *The Architecture of the Establishment Clause* in volume 43 of THE WAYNE LAW REVIEW. And the papers resulting from the Drake University symposium on Professor Garvey's recent book, WHAT ARE FREEDOMS FOR? have been published in volume 47 of the DRAKE LAW REVIEW, which includes an article by Professor Garvey titled *Control Freaks*. This spring, he and T. Alexander Aleinikoff of the Georgetown University Law Center published the fourth edition of their book, MODERN CONSTITUTIONAL THEORY: A READER (West Publishing Co.).

■ **ALAN GUNN** published the fourth edition of his casebook, CASES, TEXT AND PROBLEMS ON INCOME TAXATION (West Publishing Co.), with co-author Larry D. Ward.

He currently chairs the University Appeals Committee, and is a member of the Law School's Promotions, Dean Search and Curriculum Committees.

■ **JIMMY GURULÉ** published *The 1998 U.N. Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances — A Ten Year Perspective: Is International Cooperation Merely Illusory?* in volume 22 of the FORDHAM INTERNATIONAL LAW JOURNAL.

■ **WILLIAM P. HOYE**, associate vice president and counsel and concurrent associate professor of law, published *Court Litigation in Higher Education: A Review of the 1997 Judicial Decisions* in volume 25 of the JOURNAL OF COLLEGE & UNIVERSITY LAW.

He has been named to the Authors Committee of West Publishing Company's EDUCATION LAW REPORTER. He has also joined the LL.M. program in international

human rights offered through the Center for Civil and Human Rights.

■ **ROGER F. JACOBS** served on the ABA Accreditation Inspection Team that visited Chapman University School of Law in Anaheim, California, in October.

■ **JANIS L. JOHNSTON** received the 1998 LAW LIBRARY JOURNAL Award of the Year for her article, *Managing the Boss*, at the annual meeting of the American Association of Law Libraries (AALL) in Anaheim, California, in July.

In September, she attended the 17th Annual Course of the International Association of Law Libraries, as a representative of NDLS and the AALL. The program, held at UNIDROIT headquarters in Rome, focused on developments in international private law.

■ **M. CATHLEEN KAVENY** was featured in an editorial interview in the January issue of U.S. CATHOLIC that noted that Professor Kaveny, an expert on end-of-life questions in the Catholic Church, "skillfully navigates the middle course taken by the Catholic Church on end-of-life questions."

■ **WILLIAM K. KELLEY**, with Patrick J. Schiltz, spoke to NDLS students in December on "Applying for Judicial Clerkships: The Nuts and Bolts."

■ **DOUGLAS W. KMIEC**, on leave for the 1997-98 and 1998-99 academic years at Pepperdine Law School, has decided to resign his position at NDLS and remain at Pepperdine.

He published *Statistical Sampling and the Census — You Can Count on Me, But Will You?* in PREVIEW OF UNITED STATES SUPREME COURT CASES in November.

In October, he debated University of Southern California Professor of Law Erwin Chemerinsky on the meaning of "high crimes and misdemeanors" at the University of Southern California Law School. In January, at a Federalist Society meeting held in conjunction with the AALS annual meeting in New Orleans, he led a panel



discussion on "The Need to Re-Think — Maybe Even Repeal — the Independent Counsel Statute" with Jonathan Turley and William Eskridge. He also presented a paper on the Catholic doctrine of subsidiarity to the Law Professors Christian Fellowship Annual Conference in New Orleans at that same time.

He has been seen and heard frequently on television and radio in recent months commenting on the presidential impeachment proceedings. In September, he appeared on ABC's "Nightline" with Ted Koppel to discuss the constitutional process of impeachment. In an October interview on CBS national radio, he discussed the history of impeachment from English common law through Andrew Johnson and Richard Nixon.

Professor Kmiec has also filed a brief as counsel-of-record for the Institute for Justice in *Anderson v. Roe*, which is before the United States Supreme Court. His brief favored securing the privileges and immunities of U.S. citizens as they relate to economic livelihood.

■ **DONALD P. KOMMERS** presented the paper "Judicial Accountability in Germany" at the 17th World Congress of the International Political Science Association in Boston in September. He also gave a German-language lecture on "Kann das Deutsche Verfassungsrechtsdenken Vorbild für die Vereinigten Staaten Sein?" ("Can German Constitutionalism Serve as a Model for the United States?") to the German-American Lawyer's Association in Hannover, Germany, in October; and an English-language lecture on the same subject at Osnabrück University in November. His article on that same topic was published in German in volume 37 of *DER STAAT*, and a revised version of that article was published in English in volume 58 of *ZEITSCHRIFT FÜR AUSLÄNDISCHES ÖFFENTLICHES RECHTS UND VÖLKERRECHT*. He also lectured on "Civil Rights and Multiculturalism in the United States" at Erlangen University in November.

He published several encyclopedia essays in *MODERN GERMANY: AN ENCYCLOPEDIA OF HISTORY, PEOPLE, AND CULTURE 1871-1990* (Dieter K. Buse and Juergen C. Doerr, eds., Garland Publishers, Inc.),

including *The Basic Law; Federal Republic of Germany: Judicial System; German Democratic Republic: Judicial System; and German Democratic Republic: Constitutions*. He also published *Autonomy Versus Accountability: The German Judiciary in JUDICIAL INDEPENDENCE IN COMPARATIVE PERSPECTIVE* by David O'Brien and Peter Russell (University Press of Virginia, 1999).

Among his University activities, he is currently directing two doctoral dissertations in the Department of Government and International Studies, and serves on the Graduate Council, the Department of Government and International Studies Graduate Policy Committee, and the government department's Honesty Committee.

■ **DEAN DAVID T. LINK '58, '61 J.D.** spoke at the University of St. Thomas in St. Paul, Minnesota, on his recommendations regarding the establishment of a law school at that university.

■ **GARTH MEINTJES '91 L.L.M.**, associate director of the Center for Civil and Human Rights, published an op-ed piece in the November 4, 1998, edition of the *NEW YORK TIMES* titled *In South Africa, Truth and Justice? Prosecution Undermined*.

He served as a panelist for Amnesty International's 1998 Midwest Regional Conference at the University of Cincinnati College of Law in October, addressing "The USA Campaign: Focus on Supermax Prisons." The workshop targeted prison conditions in the United States, the development of "supermax" prisons, the practices at such prisons — which now house over 13,000 men and women — and the issue of whether these facilities meet international standards of human rights.

In November, he delivered a talk titled "Renewing Our Promise: The Universal Declaration of Human Rights at Fifty" at a conference titled "All Human Rights for All: Fiftieth Anniversary of the Universal Declaration of Human Rights," sponsored by the St. Joseph County (Indiana) Chapter of the United Nations Association of the U.S.A., Saint Mary's College, and the college's Justice Education Program.

In December, he presented a workshop titled "Control Unit Prisons" at the Stand Together for Human Rights Conference

celebrating 50 years of human-rights work in the Midwest. The conference, held at the University of Chicago, was sponsored by the Midwest Coalition for Human Rights, the Children & Family Justice Center of the Northwestern University Law School, Amnesty International, the City of Chicago Commission on Human Relations and the Stanley Foundation.

In January, Mr. Meintjes served as a panelist in the round-table discussion titled "Holding Heads of State Accountable" sponsored by the University's Kellogg Institute for International Studies.

■ **JOHN COPELAND NAGLE**, visiting associate professor of law, had his article, "A Twentieth Amendment Parable," which was published in the May 1997 edition of the *NEW YORK UNIVERSITY LAW REVIEW*, cited by Yale Law School Professor Bruce Ackerman in his testimony before the House Judiciary Committee on the impeachment process. He published a related letter to the editor in *THE WASHINGTON POST* titled "On the Authority of Lame Ducks," and was quoted on the same subject in the December 22, 1998, edition of the *TOPEKA CAPITAL LAW JOURNAL*.

■ **TERESA GODWIN PHELPS '73, '75 M.A., '80 PH.D.** delivered the paper "Orestes' Dilemma: Revenge in Literature and Law" at the Mid-Atlantic Popular Culture Conference in Morgantown, West Virginia, in October. She appeared with Professor Teresa Ghilarducci of the economics department and Professor Will O'Rourke of the English department on a panel sponsored by the Gender Studies Program to discuss the Starr report, and she presented a Gender Studies Colloquium titled "Gendered Space and the Reasonableness Standard in Sexual Harassment Law," both at the University in November.

She published a review of Martha Nussbaum's *CULTIVATING HUMANITY: A CLASSICAL DEFENSE OF REFORM IN LIBERAL EDUCATION* in volume 25 of the *JOURNAL OF COLLEGE & UNIVERSITY LAW*, and *Gendered Space and the Reasonableness Standard in Sexual Harassment Cases* in volume 12 of the *NOTRE DAME JOURNAL OF LAW, ETHICS & PUBLIC POLICY*.

With Kelly Askin, visiting professional specialist in the Center for Civil and Human Rights (CCHR), and Sharelle Aitchinson, LL.M. candidate in the CCHR, she filed an *amicus curiae* brief at the International Tribunal for the former Yugoslavia, which was accepted by the tribunal in November and argued, among other things, that rape-counseling records should be afforded privilege.

■ **WALTER F. "JACK" PRATT JR.**, on research leave in Ireland for the 1998-99 academic year, gave an invited talk on "The Historical Context of *Marbury v. Madison*" to the Law Department of the National University of Ireland in Galway in November. He organized a symposium on "Irish Legal History" for the University of Galway and members of the Irish Legal History Society, and at that symposium presented a paper titled "Why Was there No IRISH Law in the Irish Free State, 1922-1937." He also published a long letter titled "The Trial of President Clinton" in the January 22, 1999, edition of the IRISH TIMES.

In March, he gave two invited talks at the University College in Cork: "Uncertainty in American Contract Law" to the law faculty, and "The Tragedy of Race Relations in American Constitutional Law" to the university faculty.

■ **JOHN H. ROBINSON '72 M.A., '75 PH.D.** in January gave a lecture in Des Moines on "What We Should Have Learned from the Right to Die Cases of the Past Ten Years," and delivered a talk on "Medical Ethics and Medical Students" to the medical students at the University of Osteopathic Medicine and Health Sciences in Des Moines. In February, he lectured on the extraterritorial application of American antidiscrimination laws at a conference on "The Law of Higher Education" at Stetson University in Clearwater, Florida.

■ **VINCENT D. ROUGEAU** served as faculty advisor for the Law School's Jessup Moot Court Team, which finished second in this year's regional competition. He also served as judge for the mock trial sponsored by the Black Law Students Association at the second annual Minority High School Students Legal Professions Opportunities Program at NDLS in February.

■ **PATRICK J. SCHILTZ** gave the 1998-99 Trustees' Lecture titled "Legal Ethics in Decline: The Betrayal of Novice Lawyers by Law Professors and Senior Lawyers" at the William Mitchell College of Law in Minneapolis in November. He spoke on "Religious Consciousness and Legal Ethics" at the University of Pennsylvania School of Law in February. In March, he addressed the bishops of the Evangelical Lutheran Church in America on tort litigation against churches. On March 31 and April 1, he visited Cornell Law School, where he spoke with the first-year class on practicing in large law firms, taught Professor Roger Cramton's professional responsibility class, and conducted a faculty colloquium on legal ethics. In early February, he taught a session of a seminar on "Religious Consciousness and Legal Thought and Practice" at the University of Pennsylvania Law School in Philadelphia. He was quoted in the February 2, 1999, edition of the WALL STREET JOURNAL regarding attempts by large law firms to improve their associate retention rates by paying cash bonuses.

At NDLS, he has been busy as chair of the Law School's Judicial Clerkship Committee. As a result of concerted efforts by this committee, the number of students who applied for federal clerkships has tripled over last year. With William K. Kelley, he spoke to NDLS students in December on "Applying for Judicial Clerkships: The Nuts and Bolts."

He continues as reporter to the Advisory Committee on the Federal Rules of Appellate Procedure, and has become a member of the newly formed Technology Subcommittee of the Judicial Conference's Committee on Rules of Practice and Procedure.

■ **JAMES SECKINGER '68 J.D.** has been appointed by Indiana Supreme Court Chief Justice Randall Shepard as a member of the Advisory Panel to the Indiana Commission on Continuing Legal Education and Attorney Specialization, citing "his particular area of expertise and his reputation in the legal community."

Professor Seckinger published the second edition of IMPEACHMENT AND REHABILITATION AND EXHIBITS AND DEMONSTRATIVE EVIDENCE, both part of

his MATERIALS FOR INTENSIVE TRIAL ADVOCACY WORKSHOP, a product of Osgoode Hall, York University, in Toronto.

In addition, he continues his extensive and far-reaching efforts to design, plan and teach various trial-advocacy courses around the world, including: for the Carleton Law Association of Ottawa, Canada; Gunster, Yoakley, Valdes-Fauli & Stewart in Fort Lauderdale, Florida; and McCarthy Terrault in Montreal, Canada. He also served as a faculty member for the National Institute for Trial Advocacy Teacher Training Program at NDLS.

■ **THOMAS L. SHAFFER '61 J.D.** gave the annual Edward S. Godfrey Lecture at the University of Maine Law School in November titled "Towering Figures, Enigmas, and Responsive Communities in American Legal Ethics" and to be published this spring in the MAINE LAW REVIEW. He published *Forgiveness Disrupts Legal Order* in volume 4 of GRAVEN IMAGES.

■ **DINAH SHELTON** has been elected to the Board of Patrons of Redress International, a London-based nongovernmental organization addressing reparations for torture victims around the world. The board is currently involved with the Pinochet extradition to Spain.

She has also been invited to participate in a project titled "Managing Global Issues," sponsored by the Carnegie Endowment for International Peace, for which she will write on human rights.

In November, while with the London Law Programme, Professor Shelton took students in her human-rights course to Geneva for a special seminar organized for them by the High Commissioner's Office in the Human Rights Center of the United Nations. The students were able to visit the Palais des Nations and attend a session of the U.N. Committee Against Torture.

