Office of the Dean

Dean's Desk
Monday, May 1, 1972

Happy Law Day! Our graduating seniors will observe the occasion, and other current events, at dinner Wednesday; their speaker will be Terry Lenzer, former head of O.E.O. legal services and defense counsel for Fr. Berrigan and other defendants in the Kissinger-in-the-tunnel case. I will speak at the Niles Rotary Club today and at the annual meeting of the Elkhart County Bar Association Thursday.

Congratulations to Phil Vaglica, new director of the Notre Dame Moot Court...to James F. Flynn, '65L, who recently won his first appeal in the Supreme Court of the United States (Airport Authority v. Delta Air Lines, April 19)...to the new officers of the Student Bar Association....Gregg Zive, executive vice president; Margie Cardamone, secretary; Tom Kronk, treasurer; and Pat Rossi, Law Student Division representative....also to the new officers of the second-year class ('74L)—Cliff Fleming, president; Joe Rath, vice-president; and Dave DeMuro, secretary-treasurer....and to the new officers of the third-year class ('73L)—Bruce Kelly, vice-president and Mary Ellen Drury, secretary-treasurer. For the first time in our student elections, the races for S.B.A. president and for president of the third-year class cannot be decided until the absentee ballots arrive from London.

The Notre Dame Practice Court heard 30 cases, involving 118 students this year—its largest docket ever. The Court used 221 witnesses, 340 jurors, 12 judges. Our judges and Prof. Barrett conducted 50 critique sessions. The average time of trial was 7½ hours; average jury deliberation was two hours. "I am glad to report," Prof. Barrett says, "that, due mainly to the response of the students, we did not have to lower our sights. Not a single case was prepared or tried in an unsatisfactory manner."

Congratulations to the new officers of our