Also in November, Professor Shelton participated in a round-table discussion with five representatives of the Center for Russian Environmental Policy, based in Moscow. The center formulates objectives and priorities for new Russian laws and policies in the field of environmental protection.

In December, she spoke on "The U.S. Experience with the Alien Tort Claim Act" at a conference on "Redress for Victims of Human Rights Violations" organized by the British Institute of International and Comparative Law at the institute's headquarters in London.

In January at the University, she gave a seminar titled "From Dictator to Defendant: The Pinochet Case in Europe."

She published *Challenges to the Future of Civil and Political Rights* in the WASHINGTON & LEE LAW REVIEW, and *Reparations in the Inter-American System* in THE INTER-AMERICAN SYSTEM OF HUMAN RIGHTS (Oxford University Press) by David Harries and Stephen Livingstone.

■ **STEVEN D. SMITH** spoke on "The Legal Academy as Court Ideologue" at a conference on Reining in Judicial Imperialism: Effectively Limiting the Judiciary to Its Constitutional Powers, sponsored by the American Public Philosophy Institute in Washington, D.C., in October.

■ **J. ERIC SMITHBURN** delivered lectures titled "Termination of Parental Rights: Issues for the New Millennium" and "International Child Abduction and the Hague Convention: What You Need to Know" at the National Conference on Juvenile Justice in Minneapolis in March. He also served as a member of the teaching faculty for the National Institute for Trial Advocacy at the Mid-Central Regional Program, Indiana University School of Law, in Bloomington in March.

He recently served as a consultant to the Ancillary Relief Advisory Group, chaired by Lord Justice Thorpe, who recently presented a lengthy report to the British Lord Chancellor for approval and eventual adoption by Parliament. He provided information on property division and antenuptial contracts in the United States.

■ **JAY TIDMARSH '79** published *Whitehead's Metaphysics and the Law: A Dialogue* in the ALBANY LAW REVIEW. The text of his May 1998 speech to the American Law Institute, addressing civil law in the 21st century, has been published in ALI's REMARKS AND ADDRESSES AT THE 75TH ANNUAL MEETING.

He participated in a panel discussion on "The U.S. Justice System: The Death Penalty in Question" sponsored by the University's African and African-American Studies Program and the Department of History in February.

Professor Tidmarsh has been elected to membership in the American Law Institute. At the January 1999 meeting of the American Association of Law Schools, he was elected to the Executive Committee of the AALS Section on Civil Procedure.

■ **ADA VERLOREN VAN THEMAAT '90 LL.M.**, assistant professional specialist in the Center for Civil and Human Rights, attended the 24th Ordinary Session of the African Commission on Human and Peoples' Rights in Banjul, Gambia, in October.

■ **REVEREND D. REGINALD WHITT, O.P.**, participated in a panel discussion on careers in law sponsored by the Black Law Students Association at the second annual Minority High School Students Legal Professions Opportunities Program at NDLS in February.

## St. Nicholas Day Children's Party

Lisa Schiltz, associate professor of law, and Margaret Kelley, wife of Associate Professor Bill Kelley, organized the second annual St. Nicholas Day Party for the children of NDLS students, faculty, administrators and staff. Held on Saturday, December 5, 1998, in the Law School Student Lounge, the party featured two short plays performed by NDLS faculty and spouses; humorous children's poems acted by Professor John Garvey '70, Kitty Hoye, Lisa Schiltz and their daughters; musical entertainment by Professor Steven D. Smith and the Smith Family Singers, Associate Professor Vince Rougeau and his wife Robin, and Visiting Associate Professor John Nagle; magic tricks by Associate Professor Jay Tidmarsh '79; and a reading of the St. Nicholas story by Associate Dean Roger F. Jacobs followed by a visit from St. Nicholas himself (aka Associate Dean Reverend James E. McDonald, C.S.C.). Festivities included refreshments organized by Susan Carozza, wife of Associate Professor Paolo Carozza, and goodie bags for the kids assembled by faculty secretaries Debbie Sumption and Darlene Carlson.



## A L U M N I N O T E S

## CLASS OF 1949

■ **Honorable John C. Castelli** has retired after serving nearly 30 years as a federal administrative law judge with the Office of Hearings and Appeals in the Social Security Administration in Indianapolis, Indiana. On the occasion of his retirement, Indiana Governor Frank O'Bannon appointed him as a Sagamore of the Wabash, which is the highest award given by the state to one of its citizens, and is presented to individuals who have served the state and its citizens well, have shown great courage and bravery in the face of daunting challenges and obstacles, or have distinguished themselves as outstanding Hoosiers and Americans. Governor O'Bannon cited Judge Castelli's 47 years of service to the state and federal governments as just one of many reasons for presenting the honor. Judge Castelli also received congratulatory notes from President Bill Clinton, both of Indiana's U.S. senators and most of Indiana's representatives in the U.S. House, University President Reverend Edward A. Malloy, C.S.C., the dean of the Indiana University-Indianapolis School of Law, and Archbishop of Indianapolis Most Reverend Daniel M. Buechlein, O.S.B.

## CLASS OF 1958

■ **Charles Roemer**, a member of the South Bend law firm of Roemer & Mintz, received the W. Scott Miller Distinguished Business Leader Award from the Chamber of Commerce of St. Joseph County, Indiana. The award represents the top honor bestowed by the Chamber of Commerce, which selected Mr. Roemer for his efforts as founder of the Chamber's Leadership Program, co-founder of the Community Foundation of St. Joseph County, and founder, with his wife Denise, of a pre-marriage counseling program for engaged couples. Mr. Roemer has also served as the president of the South Bend Board of Public Safety, chair of the Chamber of Commerce, member of the board of Project Future, and co-founder and president of the Parish Council of St. Joseph's Catholic Church in South Bend.

## CLASS OF 1966

■ **Honorable Paul Niemeyer**, of the United States Court of Appeals for the Fourth Circuit, delivered a lecture at NDLS titled "Rethinking Discovery." On that same visit, he met with students considering judicial clerkships.

He was also featured in an article in the January 10, 1999, edition of THE RICHMOND (VIRGINIA) TIMES DISPATCH discussing the legendary civility of the Fourth Circuit.

## CLASS OF 1967

■ **David R. Holmes**, who has law offices in Bremen and Plymouth, Indiana, has become the new Republican party chair in Marshall County, Indiana.

## CLASS OF 1968

■ **Ivan Bodensteiner**, professor of law at Valparaiso University, served as a faculty member for a seminar titled "Sexual Harassment Litigation," sponsored by the Indiana Continuing Legal Education Forum in Indianapolis in November.

■ **Jack Sandner**, president of RB&H Financial Services and former chair of the Chicago Mercantile Exchange, has received the "Living Proof" award from Rush Neurobehavioral Center, a division of the Department of Pediatrics at Rush Children's Hospital. At the awards ceremony, he spoke publicly for the first time about his triumph over Attention Deficit Hyperactivity Disorder.

## CLASS OF 1969

■ **Thomas J. Bonner**, a partner in the New York City law firm of Sullivan & Donovan, L.L.P., has been elected chair of the New York State Bar Association's International Law and Practice Section.

## CLASS OF 1970

■ **Thomas C. Sopko**, a partner at the South Bend law firm of Sopko & Firth, served on the faculty of a panel discussing "Legal Ethics for Litigators," sponsored by the Indiana Continuing Legal Education Forum in South Bend in December.

## CLASS OF 1972

■ **Patricia C. Bobb**, who heads her own law firm in Chicago, was interviewed in the January 1999 ABA JOURNAL for an article titled *Experts on Experts*. With three other attorneys, she discussed the use of expert witnesses at trial, and participated on the faculty of the call-in continuing legal education program on the same subject.

She was also named a commissioner of the Attorney Registration and Disciplinary Commission, an agency of the State of Illinois charged with investigating lawyer-misconduct allegations.

■ **Michael J. Visnosky**, a partner in the Erie, Pennsylvania-based law firm of McClure & Miller, has been re-elected as chairman of the board of trustees for the Lake Erie College of Osteopathic Medicine (LECOM) for his fifth consecutive term. Mr. Visnosky also served as the incorporator for LECOM, which in 1992 was the first medical school to be chartered in Pennsylvania in 35 years and the 16th osteopathic medical school in the United States. The school has an enrollment of 460 students.

## CLASS OF 1973

■ **Michael P. Barnes** has joined the litigation department of the South Bend office of Barnes & Thornburg, where he will assume an of counsel position. He will devote his time to civil litigation and to work with the firm's white-collar crime group.

He was recently honored by the University and by NDLS for his long career as St. Joseph County (Indiana) prosecutor. Congressman Tim Roemer (D-Ind.) and Associate Dean Tex Dutile '65 J.D. spoke at

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 A L U M N I N O T E S
 

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a luncheon in his honor, and James A. Roemer '51, '55 J.D. served as Master of Ceremonies. In December, the Indiana Prosecuting Attorneys Council presented to Mr. Barnes its prestigious Eugene "Shine" Feller Award, the highest award bestowed by the council, for his significant contributions to law enforcement and prosecution.

■ **Michael Howlett**, formerly a judge as well as a partner at Shefsky & Froelich in Chicago, has been named by the Cook County (Illinois) State's Attorney to head the newly formed Commission to Study Children Under Age 10 Charged with Crimes. The commission includes leaders in juvenile law enforcement, child development, psychiatry and related fields.

■ **Carmen M. Piasecki**, a partner at the South Bend law firm of Nickle & Piasecki, served on the faculty of a panel discussing "Legal Ethics for Litigators," sponsored by the Indiana Continuing Legal Education Forum in South Bend in December.

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 CLASS OF 1974
 

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■ **Honorable Thomas G. McCarthy**, a judge on the district court in the First Judicial District in the State of Minnesota, received the 1998 Community Service Award from the Minnesota District Judges Association at its fall conference in September. One of the factors noted in the nominating letter was his work in helping to implement a statewide electronic system to address domestic abuse, which makes Orders of Protection available on a computer database. The database is accessible to police officers who arrive at the scene of a domestic violence incident to enhance law-enforcement efforts to curb domestic violence. Judge McCarthy also served on a committee that developed the new forms being used with the program, and meets with judges from other districts to discuss implementation of the program.

He represented the Minnesota Judiciary at the Full Faith and Credit Conference in Albuquerque, New Mexico, the

Learning to Lead Conference in Reno, Nevada, and has served on other statewide committees.

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 CLASS OF 1975
 

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■ **Paul T. Fortino**, a partner in the law firm of Perkins Coie in Portland, Oregon, and a member of the Executive Advisory Committee of the Notre Dame Law Association Board of Directors, has been named a fellow of the American College of Trial Lawyers.

■ **Honorable Jeanne Jourdan**, recently retired from the St. Joseph County Superior Court, has returned to the practice of law as a deputy prosecutor in the St. Joseph County (Indiana) Prosecutor's Office. Her responsibilities will include an aggressive training program for prosecutorial staff and the trial of major felony and homicide cases.

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 CLASS OF 1976
 

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■ **Patricia T. Bergeson**, formerly deputy corporation counsel in charge of the Torts Division for the city of Chicago, has become associate general counsel at the University of Chicago.

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 CLASS OF 1977
 

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■ **Jane F. (Becker) Bennett** has become a partner in the South Bend law firm of May, Oberfell & Lorber; she chairs the firm's litigation section and concentrates her practice in medical-malpractice and insurance litigation.

■ **Honorable Roland Chamblee**, St. Joseph County (Indiana) Superior Court judge, participated in a panel discussion on legal career opportunities at the second annual Minority High School Students Legal Professions Opportunities Program sponsored by the Black Law Students Association at NDLS in February.

■ **Nancy Moate Ley** was appointed by then-Florida Governor Lawton Chiles to fill a vacancy on the Pinellas-Pasco Circuit Court. Before entering private practice, Ms. Ley served as an assistant public defender for nine years.

■ **Richard A. Nussbaum**, a partner at the South Bend law firm of Sopko & Firth and general counsel to Indiana Lieutenant Governor Joseph Kernan, received the "Award of the Year" from the Notre Dame Club of St. Joseph Valley (Indiana), given to a club member who has demonstrated outstanding service on behalf of that individual's profession, the University and the community. Mr. Nussbaum had recently served as president of that club.

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 CLASS OF 1978
 

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■ **John Borman**, a partner in the Winona, Minnesota, law firm of Streater & Murphy, P.A., was recently selected as a "Super Lawyer" in the areas of personal injury and products liability law by the MINNESOTA JOURNAL OF LAW & POLITICS, an honor given to less than 5 percent of the practicing lawyers in Minnesota.

■ **Joseph A. Cari Jr.** has been appointed by President Bill Clinton to chair the Woodrow Wilson International Center for Scholars. Mr. Cari has served as a member of the center's board of trustees since 1994 and as vice chair since 1996. The center was established within the Smithsonian Institution, but is administered by an independent board, and fosters scholarship and dialogue in international relations through the humanities and social sciences by bringing fellows to Washington, encouraging discourse, and publishing the results of their activities.

■ **Vincent R. Johnson**, a professor of law at St. Mary's University in San Antonio, Texas, recently spent four months teaching in China on a Fulbright Grant. During the summer of 1998, he ran St. Mary's summer program in Innsbruck, Austria.

## A L U M N I N O T E S

## CLASS OF 1979

- **Bruce Belzer, M.D.**, has joined the University of North Dakota Family Practice Center in Bismarck.
- **Kathleen G. Cox**, formerly a litigator and partner with Venable, Baetjer & Howard in Towson, Maryland, has been named a judge on the Circuit Court for the County of Baltimore by Maryland Governor Parris N. Glendening.
- **David C. Guaderrama** has been a district court judge in the State of Texas since 1994.
- **Yvonne R. Guaderrama** has been elected a district court judge in the State of Texas.

## CLASS OF 1980

- **Ethna Marie Cooper**, a partner in the Cincinnati office of Thompson Hine & Flory, L.L.P., has been appointed by the

Hamilton County (Ohio) Commissioners to serve on the Hamilton County Tax Levy Review Committee, which performs independent reviews of all tax levy requests.

- **Honorable Kathleen Kearney**, a judge in the Broward County (Florida) Circuit Court and member of the Law School Advisory Council, has been appointed by Florida Governor Jeb Bush as secretary of the state's Department of Children and Families, an agency with 27,000 employees and a \$3.3 billion budget charged with child protection and providing services to the mentally ill, the disabled and the poor. Her appointment, announced in the December 8, 1998, Fort Lauderdale SUN-SENTINEL, awaits confirmation by the Florida Senate. The December 9, 1998, edition of THE TAMPA TRIBUNE heralded the governor's decision, noting Judge Kearney's passion for protecting children from sex crimes and child abuse, and her work in crafting federal and state laws to benefit children.

## CLASS OF 1981

- **Jeannine M. Davis** has been elected senior vice president, general counsel and secretary of CTS Coporation, a diversified manufacturer of electronic components for the computer equipment, automotive and communications markets based in Elkhart, Indiana. A member of the legal staff at CTS since 1980, her responsibilities now include the company's legal, environmental, health and safety, intellectual property and corporate facilities matters.
- **Nancy J. Gargula**, a partner with the Commercial, Financial and Bankruptcy Services Team at the Indianapolis office of Baker & Daniels, has been elected president of the Indianapolis Bar Foundation (IBF), the charitable arm of the Indianapolis Bar Association (IBA). A distinguished fellow of the IBF and board member since 1995, Ms. Gargula is the first person to serve as IBF president without first having served as IBA president, although she had held a number of other positions in the IBF including secretary, chair of the "Ask a Lawyer" project, chair of the Scholarship Committee and member of the Development Committee.
- **William A. Klatt**, formerly first assistant to Ohio Attorney General Betty Montgomery, has been appointed chief legal counsel to Ohio Governor Bob Taft.

- **Ellen E. McLaughlin** has been named the first female chair at Chicago-based Seyfarth, Shaw, Fairweather & Geraldson, with responsibility for a 200-attorney labor and employment practice group at the 415-attorney firm. She was featured in a "Community Closeup" article in her community newspaper, THE DOINGS, and in the January 1999 edition of CHICAGO LAWYER, highlighting both her successful law practice and her dedication to her family.

## I N M E M O R I A M

Please remember the following deceased alumni and their families in your prayers.

- Peter Ross Viviano '36, '37 J.D.**, of Hollywood, California, November 9, 1998.
- Thomas E. Foley '40 J.D.**, of South Bend, Indiana, March 6, 1999.
- William B. Ball '48 J.D.**, of Camp Hill, Pennsylvania, January 10, 1999.
- Joseph B. Stio '48 J.D.**, of Placida, Florida, October 27, 1998.
- David M. Thornton '48, '53 J.D.**, of Tulsa, Oklahoma, October 21, 1998.
- John E. Tormey '53, '54 J.D.**, of Elmira, New York, December 28, 1998.
- James M. Corcoran '56 J.D.**, of Evanston, Illinois, January 7, 1999.
- Joseph A. Gallagher Jr. '54, '56 J.D.**, of Larchmont, New York, February 25, 1999.
- Kevin W. Carey '65 J.D.**, of Denver, Colorado, May 11, 1998.
- James F. Thornburg**, former adjunct professor at NDLS, December 28, 1998.

## A L U M N I N O T E S

## CLASS OF 1982

■ **Kathleen Brickley**, a partner at the South Bend office of Barnes & Thornburg, served as a faculty member for a seminar titled "Sexual Harassment Litigation," sponsored by the Indiana Continuing Legal Education Forum in Indianapolis in November.

She also served as a panelist for a discussion titled "Women in the Law: A Unique Perspective on the Justice System," sponsored by the Diversity Program of the University's College of Business Administration in October.

■ **Robert D. Clements**, a partner at the law firm of Bose McKinney & Evans in Indianapolis, Indiana, served in the faculty of the Indiana Trial Advocacy College for a program in Skills Proficiency Training at the Indiana University School of Law-Indianapolis in March.

## CLASS OF 1983

■ **Michael Bettinger**, formerly a partner at Orrick, Herrington & Sutcliffe in San Francisco, has become a partner in the San Francisco office of Seattle-based Preston Gates & Ellis; his practice focuses on intellectual property litigation.

## CLASS OF 1984

■ **John Maciejczyk**, formerly with the Elkhart, Indiana, office of Barnes & Thornburg, has joined the St. Joseph County (Indiana) Prosecutor's Office, where he will serve as chief deputy prosecutor.

## CLASS OF 1985

*Visit the NDLS Class of '85 website, developed and maintained by Tom Nessinger, at <http://www.wenet.net/~tness/85law.html>.*

■ **Mark D. Boveri**, an associate at the South Bend office of Barnes & Thornburg, served on the faculty of a panel discussing "Legal Ethics for Litigators," sponsored by

the Indiana Continuing Legal Education Forum in South Bend in December.

■ **Honorable Jenny Pitts Manier**, a judge in St. Joseph County (Indiana) Superior Court, recently received the Athena Award from the Chamber of Commerce of St. Joseph County. The award "recognizes an individual who has opened new opportunities for women in attaining their fullest potential in their profession and in business. Prior to her appointment as judge, Judge Manier served as general counsel for Indiana Lieutenant Governor Joseph Kernan, the Indiana Department of Commerce and the Office of the Indiana Commissioner of Agriculture, as staff attorney for the Legal Services Program of Northern Indiana, as chief assistant city attorney for South Bend, as a member of the board of Public Works in South Bend, and as an attorney for the Redevelopment Commission and the Human Rights Commission.

■ **Cari Votava**, formerly legal advisor for Citibank in Prague, the Czech Republic, has joined World Bank in Washington, D.C., where she will serve in the Division of Europe and Central Asia. She will deal with the legal aspects of bank restructuring and will advise countries in Eastern Europe and the former Soviet Union on ways in which they might amend their financial and banking structures to improve the financial sector in those nations.

## CLASS OF 1986

*Visit the Class of '86 website, developed and maintained by Don Passenger, at <http://www.iserv.net/~dpasseng/ndlaw86.htm>.*

■ **Laura L. Hirschfeld**, associate professor of law at the University of Detroit-Mercy, received the school's James E. Barnes Award for scholarly excellence.

## CLASS OF 1987

■ **Patrick Davies**, of counsel at Covington & Burling in Washington, D.C., was featured in an article in the November 16, 1998, edition of *LEGAL TIMES* discussing the expanding role of "Of Counsel" attorneys within law firms.

■ **Amy Ronayne**, assistant attorney general in the criminal division of the Michigan Department of Attorney General, received the Frank J. Kelley Award for Excellence in Trial Advocacy at the department's annual meeting in December. She joined the department in 1997 after four years as first assistant prosecutor and sex crimes prosecution unit coordinator with the Washtenaw County (Michigan) Prosecutor's Office. Her work with that office earned her a number of awards including the Distinguished Faculty Award from the Prosecuting Attorneys Association of Michigan, the Child Service Award from the Washtenaw Area Council for Children, and the Community Service Award from the Law Enforcement Association of Washtenaw County.

Currently, she serves as a faculty member with the National College of District Attorneys, and last June taught the Essential Trial Advocacy Course. As an instructor with the Prosecuting Attorneys Association of Michigan, she has taught a number of trial-practice courses. And last November, she lectured on sexual assault in a criminal law class at the University of Michigan Law School.

And her September jury trial in a lottery fraud/perjury case appeared on "Court TV" in October.

■ **Linda A. Weaver**, formerly with Kilgallon, Carlson & Simkus in Chicago, has returned to the Chicago office of Clausen Miller.

## CLASS OF 1988

■ **Michael L. Cotticchia**, formerly director of Human Resources and Risk Management at Applied Industrial Technologies, has been appointed vice president at that company.

■ **Andrea Roberts**, an attorney with Bingham Summers Welsh & Spilman in Indianapolis, co-authored *Peer Sexual Harassment: Does Title IX Make Schools Liable for Harassment by Children?* in *RES GESTAE*, a publication of the Indiana State Bar Association.

■ **Diane Tillman-Reed**, an attorney with Fred R. Hains & Associates in South Bend, participated in a panel discussion on career opportunities in the law at the second annual Minority High School Students Legal Professions Opportunities Program sponsored by the Black Law Students Association at NDLS in February.

#### CLASS OF 1995

■ **Barbara Johnston** has formed her own firm, Morguson, Johnston & Bancroft, L.L.C., in South Bend.

■ **Teresa Kibelstis**, formerly with the Philadelphia (Pennsylvania) District Attorney's Office, has joined Ballard Spahr Andrews and Ingersoll in Philadelphia as an associate.

■ **Ron Miller** has joined the London, England, office of Los Angeles-based Gibson, Dunn & Crutcher, L.L.P., as an associate.

■ **Teresa Morguson** has formed her own firm, Morguson, Johnston & Bancroft, L.L.C., in South Bend.

■ **Christopher Russell** is a staff attorney at Piedmont Legal Services, Inc., in Lexington, Virginia — a traditional legal aid office providing civil representation to low-income residents of the Shenandoah Valley that is also affiliated with the Law School of Washington & Lee University.

■ **Brian Sagrestano**, formerly assistant director of major gifts at Clark University in Hamilton, New York, has become the associate director of planned giving at Hamilton College in Clinton, New York.

■ **William J. Walsh** has joined Kennedy Covington Lobdell & Hickman, L.L.P., in Charlotte, North Carolina, as an associate. His practice will focus on corporation law, mergers and acquisitions, securities law and banking law.

#### CLASS OF 1996

■ **Rohanna Fines** has been appointed an assistant attorney general for the State of Washington, where she will focus her efforts on educational programs involving children's mental-health issues.

■ **Steven W. Hieatt**, an associate practicing corporate and securities law in the Cincinnati office of Thompson Hine & Flory, L.L.P., was featured in the firm's promotional brochure for his *pro bono* service.

■ **Joseph A. McCarron** has joined the Bloomington, Illinois, law firm of Hayes, Hammer, Miles, Cox and Ginzkey, where his practice will focus on civil litigation including business and contract disputes, family law and personal injury.

■ **Lisa M. (Bolanz) Patterson**, director of career services at NDLS, published *Counseling the "Rest of the Class" After (and During) OCI*, in the October issue of the NALP BULLETIN. The article offered advice to other career-services professionals on getting the attention of and counseling students who do not secure jobs through traditional on-campus interviewing programs.

## NEW ADDITIONS

Please welcome the newest additions to the NDLS family, and keep these growing families in your prayers.

**Timothy K. Borchers '87 J.D.** and his wife Shannon announce the birth of their daughter, Hanna Kathleen Flynn, March 17, 1998, in Seattle, Washington.

**Catherine Pollock Gregory '90 J.D.** and her husband Rick announce the birth of their son, Matthew Charles, January 18, 1999, in Hartford, Connecticut.

**Colleen (Browne) Magarian '87, '91 J.D.** and her husband Mike announce the birth of their daughter, Molly Elizabeth, January 21, 1999, in Stamford, Connecticut.

**Brian Coffey '95 J.D.** and his wife Susan announce the birth of their son, Nathan Edward, January 6, 1999, in Chicago, Illinois.

**Marlen McKinney Bellaschi '89, '95 J.D.** and **John Bellaschi '89, '92 J.D.** announce the birth of their daughter, Katheryn McKinney Bellaschi, October 20, 1998, in Arlington, Virginia.

**Mary Jo Naples Miller '95 J.D.** and **Ron Miller '95 J.D.** announce the birth of their daughter, Miranda Rose, December 12, 1998, in London, England.

**Jeralyn Rehn '97 J.D.** and **John Rehn '95 J.D.** announce the birth of their daughter, Jensen Ashleigh, on August 18, 1998, in Galesburg, Illinois.



■ **Vanessa Pierce**, formerly with Workman, Nydegger & Feely in Salt Lake City, Utah, has become an associate in the Palo Alto, California, office of Washington, D.C.-based Finnegan, Henderson, Farabow, Garrett & Dunner.

■ **Reverend Bruce Wells**, formerly director of the Mediation Center at the Notre Dame Legal Aid Clinic, has joined the St. Joseph County (Indiana) Prosecutor's Office in the Child Support Division.

#### CLASS OF 1997

■ **Sean Finn**, an attorney in North Dallas, Texas, was featured in an article in the December 22, 1998, edition of THE DALLAS MORNING NEWS. The article notes that, although he was paralyzed from the chest down after a motorcycle accident at age 15, Mr. Finn has succeeded in a number of areas including graduating from law school and passing the Texas Bar, becoming qualified as the first and only disabled instructor in the Professional Association of Dive Instructors, working with disabled young children, and serving on the committee of the Bret Bunnett Foundation, which works to raise money to support researchers in their efforts to find a cure for paralysis.

■ **T. Jeffrey Fitzgerald**, an associate at the Washington, D.C., office of Jones, Day, Reavis & Pogue, has published *Health Care Providers Encounter the Civil False Claims Act* in volume 28 of THE COLORADO LAWYER, and with co-author James J. Graham, *Key Issues in Defending Civil Investigative Demands Under the False Claims Act* in a 1998 ABA publication titled A NATIONAL INSTITUTE ON THE CIVIL FALSE CLAIMS ACT AND QUI TAM ENFORCEMENT.

■ **Scott Moran** recently completed his federal clerkship in Puerto Rico, and joined the Atlanta office of Troutman Sanders as an associate, where he will practice in the firm's international corporate group, focusing primarily on Latin America.

■ **Cynthia Thornton** has moved to Los Angeles and has written, produced and directed an independent film shot in Texas and edited in Los Angeles. The movie, "Three Girls In Love," is a romantic drama that explores the various relationships of three twenty-something females. It will appear on the film festival circuit this year.

#### CLASS OF 1998

■ **Tim Flanagan** recently joined the University's Office of Research as assistant director for technology transfer. He brings to the job an undergraduate education in electrical engineering, and experience in the U.S. Navy, in manufacturing, and in environmental consulting for the federal government.

■ **Mark A. Kromkowski** has joined the Chicago law firm of McBride, Baker & Coles in the firm's Business & Transactional Department, where his responsibilities will focus on securities, tax and sweepstakes law.

## NOTRE DAME LAW ASSOCIATION NEWS

### Bar Association Receptions

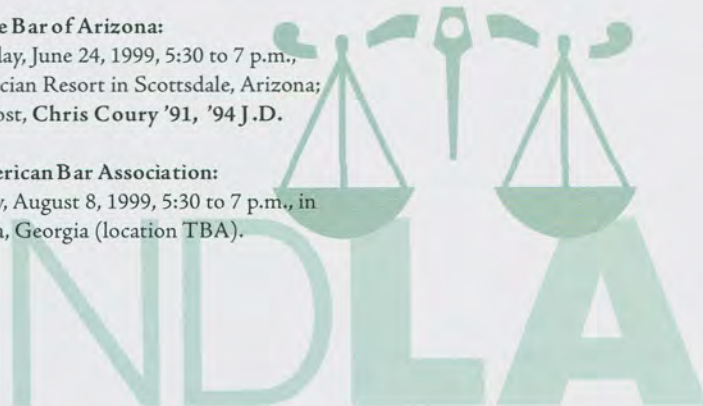
The Notre Dame Law Association has planned receptions for NDLS alumni and friends at a number of bar association receptions this summer. If you're planning on attending one of these meetings, we hope to see you at the Notre Dame reception.

■ **Ohio State Bar Association:**  
Thursday, May 13, 1999, 6 to 7 p.m.,  
Renaissance Hotel in Cleveland, Ohio.

■ **State Bar of Arizona:**  
Thursday, June 24, 1999, 5:30 to 7 p.m.,  
Phoenician Resort in Scottsdale, Arizona;  
local host, **Chris Coury '91, '94 J.D.**

■ **American Bar Association:**  
Sunday, August 8, 1999, 5:30 to 7 p.m., in  
Atlanta, Georgia (location TBA).

If you would like the NDLA to host a reception at your state's next bar association meeting, please contact Cathy Pieronek in the Law School Relations Office. We generally need six months' notice, prefer to host receptions in areas with large local concentrations of NDLS alumni and friends, and like to work with local hosts to help encourage attendance.



# Alumni Service Opportunities

## NDLA '99 Election Results

**M**any thanks to those of you who participated in the recent election for six regional representatives to the Notre Dame Law Association Board of Directors. The individuals listed below will take office on July 1, 1999, for a three-year term ending on June 30, 2002. Each is eligible to be re-elected to an additional three-year term.

**Region 2** — *Colorado, Montana, New Mexico, Utah, Wyoming and Western Canada (Calgary)*

**Brian Bates '79, '86 J.D.**, a partner at Antonio, Bates & Bernard in Denver, Colorado

**Region 3** — *Arizona, Southern California, Southern Nevada and Mexico*

**Paul J. Meyer '67 J.D.**, incumbent NDLA Region 3 representative and an executive vice president and the general counsel of Eller Media Company in Phoenix, Arizona

**Region 7** — *Michigan*

**Eugene Smary '75 J.D.**, a partner at Warner, Norcross & Judd in Grand Rapids, Michigan, and an adjunct associate professor at NDLS

**Region 10** — *New Jersey, Southern Connecticut, Southern New York*

**Honorable Alfred J. "Jim" Lechner Jr. '72 J.D.** of the District of New Jersey

**Region 12** — *Delaware, Eastern Pennsylvania, Maryland, Virginia, Washington, D.C.*

**David M. Barrett '59**, incumbent NDLA Region 12 representative and senior partner of the Washington, D.C., law firm of Barrett & Schuler

**Region 13/14** — *Alabama, Arkansas, Louisiana, Mississippi, Oklahoma, Tennessee, Texas*

**Scott T. Beall '89 J.D.**, an attorney with the Memphis, Tennessee, law firm of Glankler Brown, P.L.L.C.

Also taking office on July 1, 1999, with one-year terms expiring on June 30, 2000, are:

**Richard D. Catenacci '65 J.D.**, president  
**Thomas R. Curtin '68 J.D.**, president-elect

And taking office for a two-year appointed term is at-large representative **Thomas P. Keller '92 J.D.** of South Bend.

*Many thanks for years of dedicated service to James P. Gillece '69 J.D. (president until June 30, 1999), Carl Eiberger '52, '54 J.D. (Region 2), Robert Krause '66 J.D. (Region 7) and Lee Piovarcy '63 (Region 13/14), who chose not to run for re-election and will be offered life membership on the NDLA Board's Executive Advisory Committee.*

NOTRE DAME ALUMNI, through individual personal efforts as well as through group efforts coordinated through local alumni clubs and the Notre Dame Law Association, have provided a number of summer-service opportunities for NDLS students interested in public-interest law, and have helped develop some service opportunities for practicing attorneys in their hometowns. We are proud of the efforts of these leaders to encourage all Notre Dame lawyers to turn their scholarship into service.

■ Following on last year's successful summer internship program at the Center for Legal Education Advocacy and Defense Assistance, Philadelphia-area Notre Dame lawyers including **Richard M. Jordan '67, '70 J.D.**, who is a member of the Executive Advisory and Public Interest Committees of the NDLA Board of Directors, **Teresa Kibelstis '92, '95 J.D.** and **Maria Morinigo '97 J.D.** have arranged a public-interest placement for a 1L or 2L at the Nationalities Service Center, the Immigration Law Clinic of Temple University Law School. The Notre Dame Law Association of the Notre Dame Club of Philadelphia has pledged a \$2,500 stipend to support the student who accepts the position. If you wish to contribute to the support of that effort, please contact either: Mr. Jordan by mail at White and Williams, L.L.P., 1800 One Liberty Place, Philadelphia, PA 19103-7395, by phone at (215) 864-7000 or by fax at (215) 864-7123; or Ms. Kibelstis by mail at Ballard Spahr Andrews & Ingersoll, L.L.P., 1735 Market Street, 51st Floor, Philadelphia, PA 19103-7599, by phone at (215) 665-8500, by fax at (215) 864-8999, or by e-mail at kibelstis@ballardspahr.com.

■ **Paul Mattingly '75 J.D.**, also a member of the Executive Advisory and Public Interest Committees of the NDLA Board of Directors, has plans to secure support from Cincinnati-area attorneys to fund one NDLS student at the Legal Aid Society of Greater Cincinnati. He has already worked with the Notre Dame Club of Cincinnati to gather a cadre of Notre Dame lawyers to participate in the club's Tax Assistance Program, which helps the working poor with tax preparation. If you wish to support either effort, please contact Mr. Mattingly by mail at Dinsmore & Shohl, L.L.P., 1900 Chemed Center, 255 East Fifth Street, Cincinnati, OH 45202, by phone at (513) 977-8281, or by fax at (513) 977-8141.

■ **Charles Weiss '68 J.D.**, Region 5 representative on the NDLA Board of Directors, has worked with St. Louis-area alumni and the Notre Dame Club of St. Louis Volunteer Lawyer Program, operated as an adjunct of the St. Louis Legal Services Office at St. Bridget's Church in the inner city. Each Saturday, from 9 a.m. to noon, two lawyers agree to meet with clients in need of legal advice. The parish schedules the appointments and provides the meeting space, while the alumni club recruits the volunteer lawyers. Each attorney generally spends one Saturday morning at the clinic every two months. If you'd like to participate in this program, or if you'd like more information on how to start a similar program in your hometown, please contact Mr. Weiss by mail at Bryan Cave L.L.P., One Metropolitan Square, Suite 3600, St. Louis, MO, 63102-2750, by phone at (314) 259-2000, or by fax at (314) 259-2020.

■ **Dr. Franklin C. Wefald**, a University benefactor who works as a physician in South Bend, has pledged multiyear summer-stipend support for an NDLS student to work with his sister, an attorney who represents death-row inmates in the Los Angeles area.

■ San Francisco-area Notre Dame lawyers, under the leadership of **Diane Rice '80, '83 J.D.**, have arranged a public-interest placement for a continuing student at the San Francisco Neighborhood Legal Association Foundation, which focuses on retaining affordable housing, SSI benefits, food stamps and health access for low-income clients. Notre Dame lawyers in the Bay Area have pledged \$2,500 in support of the student who accepts the position. If you wish to contribute to the support of this effort, please contact Ms. Rice by mail at Brobeck, Phleger & Harrison, L.L.P., Spear Street Tower, One Market, San Francisco, CA 94105, by phone at (415) 442-1509, by fax at (415) 442-1010, or by e-mail at drice@brobeck.com.

**IF YOU KNOW OF A SERVICE OPPORTUNITY**, either for practicing Notre Dame lawyers or for NDLS students, please contact Cathy Pieronek at the Law School Relations Office. We have a lot of flexibility in arranging programs, especially for our students, and would like to facilitate an array of service opportunities for students and alumni alike.

# LAW ALUMNI Reunions

## CLASS OF 1949 — 50TH REUNION

■ The Golden Jubilee Class of 1949 has planned a special dinner at Sunny Italy Cafe (formerly Rosie's) in South Bend on the night of Saturday, June 5, 1999, during the University's spring Reunion '99 weekend. Class members should have received at least two letters with the dinner details from reunion organizers **Harold Cook**, **Earl Yeagley** and **Tom Broden**. The response so far has been positive from all members who have replied — meaning that this year's reunion should be great for the entire class. For more information, please contact Mr. Cook at (219) 255-0083.

## 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 the Notre Dame-Michigan State football weekend on September 17-19, 1999. To help with the planning, please contact **Bill Harte** at (312) 726-5015.

## CLASS OF 1964 — 35TH REUNION

■ Classmates should already have received at least two letters from **Honorable John Leahy** regarding a class reunion at the time of the University's Reunion '99, June 4-6, 1999. If you plan on attending, please let him know so that he can spread the word among classmates to encourage others to attend as well. You can reach Judge Leahy at (909) 336-3001, or by e-mail at [leahy1@gte.net](mailto:leahy1@gte.net).

## CLASS OF 1969 — 30TH REUNION

■ Members of the Class of 1969, who will be celebrating their 30th reunion in 1999, are planning a special celebration for the Notre Dame-Navy football weekend on October 29-31, 1999. Class secretary **Scott Atwell** has indicated that he and **George Rice**, **Jim Starshak** and **Al Lehrer** would be happy to have your help in contacting classmates to attend. Tentative plans include a post-pep rally cocktail social at a South Bend-area hotel, a class dinner on campus Saturday evening and a class Mass and breakfast on Sunday morning. Anthony Travel, at 1-800-7-DOMERS, has offered to help with hotel room reservations and your other travel needs. For more information on the reunion itself, you can reach Mr. Atwell at (303) 220-7700, or by e-mail at [sja@lawyernet.com](mailto:sja@lawyernet.com).

## CLASS OF 1989 — 10TH REUNION

■ Class secretary **Jennifer E. (O'Leary) Smith** reminds everyone that her husband **Jim Smith** and **Mike Luzum** expect a large turnout for the Class of 1989's 10th reunion at the University's spring Reunion '99, June 4-6, 1999. To help plan special activities for your class and to confirm your attendance, please call Jim Smith at (800) 826-3505, or by e-mail at [jsmith@clausen.com](mailto:jsmith@clausen.com).

## REUNION '99

■ All NDLS graduates whose class years end in "4" or "9" are invited back to campus for Reunion '99 the weekend of June 4-6, 1999. In addition to the seminars, programs and opportunities for socializing scheduled by the University, NDLS may host a three-hour continuing legal education program on Friday morning (if alumni express sufficient interest), 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 have any questions about Reunion '99, please contact the University's Reunion Office at (219) 631-6199.



Reunions  
in the  
Works

## CLASS REUNIONS FOR 2000

■ If your class is eligible for a reunion in 2000 — that is, if your class year ends in "5" or "0" — it's not too early to begin planning for the festivities, particularly if you'd like to schedule a special reunion weekend apart from the University's Reunion '00 in the spring. 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 Cathy Pieronek at (219) 631-6891.

# STUDENT NOTES

## MOOT COURT AND TRIAL TEAMS

MOOT-COURT ACTIVITIES OFFER STUDENTS THE OPPORTUNITY TO DEVELOP PRACTICAL LITIGATION AND APPELLATE SKILLS AND TO COMPETE AGAINST OTHER LAW-SCHOOL TEAMS IN REGIONAL AND NATIONAL COMPETITIONS. THIS YEAR'S TEAMS EXPERIENCED A NUMBER OF SUCCESSSES — FURTHER EVIDENCE OF NOTRE DAME'S STRENGTH IN TRIAL ADVOCACY, A PROGRAM CONSISTENTLY RANKED AMONG THE NATION'S BEST.



### *Moot Court Showcase Team and Judges*

*Back row (left to right): Honorable Brent E. Dickson, Honorable Richard D. Cudahy, Thomas Keough. Front row (left to right): Cynthia Morgan '99, Charmaine Chiu '99, Honorable Deanell Reece Tacha, Karen DuBay.*

### MOOT COURT SHOWCASE ARGUMENT

■ The top oralists from the National Appellate Team presented a strong demonstration of their oral-advocacy skills at the 49th Annual Showcase Moot Court Argument in February. Third-years **Charmaine Chiu** of Jacksonville, Florida, and **Cynthia Morgan** of St. Clair, Michigan, appearing for the petitioner, and **Karen DuBay** of Troy, Michigan, and **Thomas Keough** of Staten

Island, New York, appearing for the respondent, made uniformly outstanding presentations to a tough panel of judges comprised of the Honorable Deanell Reece Tacha of the United States Court of Appeals for the Tenth Circuit, the Honorable Richard D. Cudahy, senior judge of the United States Court of Appeals for the Seventh Circuit, and the Honorable Brent E. Dickson, associate justice on the Indiana Supreme Court.

This year's argument focused on the Americans with Disabilities Act (ADA)

with two specific questions. First, does the ADA cover a person whose disability is completely controllable through the use of mitigating measures such as medication? And second, does claiming a total disability for the purposes of participation in a state disability program preclude an individual from claiming to be qualified to perform a particular job as required for protection under the ADA?

Responding well and remaining poised during relentlessly tough questioning, the oralists received high praise for their

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 STUDENT NOTES
 

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demeanor, their thorough knowledge of the record and the law, and their ability to stay on track despite interruptions for questions.

Associate Professor Bill Kelley, who served as faculty advisor to the team, noted the strength of the team's performance: "The student advocates prepared thoroughly for the argument and it showed in their excellent performances. And we were very fortunate to have distinguished judges who asked good questions — and a lot of them — without making sport or giving the students a hard time just because they could. All in all, I think the event was a success from every standpoint."

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 NATIONAL APPELLATE TEAM
 

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■ The NDLS National Appellate Team, also coached by Professor Kelley, consists of the top 10 students from the second-year Moot Court Appellate class. In addition to the four students who represented NDLS in the national competition in Milwaukee, this year's team included third-years **Heather Guilette** of South Barrington, Illinois, **Bill Keller** of Lacey, Washington, **Alex Nakis** of Tallahassee, Florida, **Matt Nielson** of Omaha, Nebraska, **Kris Tefft** of Pasco, Washington, and **Charles Topping** of Lisle, Illinois. These team members represented NDLS well at regional competitions at Pepperdine University in Malibu, California, and before the Seventh Circuit.

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 NATIONAL TRIAL TEAM —  
 THE BARRISTERS
 

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■ Eight 2Ls and 3Ls represented NDLS at a number of competitions as members of the National Trial Team, also known as The Barristers. Third-years **Janine Felder-Kahn** of South Bend, **Kim Hart** of Dallas, Texas, **John Kuckelman** of Atchison, Kansas, and **Patrick Ryan** of South Bend, and second-years **David Black** of Hamilton, Montana, **Mark Busby** of Ras Tanura, Saudi Arabia, **Stone Grissom** of Los Angeles, California, and **Tamara Walker** of Memphis, Tennessee, learned trial techniques from **Jeanne Jourdan '75 J.D.** and **Wendell Walsh '77, '80 J.D.** in preparation for competitions that

included two trips to Chicago — one for an interscholastic competition against Northwestern and the other for the regional competition in February. In the regional contest, the NDLS team advanced to the semifinal round and finished with more combined points than any other law school.

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 INTERNATIONAL MOOT COURT
 

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■ The NDLS Moot Court International Division Team placed second out of 11 teams in the central regional round of the Philip C. Jessup Moot Court Competition held in early February at Southern Illinois. Established in 1959, the Jessup Competition is the world's largest and most prestigious international-law moot-court competition, involving 1,500 students representing more than 300 law schools from almost 50 nations on six continents. This year's problem concerned cultural-identity protection and intellectual-property rights in the international community.

All four NDLS oralists placed near the top of the competition for their individual performances. **Akram Faizer '00** of Cornwall, Ontario, Canada, and **Teresita Mercado '97, '00** of Phoenix, Arizona, representing the applicant, a first-world nation asking for reparations on behalf of citizens whose property interests were expropriated and on behalf of citizens who were being denied protection for intellectual property rights, finished the competition undefeated. **James McCament '00** of Alexandria, Virginia, and **Michael Tigues '99** of South Bend, representing the respondent, a developing nation defending its actions on the basis of sovereignty and the right to protect its own cultural identity, prevailed against all competitors except the regional champion, Northwestern.

The team memorial (brief) submitted by **Jean Seidler '99** of Sumner, Washington, and **Deborah Tsai '99** of Notre Dame, Indiana, earned fourth place in the Team Memorials Competition, while the brief submitted by Mr. Faizer and Ms. Mercado ranked second overall in the Applicant's Memorial Category.

This is the most successful an NDLS team has been at the Jessup Competition for the last five years. "We went to the competition hoping to simply establish that Notre Dame has a superior international law program. What we ended up coming back with was beyond our expectations," noted Ms. Mercado.

Team coach and NDLS Associate Professor **Vincent D. Rougeau** explained the significance of the team's outstanding performance.

"The Jessup Competition is based on international law and is extremely demanding, both substantively and in terms of oral advocacy. It is also a worldwide event. Our students did an outstanding job and many of the judges commented on the strength of their performance." **Dean David T. Link '58, '61 J.D.** added his congratulations as well. "I am proud of our team for their performance — in particular, their

We went to the competition hoping to simply establish that Notre Dame has a superior international law program. What we ended up coming back with was beyond our expectations.

advancement to the semifinal and final rounds. Their accomplishments reflect well, indeed, on the Notre Dame Law School." Team captain **James McCament** gives much of the credit for their success to the faculty members and other students who helped prepare the team. "We were very lucky to have professors with such expertise in international law who were willing to help us prepare for the competition. We were also very grateful to the LL.M. students who assisted us, since each had been on International Moot Court Teams themselves."

## STUDENT-EDITED JOURNALS

### STUDENT EDITORS NAMED

■ The editors-in-chief for the Law School's four student-edited journals were announced before spring break: **Jonathan Bridges '00** of South Bend, for the *NOTRE DAME LAW REVIEW*; **Neesha Singh '00** of Coram, New York, for the *JOURNAL OF COLLEGE & UNIVERSITY LAW*; **Todd Barker '00** of West Linn, Oregon, for the *NOTRE DAME JOURNAL OF LAW, ETHICS & PUBLIC POLICY*; and **Michael Galibois '00** of Duxbury, Massachusetts, for the *JOURNAL OF LEGISLATION*.

### NOTRE DAME LAW REVIEW

■ The *NOTRE DAME LAW REVIEW* is published five times annually by the Notre Dame Law School. The law review staff especially welcomes input and submission of manuscripts from Notre Dame Law School alumni and friends. If you are interested in obtaining a subscription to the *NOTRE DAME LAW REVIEW*, submitting a manuscript or have suggestions for improving the *NOTRE DAME LAW REVIEW*, please write to Notre Dame Law Review, P.O. Box 988, Notre Dame, IN 46556.

### JOURNAL OF COLLEGE AND UNIVERSITY LAW (JCUL)

■ For the past 12 years, the Law School has published the *JOURNAL OF COLLEGE AND UNIVERSITY LAW (JCUL)* for the National Association of College and University Attorneys. Four times a year, JCUL addresses legal issues confronting attorneys who represent institutions of higher learning. Recent editions have featured articles on affirmative action, scientific misconduct, hazing, the World Wide Web, disability, sexual harassment and academic freedom, and gender equity. The current issue includes articles on antitrust law as it applies to university activities, the recent revolution in Eleventh Amendment law, the ancient *Dartmouth College* case, and the current dispute over the use of mandatory student fees. Each of these articles was written by an

acknowledged expert in the relevant field and approved for publication by a referee.

JCUL is always on the look-out for authors and subscribers. If your practice involves issues of interest to college and university attorneys, and if your life allows you to explore those issues in depth, please contact faculty editor Professor John Robinson by mail at the journal office, Notre Dame Law School, Notre Dame, IN 46556, or by phone at (219) 631-6980, to discuss the possibility of your finished product appearing in JCUL. If you are interested in subscribing to JCUL, please contact Kelley Collins by mail at the journal office, by phone at (219) 631-6749, or by e-mail at [collins.79@nd.edu](mailto:collins.79@nd.edu).

### NOTRE DAME JOURNAL OF LAW, ETHICS & PUBLIC POLICY

■ The *NOTRE DAME JOURNAL OF LAW, ETHICS & PUBLIC POLICY* will publish two exciting journals during the 1999-2000 academic year. Alumni and friends are invited to inquire about contributing an article to either issue. Articles will be collected until the fall.

One issue will deal with professional ethics. "Notre Dame's focus on ethics makes it unique among law schools. The journal's ethics issue will continue this tradition," according to editor-in-chief **Todd Barker '00**. "We hope to publish articles from a wide array of authors — practicing lawyers, scholars, judges and politicians — to create an exciting and timely publication."

The other issue will contain articles pertaining to privacy and the law. "Threats to privacy abound all around us. Grocery stores track and store information about the products we buy, Web sites collect information about our use of the Internet, and hospitals obtain very personal information about patients. This should prove to be a very interesting and popular issue," commented **Reverend John H. Pearson, C.S.C., '68, '71 M.Th.**, director of the Law School's Thomas J. White Center on Law and Government.

Unlike traditional law reviews, the *NOTRE DAME JOURNAL OF LAW, ETHICS & PUBLIC POLICY* devotes each issue to a single topic of public concern, which permits comprehensive analysis of legal and public-policy arguments. The journal enjoys a national audience and has published articles by Joseph Cardinal Bernadin, William J. Bennett, Justice William J. Brennan, Mario Cuomo, John M. Finnis, Honorable Henry Hyde, C. Everett Koop, Richard John Neuhaus, Honorable John T. Noonan, Richard A. Posner and President Ronald W. Reagan.

For more information about the journal's upcoming issues or about subscription rates, please contact Todd Barker by e-mail at [barker.6@nd.edu](mailto:barker.6@nd.edu) or by phone at the journal office, (219) 631-4888.

### JOURNAL OF LEGISLATION

■ The *JOURNAL OF LEGISLATION* is embarking on a new and exciting phase in its history. After celebrating its 25th anniversary this past year, a talented and enthusiastic staff leads the journal in preparing for the new millennium. Changes include a new book review section dealing with a practitioner's approach to legislation, and the staff hopes to attract select national political figures as contributors to the 1999-2000 *JOURNAL OF LEGISLATION* Symposium.

As always, any submissions from Law School alumni and friends contribute to the continued success of the journal. The staff invites you to submit articles on issues concerning federal, state or local legislation. Article submissions provide not only an opportunity for authors to publish commentaries on legal issues of personal or professional importance, but also an opportunity for staff members to gain invaluable editorial and legal experience.

For more information on article submission guidelines, the 1999-2000 symposium or journal subscription information, please contact: Journal of Legislation, Notre Dame Law School, Notre Dame, IN 46556.

## STUDENT SERVICE

## TOYS FOR TOTS

■ The Military Law Students Association — under the leadership of president **Kathleen Kenney '00** of Titusville, Florida, along with Associate Professor **Bill Kelley**, Assistant Dean Emeritus **Captain William O. McLean** and students **John Rosenthal '99** of El Cerrito, California, and **Tom Keough '99** of Staten Island, New York — conducted a very successful “Toys for Tots” campaign for Christmas 1998. As a result of their hard work and many generous donations, the association collected 250 toys and three bicycles to distribute to needy families in the South Bend area.

## BLSA MINORITY OUTREACH PROGRAM

■ The NDLS Black Law Students Association, in conjunction with the University's Office of Community Relations, hosted the second annual “Minority High School Students Legal Professions Opportunities Program” on Tuesday, February 9, 1999, at the Law School. Over 100 students from the seven public high schools in South Bend and Mishawaka attended a two-hour program at the law school that featured a panel discussion on various careers in legal education moderated by BLSA president **Kimberly Hart '99** of Dallas, Texas, followed by a mock trial presentation by BLSA members.

After a welcome by NDLS Dean **David T. Link '58, '61 J.D.**, the students heard presentations on options for legal and law-related careers by NDLS faculty and alumni, as well as community leaders, including: **Honorable Roland Chamblee '74, '77 J.D.**, St. Joseph

County (Indiana) Superior Court judge; **Diane Tillman-Reed '94 J.D.**, a South Bend attorney; **Reverend D. Reginald Whitt, O.P.**, professor of law; **Charles A. Walton Jr.**, a local attorney and student in the University's Master of Fine Arts program; **Lynn Coleman**, of the South Bend Police Department and assistant to South Bend Mayor **Steven Luecke**; **Sharon Johnson**, assistant United States attorney for the Northern District of Indiana; **Dahlia French**, a local immigration attorney; and **Eugene Staples**, a community leader and representative of the Summer Opportunities for Legal Experience (SOLE) program organized by the University's Office of Community Relations under the guidance of **James A. Roemer '51, '55 J.D.** and with the assistance of BLSA.

The mock trial featured several BLSA members in the roles of attorneys and witnesses including **Marcus Ellison '01** of South Bend, **Kimberly Hart '99** of Dallas, Texas, **Elton Johnson '01** of Mishawaka,



Indiana, **Titilayo Marinho '00** of Belleville, New Jersey, and **Tamara Walker '00** of Memphis, Tennessee. Associate Professor **Vincent D. Rougeau** presided as judge, and Head Research Librarian **Dwight King** served as bailiff.

This introductory program and the SOLE program together form an important community outreach effort by NDLS students, supported by the Law School and the University, to reach out to ethnically diverse high-school students with the potential to succeed, to encourage them to consider the many ways in which they might engage in law or law-related careers after college. According to the St. Joseph County (Indiana) Bar Association, of the county's nearly 500 attorneys, only six are African-Americans — despite the fact that the population of the City of South Bend itself is 24 percent African-American. Dean Link strongly supports these programs in the belief that, “By exposing these bright young high-school students to career options early in their education, we can inspire them to follow our successful BLSA students into college and, hopefully, into legal careers.”

For more information on these programs, please contact **James A. Roemer '51, '55 J.D.**, at the University's Office of Community Relations, (219) 631-6614, or contact BLSA directly in care of the Law School.



## COMMUNITY SPIRIT

### FATHER MIKE SHOW

■ The Student Bar Association held the 12th Annual Father Mike Talent Show, its annual fund-raising effort in support of the Reverend Michael D. McCafferty, C.S.C., Fellowship Fund, at the Alumni-Senior Club on Saturday, February 20, 1999. In addition to ticket sales, this year's fund raising included a raffle for a \$500 credit on a BAR/BRI bar-examination preparation course, won by **Traci Griffith '99** of Tallahassee, Florida. With a packed house, the event netted \$2,000 for the fellowship fund.

This year's show, produced by Ms. Griffith and **Marisa Salazar '00** of San Antonio, Texas, rivaled past shows for the scarcity of true talent, but provided lots of humorous looks into life at NDLS. Emcees **Jim Guse '99** of Richland, Washington, and **Pete Yarbrow '99** of Wisconsin Rapids,

Wisconsin, kept things moving between acts with their unique senses of humor.

Video performances featured prominently in this year's event. Among the features, **Shon Holyfield '99** of Roswell, Georgia, and **Ha Kung Wong '99** of Mundelein, Illinois, presented their last video effort as NDLS students — actually three videos including an A&E-style biography of Associate Professor **Jay Tidmarsh '79**, a parody of "Saving Private Ryan," and a parody of "Civil Action." A group of 3Ls produced a parody of the MTV show "Real World" — with nine NDLS professors sharing a home in Granger. And **Mark Busby '00** of Ras Tanura, Saudi Arabia, and **Kevin Peinkofer '00** of Eggertsville, New York, produced "An Introduction to the Law School."

**Sean O'Brien '01** of Notre Dame, Indiana, provided some musical entertainment by singing and playing the guitar and harmonica to a law-school version of "I Fought the Law." As for the few actual skits, 3L men denominating themselves "The Men's Legal Forum" presented a news-style assessment of life at NDLS, a group of 2Ls parodied "The Jerry Springer Show," and "The 1L Posse" presented "A Day in the Life of a 1L."

Research Librarian **Lucy Salsbury Payne '88 J.D.** opened the evening by reminding everyone of the contributions of Father Mike during his short time as a professor and assistant dean in the Law School. And although he is no longer with us, Father Mike's memory remains an ever-present part of the spirit of NDLS.



### AWARDS AND HONORS

Third-year students **Jessie Barrett '99** and **Patrick Ryan '99** received the Charles Sweeney Scholarship for Achievement from the Board of Governors of the St. Joseph County Bar Association. Each received a \$1,000 scholarship from the bar association in honor of **Charles Sweeney '64 J.D.** of the South Bend law firm of Sweeney, Pfeifer & Morgan.



# Irish Law Sports Report

NDLS students consistently exhibit strong talents apart from their scholastic and service activities. This year, as in the past, they have competed in University leagues as well as in other national competitions and have demonstrated their prowess in a number of athletic contests.

■ For the second time in three years, the Law School's football team *Tortfeasors* won both the Law School championship and the University's Graduate League championship. Under the leadership of Student Bar Association sports commissioner **Omar Muñoz '99** of Santa Ana, California, the team continued its three-year undefeated stretch in the Law School League and defeated the MBA team 31-0 in the Graduate League finals played at Notre Dame Stadium. Team members included **Tommy Bernardo '99** of East Greenbush, New York, **Jeremy Cole '99** of Grand Rapids, Michigan, **J.C. Coury '00** of Phoenix, Arizona, **Blake Fix '99** of Lawrence, Kansas, **Matt Gipson '99** of Belmont, Michigan, **Dan Hollman '99** of Washington, D.C., **Shon Holyfield '99** of Roswell, Georgia, **Matt Nielson '99** of Omaha, Nebraska, **Tim Racicot '00** of Helena, Montana, and **Chris Robinson '99** of Hamburg, New York.

■ The 3L team continued a tradition begun last year of besting the competition in the second annual co-ed Law School faculty-student softball tournament. The members of the Class of '99 who led their team to victory included **Steve Boettinger** of Pittsburgh, Pennsylvania, **Jeremy Cole** of Grand Rapids, Michigan, **Karen Dubay** of Troy, Michigan, **Joni Gallagher** of Broomall,



Pennsylvania, **Matt Gipson** of Belmont, Michigan, **Jen Healy** of Scottsdale, Arizona, **Amy Iannone** of Hollywood, Florida, **Margaret McCaffery** of South Bend, **Omar Muñoz** of Santa Ana, California, **Kerry O'Connor** of Smithtown, New York, **Dave Pruitt** of University Heights, Ohio, **Chris Robinson** of Hamburg, New York, and **Jay VanHandel** of Neenah, Wisconsin.

■ A number of NDLS faculty participated in the second annual co-ed softball tournament in October. Although defeated by the 1L and 2L teams for the second year in a row, the faculty team gave the 1Ls a scare early on and remained healthy throughout the competition.

■ In Graduate League soccer action, the LL.M. program fielded a team under the direction of **Garth Meintjes '91**

LL.M., associate director of the Center for Civil and Human Rights. Named *Tupac Amaru*, after a Native American warrior who fought the Conquistadors with valor, the team made it to the semifinals in the fall outdoor soccer league, and made the playoffs in the spring indoor soccer league.

■ **Brian Banas '01** of Sterling Heights, Michigan, placed 43rd out of 90 in the sabre event at the Penn State Open, held in University Park, Pennsylvania, in November.

■ Eight brave law students took to the boxing ring this year to participate in Bengal Bouts, the University's annual boxing tournament to benefit the Holy Cross Missions in Bangladesh. Each endured weeks of rigorous pre-tournament training under the direction of Professor **Charlie Rice**, and represented the Law School well in the tournament, with two winning their respective weight classes: **Sean "The Erie Kid" Nowak '01** from Erie, Pennsylvania, by unanimous decision in the 163-pound division; and **Trent "Kid Kokomo" Sandifur '01**

from Kokomo, Indiana, by a split decision in the 170-pound division. In other tournament action, **Babu "Not an Ounce of Athletic Ability" Kaza '01** of Dover, Delaware, **Brian Nestor '00** of Spring Hill, Florida, and **Joe "The Polish Tank" Czerniawski '01** of Franklin Lakes, New Jersey, put forth strong efforts in the quarterfinals for the 150-, 170- and 175-pound divi-

sions respectively, but did not advance. And three NDLS students made it to the semifinal round: **Phil "The Drill" Castrogiovanni '01** of Campbell, California, in the 145-pound division; **Billy "Sweet Pea" McMurtrie '01** of Bethesda, Maryland, and **Kevin Murphy '99** of Morganville, New Jersey, in the 163-pound division.

Watch for updates on the Law School Basketball League, Bookstore Basketball and the University of Virginia Annual Law School Softball Tournament in the next issue of this magazine.



Back row (left to right): Dean David T. Link '58, '61 J.D., Associate Professor Matt Barrett '82, '85 J.D., Associate Professor Pat Schiltz, Visiting Professor Tom Nagle '68 J.D., Professor Steve Smith, Associate Dean Roger Jacobs.

Front row (left to right): Bruce Wells '96 J.D., Sister Deborah Cerullo, S.S.N.D., Professor Teresa Godwin Phelps, Research Librarian Warren Rees, Professor Alan Gunn.

The winning 3L softball team.

## Spring Break — Service Style

BY BARBARA SZWEDA  
CO-DIRECTOR, NOTRE DAME LEGAL AID CLINIC  
DIRECTOR, NOTRE DAME IMMIGRATION CLINIC

No matter how much we tried to deny it, the natives of South Texas refused to believe that we were not “spring breakers” or in my case — with my greying hair — “winter Texans.” After all, it was that time of year, and South Texas was crowded with “those types.” This trip was no pleasure cruise, however. Rather, eight student-lawyers in the Notre Dame Immigration Clinic and I traveled south to witness first-hand what happens to immigrants entering the United States before they reach out for our help at the clinic. We decided to put our precious spring-break time and our immigration-law experience at the service of those aching for a better life in the United States.

Clinic interns Susan Foxon '99 of North Smithfield, Rhode Island, Tammy Greenwald '00 of Batesville, Indiana, Danny Inquilla '99 of Berrien Springs, Michigan, Teresita Mercado '00 of Phoenix, Arizona, George Perez '00 of San Diego, California, Ming Sun '99 of Fremont, California, Nita Upadye '99 of Diamond Bar, California, and Ling Yang '99 of Granger, Indiana, along with our clinic interpreter Carlos Baldizon and I, flew down to Harlingen, Texas, for the week of spring break, March 8-15. Taking advantage of our inquiring minds and willing hands, Charles Roth '96 J.D., a former Immigration Clinic intern, invited us to work with him at Proyecto Libertad as well as with Steve Lang at ProBAR, two *pro bono* organizations that help arriving immigrants solve their legal problems — Proyecto Libertad with all types of immigration problems, and ProBAR specifically with asylum claims.

As soon as we arrived, we received our assignments and went to work to respond to some immediate needs. At Proyecto, Mr. Perez and Ms. Mercado began preparing for a Thursday trial involving the cancellation of removal for a Mexican woman and her child. Ms. Sun represented two Honduran clients in court on Tuesday. Ms. Yang



researched and wrote two appellate briefs, one to the Board of Immigration Appeals and the other to the Fifth Circuit. These students spent every day of their spring break either working in the Proyecto offices or in court three blocks away.

The group at ProBAR faced similar time challenges. Mr. Inquilla and Ms. Foxon spent the week in an attic office preparing for a Friday trial involving asylum for a battered spouse from Mexico and grappling with this relatively new ground for asylum. Ms. Greenwald worked on an asylum case for a detained Cuban, and assisted ProBAR associate attorney Meredith Linsky with presentations on immigration rights at the Port Isabel Detention Center. Ms. Upadye and I traveled south across the border to visit Cubans in Mexico who had been refused entry into the United States until they had their asylum application, which we prepared for them, in hand. A number of us also interviewed detained asylum-seekers and assisted them with their petitions at the detention center.

Honorable David Ayala, the judge who heard most of the immigration cases prepared by our student-lawyers, had high praise for the hard work of our students.

Exhausted after five days of intense work, late nights and long hours, we were ready for a break. But even our “vacation” time revolved around learning more about the immigration process. Our tour guide, George, arranged for a tour of the Immigration and Naturalization Service (INS) border facilities and for a ride-along with the Border Patrol, to increase our knowledge of how the INS functions at the border.

At the INS, Special Operations Immigration Inspector Juan Vasquez gave us a tour of the International Bridge and showed us how INS monitors those entering the United States as well as how INS detains and questions illegal entrants. Officer Rivera, customs supervisor, then spent a few hours showing us how INS detects the illegal importation of drugs and other contraband with their specially trained dog squad. Officer Kuhlen of the Department of

Agriculture also demonstrated how the agency detects "actionable pests," and described for us a number of products that cannot be imported into the United States.

Our adventure with the Border Patrol occurred at dusk, the time when the border seems most porous. Supervisor Meehan explained the Border Patrol's function in detecting and detaining illegal entrants into the United States. He showed us the detention facility, explained how the agency decides who will be detained and who will be released, and demonstrated some of the high-tech equipment the Border Patrol uses to detect illegal entrants. We then joined Supervising Officer Pat O'Reilly for a ride-along as he patrolled the borders and stopped illegal entrants. He allowed us to talk to the illegal entrants — or "travelers" as they are called by the patrol — and question them regarding their reasons for leaving their home countries.

We came back from this spring-break adventure with a better understanding of how INS works. But what we treasured most was the people we met: the attorneys who selflessly work long hours to represent those who cannot afford legal services; and the clients who trusted us with their stories, showed us life as we did not know it and allowed us to help them. We met a brave Mexican woman and her son who were escaping from an abusive husband and father; a mother and her three young children who may be deported to Mexico after living in



the United States for 10 years because the court found that they would not suffer an "exceptional and extremely unusual hardship" if they were forced to return; a father and his son escaping the ravages of Hurricane Mitch; four young Cuban men who

could no longer tolerate Castro's Revolution and oppression of their human rights and who desired a better life for themselves and Cuba. Besides telling us their stories, they allowed us to hone our legal and advocacy skills, and gave us the confidence that we could be good attorneys and still "do good." And instead of sand and tans from South Padre Island, we brought back to South Bend briefs to be written to the Board of Immigration Appeals.



*The Immigration Clinic student-interns appreciate the generosity of University President Emeritus Reverend Theodore M. Hesburgh, C.S.C.; Reverend Richard Warner, C.S.C., and the Office of Campus Ministry; Reverend John Jenkins, C.S.C., and the Indiana Province of the Congregation of Holy Cross; and Dean David T. Link '58, '61 J.D. and the Notre Dame Law School. Without their support, this trip would not have been possible.*

## Diversity Award

At the annual meeting of the Association of American Law Schools held in New Orleans in January, NDLS received a CLEO Diversity Award. The Council for Legal Education Opportunity (CLEO) program assists deserving members of ethnic-minority groups traditionally underrepresented in legal education by providing educational programs to prepare them for the rigors of law school. NDLS has long supported the CLEO program, through hosting the preparatory program on campus and through providing significant financial support on an annual basis.



## A Celebration of Scholarship

On November 18, 1998, NDLS hosted a Book Party in the press box at Notre Dame Stadium to honor faculty members who had published books in the 1996-97 and 1997-98 academic years. A number of faculty and deans from across the University attended as well, and learned much about the recent scholarship of our faculty. During that time period, NDLS faculty published 35 books or significant book segments. Research Librarian Lucy Salisbury Payne '88 J.D. organized an attractive display of these works to showcase the wide range of scholarship of our faculty.

### FEMINIST JURISPRUDENCE

Jennifer S. Hendricks, a student at the Harvard Law School, was selected as the winner of the NDLS Feminist Jurisprudence Essay Contest. She presented her paper, "Congressional Enforcement of Women's Equality and Citizenship Under the Fourteenth Amendment" at NDLS in November.

## Distinguished Speakers

In October, the Environmental Law Society and the Federalist Society co-sponsored a talk by **Gordon K. Durnil**, author of *THE MAKING OF A CONSERVATIVE ENVIRONMENTALIST* and *IS AMERICA BEYOND REFORM?* Mr. Durnil served as the United States chairman of the International Joint Commission for over four years. He also served as Republican State Chairman for the State of Indiana, and on the Executive Committee of the Republican National Committee.

In November, **Honorable Paul Niemeyer '66 J.D.** of the United States Court of Appeals for the Fourth Circuit delivered a lecture at NDLS titled "Rethinking Discovery." Judge Niemeyer, who chairs the Advisory Committee on the Federal Rules of Civil Procedure, described the extensive changes in discovery that his committee has proposed, along with the future of rules concerning discovery.

Also in November, philosopher **Joseph Dunne** of St. Patrick's College in Dublin, Ireland, presided at a faculty colloquium on the topic of "Professional Judgment and the Predicaments of Practice."

As part of the Olin Distinguished Lecture Series funded by the Olin Foundation of New York City and organized through the Natural Law Institute, **Hadley Arkes**, Ney Professor of Jurisprudence at Amherst College, delivered a lecture at NDLS in February titled "On the Novelties of an Old Constitution: Settled Principles and Unsettling Surprises." Professor Arkes has authored numerous books, including *THE RETURN OF GEORGE SUTHERLAND*, an intellectual biography of one of this century's most capable Supreme Court justices, and *BEYOND THE CONSTITUTION*, an examination of the philosophical presuppositions of the Constitution. He has also been active in political circles helping to draft, among other bills, the Defense of Marriage Act. He contributes a regular column, *Life Watch*, to the monthly magazine *CRISIS*.

For monthly updates on news from the Notre Dame Law School, check out the "NDLS Update" on line at <http://www.nd.edu/~ndlaw/NDLSUpdate/ndlsupdate.html>.

For the Law School calendar of events, log on to <http://www.nd.edu/~ndlaw/calendar/nectcal.html>.

■ **Dan Manier '87, '93 M.S.**, who joined the Law School last spring as director of computing services, has assumed new responsibilities as the director of technology services at NDLS. In addition to continuing supervision over Law School computer services, Mr. Manier now has responsibility for developing and maintaining the Law School's entire technology infrastructure, including audiovisual services and the use of computer technology in the classroom. University Provost Nathan O. Hatch has named Mr. Manier to a new Teaching, Learning and Technology Roundtable, designed to facilitate conversation among those involved in teaching, learning and technology at the University and to recommend to the provost and other campus bodies ideas to develop teaching and technology at Notre Dame, enabling the University to position itself effectively for the future.

■ After 18 years of dedicated service to NDLS, faculty secretary **Corinne Karlin** retired at the end of the fall semester; and after eight years delivering the mail and a cheery smile all around the Law School twice each day, **Brother Tom Balaz, C.S.C.**, also retired in December. We will miss both of them, and thank them for their dedicated service for so many years.

■ In the Admissions Office, staff member **Mary Colglazier** left in November to pursue other opportunities; and in the Dean's Office, **Dana Ruth** left NDLS in February to begin her own business.

■ New additions to the Law School staff include **Gloria Krull** as faculty secretary and **Wendy Noecker** as a staff member in the Admissions Office. Ms. Krull joined the University in 1996 in the First-Year of Studies as a staff assistant to the assistant deans. Ms. Noecker previously worked for KeyBank/Society/National Bank for six years, where her responsibilities included data processing, electronic debits and credits, and customer service.

■ **Deb Fox**, acquisitions assistant on the Kresge Law Library staff, has been elected vice president of the University's Staff Advisory Council, which provides a forum for representatives to discuss staff concerns with University officials. Ms. Fox has served the Law School and University communities well for several years as the Law School's elected representative to the council.

■ And best wishes to **Lisa (Bolanz) Patterson '96 J.D.**, director of career services, on her December marriage to Dave Patterson.

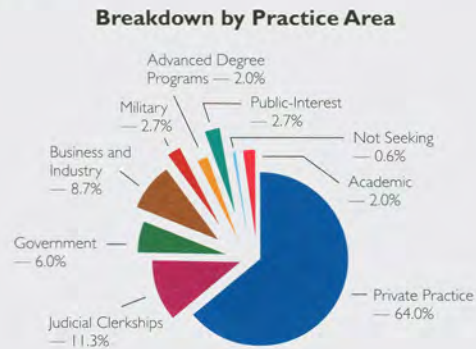
## News from the Career Services Office

### A Banner Year for Employment

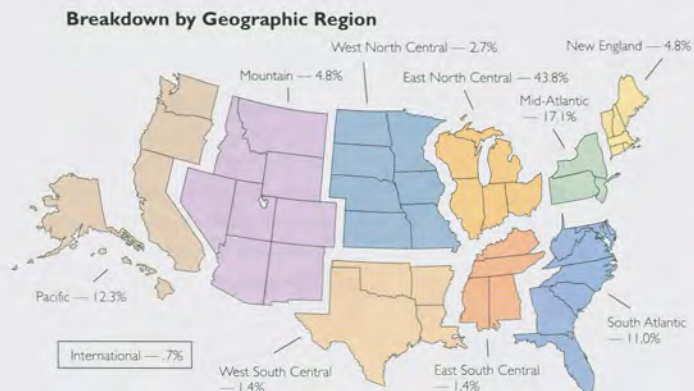
Career Services Director **Lisa M. (Bolanz) Patterson '96 J.D.** reports outstanding employment statistics for the Class of 1998. The March 1999 statistics indicate that with 155 of the 159 class members (97.5 percent) reporting, 150 students are "placed" — that is, they have secured jobs, are pursuing advanced degrees or are not actively seeking jobs — for an employment rate of 96.8 percent (150 students placed out of 155 reports). She is extremely pleased with this rate, which is as high as it has been in recent years.

Average starting salaries continue to climb as well, with an overall mean of \$60,307, up 9 percent from last year, and an overall median of \$60,000, up 3 percent from last year, for the 112 graduates who provided that information. Starting salaries for those in private practice average slightly higher, with a mean of \$68,928 and a median of \$67,500 for the 76 graduates who provided that information.

The chart below identifies the types of placements — including advanced-degree programs — secured by the Class of 1998. Nearly two-thirds of the class chose private practice. Placements in government positions and the military fell slightly from last year, and increased in the judicial clerkship and business and industry categories.



The geographic spread of NDLS graduates reflects the national population from which our students come. As in the past, the majority of NDLS students remain in the "East North Central" area, defined by the National Association for Law Placement (NALP) to include Illinois, Indiana, Michigan, Ohio and Wisconsin. The largest jump in placements this year occurred in the Mid-Atlantic region, defined by NALP to include New Jersey, New York and Pennsylvania, with a corresponding decrease in the South Atlantic, defined to include the southern coastal states.



## Legal Ethics in D.C.: From the Golden Dome to the Capitol Dome

The Lawyers Section of the Notre Dame Club of Washington, D.C., together with the Law School's Thomas J. White Center on Law and Government, organized a thought-provoking continuing legal education program titled "Legal and Ethical Issues of Cloning," on November 12, 1998, as the kick-off event to the club's slate of events for the Notre Dame vs. Navy football weekend. **Doug Young '86, Don Longano '76 and Nancy Zaczek '83 J.D.**, with the assistance of White Center Director **Reverend John H. Pearson '68, '71 M.Th.** and **Gina Mahony '91** of Indiana Congressman Tim Roemer's office, coordinated a conference that was enlightening and thought provoking.

The slate of speakers included distinguished academics and high-level policy makers. The morning panel discussion, moderated by Father Pearson, featured:

■ **Dr. Leroy Walters**, director of the Kennedy School of Ethics at Georgetown University, presented the scientific perspective of cloning. He described the five generally accepted reasons for cloning humans — from a pure "commodity" perspective to a solution for infertility — and noted that the reason for the action affects the moral judgment attached to it. Although he favors public regulation of the cloning enterprise, he prefers regulatory solutions that consider the intent behind the procedure.

■ **M. Cathleen Kaveny**, associate professor of law at NDLS, addressed the relationship between law and morality in the context of cloning, asking how to translate the moral concerns about the science into appropriate laws and policies. She focused on the issue of human autonomy and on how cloning might diminish any sense of autonomy in the person who results from the procedure based on the expectations of the person who initiates the procedure. She asserted that a focus on personal autonomy might lead policymakers in the correct direction.

■ **John H. Robinson '72 M.A., '75 Ph.D.**, associate professor of law at NDLS, then discussed what makes it impossible to succeed in any efforts to develop an appropriate regulatory scheme, including the interests of science, the political process, the intentions of those who desire cloning, and money. He noted that interactions between these competing interests are frustrating at best, and will lead to a system where the fastest movers — money, then science — determine the agenda.

Dean **David T. Link '58, '61 J.D.** gave the luncheon address where he talked about Notre Dame's leadership role in such key issues and hoped for further similar sessions.

■ The afternoon panel discussion featured those involved in policymaking including: **Irene Stith-Coleman** from the Library of Congress, who discussed legislative issues in cloning and the status of current legislative efforts; **Scott Giles**, a staff member of the U.S. Senate Labor and Human Resources Committee, who discussed the speed of technology advancement and the issues being considered currently by the Senate; and **Richard Doerflinger** of the U.S. Catholic Bishops Conference, who discussed the influence of public policy on federal law.

In attendance were a number of Notre Dame alumni, students and faculty from Catholic University of America, Georgetown University and George Washington University, as well as undergraduate students from Notre Dame's Washington, D.C., program. All found the program informative and interesting.

The D.C. Club and the White Center hope to develop a similar program for the spring of 2000. If you're interested in helping with the arrangements, please contact Doug Young at (703) 892-5823.

### FALL CLE

This fall, NDLS will again offer three programs on select home-football weekends — **ND vs. Oklahoma** (October 2, 1999), **ND vs. Navy** (October 30, 1999) and **ND vs. Boston College** (November 20, 1999) weekends. If you did not receive information on last year's program but would like to receive next year's mailing, please notify Cathy Pieronek at the Law School Relations Office.

### ADR PROGRAMS

NDLS and the Trillium Group have scheduled two more Alternative Dispute Resolution continuing legal education programs focusing on negotiation and mediation. The four-day programs provide 24.5 hours CLE credit through the Law School, and will be offered in **Cleveland, Ohio**, May 25-28, 1999, and in **Phoenix, Arizona**, June 8-11, 1999. For more information, please contact the Trillium Group directly at (416) 307-0027.

### FOR MORE INFORMATION

If you need any information about Law School programs or activities either on campus or in your local area, if you have an address change, or if you don't know who else to call to help you with your particular needs, please contact Cathy Pieronek, director of Law School Relations:

by mail 118 Law School  
Notre Dame, IN 46556  
by phone (219) 631-6891  
by fax (219) 631-4789  
by e-mail catherine.f.pieronek.1@nd.edu

## News from the Center for Civil and Human Rights

### Human Rights at Home — the Death Penalty Question

The international composition of its student body, together with recent high-profile efforts to support the international criminal tribunals in the former Yugoslavia and in Rwanda, gives the work of the Center for Civil and Human Rights (CCHR) a decidedly international flavor. The CCHR, however, also addresses human-rights issues in the United States. One recent effort in Indiana has brought the CCHR a fair amount of attention from local politicians and media for its work on abolishing the death penalty — not only overseas, but close to home as well.

In February, the Indiana State Senate Committee on Corrections and Civil and Criminal Procedures debated a proposal by State Senator Cleo Washington (D-South Bend) urging a full legislative review of the death penalty in Indiana. Senate Bill 298 failed by a seven to four vote to move out of committee to the full legislature despite efforts by faculty and students in the CCHR to persuade lawmakers to abolish the death penalty. The CCHR's statement is available through the Law School Relations Office.

At the invitation of Senator Washington, NDLS Dean **David T. Link '58, '61 J.D.** addressed the Indiana Senate committee, and reports that one senator changed his mind and voted for abolition of Indiana's death penalty precisely because of the dean's statement. Dean Link also announced a new ecumenical effort in Indiana, to be coordinated through parish churches, to oppose the death penalty in Indiana. Dean Link's address is also available through the Law School Relations Office.

On the same day the Indiana Senate committee debated the measure, Associate Dean **Fernand N. "Tex" Dutile '65 J.D.**, Associate Professor **Jay Tidmarsh '79** and LL.M. candidate **Paul Simo** of Cameroon, West Africa, participated in a panel discussion on campus titled "The U.S. Justice System: The Death Penalty in Question," sponsored by the University's African and African-American Studies program and the Department of History.

### Distinguished Speakers — Human Rights Roundtable

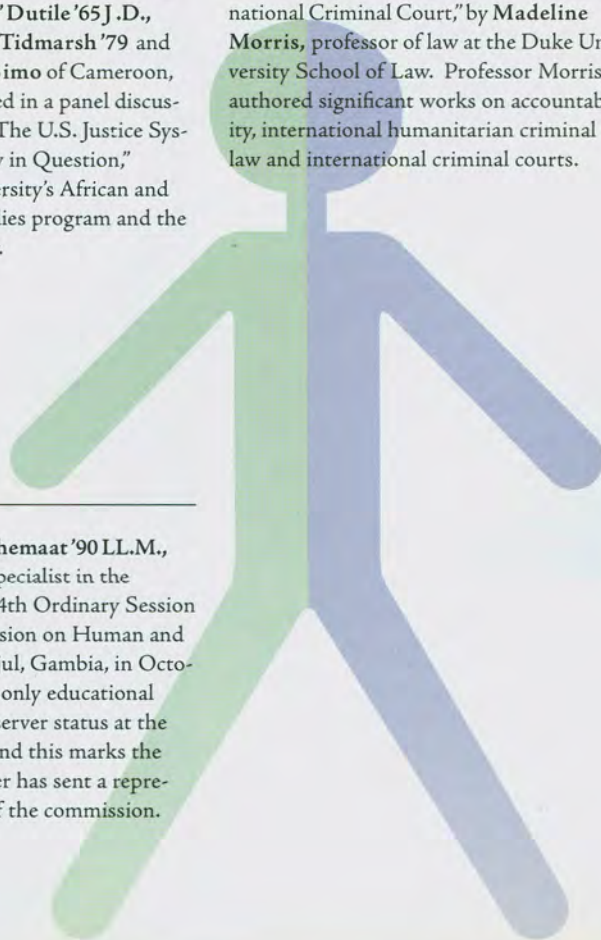
In November, the CCHR sponsored a Human Rights Roundtable on "Implementing the Protection of Human Rights in the Inter-American System" conducted by **Gustavo Gallón**, a member of the Colombian Commission of Jurists and currently a visiting residential fellow at the University's Kellogg Institute for International Studies.

The February Roundtable featured a presentation on "Complementarity and Its Discontents: States, Victims and the International Criminal Court," by **Madeline Morris**, professor of law at the Duke University School of Law. Professor Morris has authored significant works on accountability, international humanitarian criminal law and international criminal courts.

### Activities Around the World

**Kelly Askin**, visiting scholar in the CCHR, together with NDLS Professor **Teresa Godwin Phelps** and LL.M. candidate **Sharelle Aitchinson '99 LL.M.**, filed an *amicus curiae* brief before the International Tribunal for the Former Yugoslavia arguing, among other things, that rape-counseling records should be afforded privilege. The tribunal accepted the brief in November.

**Ada Verloren van Themaat '90 LL.M.**, assistant professional specialist in the CCHR, attended the 24th Ordinary Session of the African Commission on Human and Peoples' Rights, in Banjul, Gambia, in October. The CCHR is the only educational institution that has observer status at the African Commission, and this marks the first time that the center has sent a representative to a session of the commission.



# Notre Dame Advocates: An Opportunity for Service

BY JOHN BLAKELEY '97, '98 LL.M.,  
PROGRAM COORDINATOR, NOTRE DAME ADVOCATES FOR HUMAN RIGHTS

Recently, I read about a woman who had served as a nurse during the war in Vietnam. While home on leave, shopping in a mall with friends, the absurdity of her surroundings assaulted her. She broke down in tears at the realization that most people seemed oblivious to the thousands, even millions, who at that very moment struggled to retain their humanity amidst the terror of modern warfare.

I've shared very similar feelings. While returning from a protest of an execution here in Indiana, I stopped for gas. Still shaken from the thought — worse, the reality — of premeditated killing, I encountered a store clerk who greeted me with the cheery inquiry, "Did I need anything else?" I had to wonder whether she knew that "we" had just killed one of our own. Similarly, after a trip to Haiti with the Christian Peacemaker Teams (see *Notre Dame Lawyer*, Fall/Winter 1996) I stood in the center of the student lounge at the Law School. Still processing the despair and violence I witnessed in Central America, I watched in wonder at the superficial conversations and trivial arguments taking place all around me. Could they even know...?

Anyone who works with "the extreme" has experienced this alienation and desperation. And for human rights lawyers, it comes with the territory. The late Reverend Bill Lewers, C.S.C., founder and former director of the Center for Civil and Human Rights (CCHR), would have known this feeling well. He witnessed first-hand the gap that separated traditional law students from the attorneys he brought to the center to explore the boundaries of civil and human rights. Yet where the cynical saw a chasm, Father Bill saw a mere gap. And he dreamed not only of bridging that gap, but developing a widespread network of attorneys motivated to protect human rights. His dream takes shape this year as the CCHR establishes Notre Dame Advocates for Human Rights.

Notre Dame Advocates focuses on providing assistance to those attorneys — for the most part, graduates of our LL.M. program — who are working to secure fundamental human rights throughout the world. Though these attorneys are well equipped with intellectual and legal tools, their efforts are often hampered by inadequate resources and an overwhelming demand for their services.

Judith Robb '95 LL.M. works as one of only two attorneys with the Farm Workers Project in the Stellenbach Rural Office in South Africa. In an effort to prevent the eviction of two farm-worker families she sought to invoke a right to family life. Unable to draw anything useful from the limited materials in her office and unable to get assistance from advocates, academics and the Gender Commission in South Africa, she turned to Notre Dame Advocates. Within 24 hours she received the materials she needed to advance her arguments. Other cases in which Notre Dame Advocates have been actively involved include a lawyer in Malawi whose license had been revoked, a Liberian immigrant who has been threatened with torture and death if deported, and Native Americans in the State of Washington seeking a spiritual easement.

At first, it might seem intimidating for a conventional attorney to get involved with cases addressing foreign and international law. Many might think that they have neither the time nor the expertise to assist in these worthy causes. In most of these cases, however, complex issues can be separated and simplified into less daunting projects. For example, in the Malawi case mentioned above, the courts of Malawi regularly adopt

the reasoning used in decisions from Canada, the United States and the United Kingdom. A simple brief explaining what our courts do and why they decide cases in a particular manner can be very helpful by saving the local attorney precious time and money in researching and writing about these issues. In other cases, the forum is somewhat more familiar — the U.S. federal court system — only with an additional international dimension.

Beyond direct legal research support, Notre Dame Advocates support human-rights work and human-rights workers in a variety of ways. Because of the nature of their work, human-rights attorneys naturally become targets of those in power. This happened recently to Bruce Harris, director of Casa Alianza in Guatemala, where Nadia Soundy '98 LL.M. worked as an intern. In addition to submitting an *amicus* brief to the Guatemalan Supreme Court regarding defamation and the freedom of expression, Notre Dame Advocates followed up with letters, faxes and phone calls to government officials in Guatemala and the United States. In a similar manner, Notre Dame Advocates have actively supported the extradition to Spain of General Pinochet (10 of our graduates hail from Chile) and will begin a letter writing campaign to LaHore, Pakistan, the home of Ali Qazilbash '97 LL.M., whose brother was murdered last year.

To support these causes and more, Notre Dame Advocates are laying the foundation for a network of lawyers and a program of support that will serve Notre Dame, its graduates and a world thirsting for justice well into the 21st century. We invite each of you to join our efforts in a way that makes sense for you — whether you are most comfortable with what has become a specialty practice area for you, whether you embrace the challenges of new and untested law, whether you have time and money to contribute, or whether you have the interest and an expertise to share. Each input makes our network stronger.

For more information contact:

John Blakeley

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## THE MISSION

Notre Dame Advocates for Human Rights have many functions. All Notre Dame lawyers are welcome to join in any of the efforts listed below:

- promoting student and alumni involvement in human rights work;
- providing legal research support to attorneys abroad who lack the resources necessary to achieve their goals;
- providing direct advocacy on human-rights issues in national and international courts;
- writing *amicus* briefs in support of human-rights issues;
- participating in on-site reporting and investigative teams;
- serving as expert witnesses;
- introducing innovations and sponsoring research to expand the use of international law;
- sharing lessons learned among a network of human-rights advocates;
- providing on-site human-rights education;
- creating partnerships with similar organizations throughout the world; and
- sponsoring an annual human-rights awards dinner at the University.



## News from the Order of St. Thomas More

### Order of St. Thomas More Continues to Grow

OVER THE PAST YEAR, the Order of St. Thomas More continued to grow with membership reaching 354. The total consisted of 299 Notre Dame Law School graduates, 40 other Notre Dame graduates and 15 friends. Each member contributed at least \$1,000 to the Law School in 1998.

Patrick F. McCartan '56, '59 J.D., chair of the order, commented favorably on the results:

"While I am pleased with the 12 percent increase in membership over last year, I believe we can do even better. We owe it to both current and future students to help as much as possible in funding the Law School's priorities, especially financial aid."

Following is a listing by law class year of giving to the Law School for 1998.

Law Class	Number of Graduates with Valid Address	Graduates Who Made a Gift to the Law School	Order of Percent of Participation	St. Thomas More Members	Law Class	Number of Graduates with Valid Address	Graduates Who Made a Gift to the Law School	Order of Percent of Participation	St. Thomas More Members
1913	1	0	0%		1962	37	17	46%	5
1922	1	0	0%		1963	31	13	42%	5
1926	1	0	0%		1964	40	14	35%	8
1927	1	1	100%		1965	39	10	26%	4
1928	1	0	0%		1966	50	17	34%	13
1929	4	1	25%	1	1967	58	18	31%	7
1930	4	0	0%		1968	53	18	34%	6
1931	5	0	0%		1969	77	30	39%	10
1932	2	0	0%		1970	68	19	28%	10
1933	6	0	0%		1971	75	27	36%	9
1934	3	0	0%		1972	128	45	35%	19
1935	3	0	0%		1973	190	45	24%	10
1936	10	1	10%	1	1974	132	32	24%	6
1937	6	1	17%	1	1975	114	32	28%	17
1938	7	1	14%	1	1976	132	27	20%	5
1939	7	1	14%		1977	146	30	21%	7
1940	13	2	15%	1	1978	141	24	17%	8
1941	10	1	10%		1979	139	23	17%	9
1942	15	6	40%	1	1980	150	34	23%	10
1943	8	2	25%	1	1981	146	43	29%	19
1944	12	4	33%	2	1982	143	40	28%	7
1945	6	3	50%	1	1983	162	36	22%	3
1946	6	1	17%		1984	155	30	19%	1
1947	14	3	21%		1985	153	31	20%	5
1948	35	9	26%	2	1986	170	35	21%	5
1949	43	14	33%	2	1987	164	42	26%	3
1950	36	14	39%	4	1988	164	24	15%	1
1951	67	19	28%	6	1989	175	41	23%	5
1952	40	12	30%	3	1990	170	30	18%	3
1953	37	10	27%	4	1991	174	28	16%	3
1954	30	7	23%	2	1992	185	33	18%	2
1955	40	10	25%	4	1993	209	31	15%	1
1956	43	6	14%	3	1994	182	24	13%	1
1957	39	12	31%	2	1995	193	27	14%	2
1958	27	10	37%	4	1996	195	25	13%	1
1959	32	14	44%	9	1997	200	37	19%	2
1960	27	5	19%	5	1998	175	20	11%	1
1961	44	12	27%	5	<b>Total</b>	<b>5,601</b>	<b>1,234</b>	<b>22%</b>	<b>299</b>

## News from Law School Development

### Law Library Expanding International Collections

THE LAW SCHOOL'S INCREASING GLOBAL OUTREACH is being addressed by Associate Dean and Director of the Kresge Law Library Roger F. Jacobs and his staff. Some 13 collections in the international area form part of a list of nearly 60 collections identified as crucial to enhanced teaching and scholarship in the Law School.

The following list of endowment opportunities would enrich significantly the information resources the library can provide NDLS students and faculty in the international area. If you are interested in more information about any of these collections, including how to arrange for their funding and be recognized with a commemorative plaque in both the Hesburgh and Kresge Libraries, please contact the Law School Relations Office at (219) 631-4083.

Name of Collection	Endowment Needed	Annual Income Needed	Name of Collection	Endowment Needed	Annual Income Needed
<b>International Public Law</b> The rapidly growing field of international law, which concerns the law among nations, has created a constantly increasing demand for legal information. This is a library priority.	\$600,000	\$30,000	<b>International Family Law</b> With the world becoming a global village, legal problems concerning families have become matters of multinational and international law. The many international treaties and conventions on families are nationally significant areas of scholarship for Notre Dame.	\$100,000	\$5,000
<b>International Human Rights Law</b> Each year, the University's Center for Civil and Human Rights in the Law School enrolls 12 to 15 lawyers from around the world in an advanced study program, and must acquire a wide variety of human-rights research materials to support its work.	\$400,000	\$20,000	<b>Comparative Legal Systems</b> Multinational legal transactions are becoming commonplace, and students must be made aware of the legal structures and essential concepts of non-common law legal systems.	\$70,000	\$3,500
<b>International Commercial Law</b> Legal aspects of international trade activities are normal occurrences for many attorneys today. Numerous and expensive titles have been published recently on GATT, NAFTA and other international commercial law developments.	\$200,000	\$10,000	<b>Foreign Law Journals in English</b> English is the international language of law, and many nations realize it is essential to make their legal concepts and theories available to all scholars, regardless of their nationality or language proficiency. Today, an increasing number of law journals from non-English speaking countries are becoming available in English.	\$70,000	\$3,500
<b>Private International Law</b> This area governs transnational legal affairs between nongovernmental organizations such as corporations and between private citizens. This specialized area of practice and research has been developing rapidly in the wake of global business activity, communication and travel.	\$200,000	\$10,000	<b>Asian Law</b> Legal aspects of commercial trade with Pacific Rim nations continue to be of significant importance to the American legal community, and the library plans to build a collection of Asian legal materials translated into English as they become available.	\$50,000	\$2,500
<b>Commonwealth Law</b> Materials from all common-law countries provide a wealth of information on the development of the common law in other English-speaking countries. Scholarly monographs in individual areas of the law and important law periodicals from those nations where the common-law system has taken root are essential in wrestling with problems in American law.	\$100,000	\$5,000	<b>International War Crimes Tribunals</b> International tribunals are becoming the primary means of dealing with war crimes, and this is an important development in establishing the moral and ethical norms for military behavior. Tribunals are in session currently to deal with the war crimes committed in Rwanda and the former Yugoslavia. Students from Notre Dame's Center for Civil and Human Rights serve regularly as clerks to the International War Crimes Tribunals at The Hague, and research materials in this area would further the center's work.	\$50,000	\$2,500
<b>Hispanic Law</b> The proximity of Central and South America to the United States dictates a shared interest on legal issues such as trade, human rights, immigration, environmental and labor law. Additionally, Notre Dame shares in the values and traditions of Latin America, making this an opportunity for collaborative programs.	\$100,000	\$5,000	<b>Scottish Law</b> The Scottish legal system combines much of continental civil and Roman law traditions with some common law concepts. Scottish materials provide an interesting window into European civil law. A small collection of Scottish treatises and primary material will form a very useful collection for comparative legal research.	\$50,000	\$2,500
<b>International Environmental Law</b> While most nations struggle to balance environmental protection and industrial development within their own borders, it is also obvious that environmental pollution knows no national boundaries. This area is rapidly emerging as the logical, legal scheme for protecting the earth's environment, and is an area in which Notre Dame can engage in world-class research.	\$100,000	\$5,000			

Why \$12 million for Law School fellowships?

Why \$4.5 million for library collections?

Why the Law School Annual Fund?



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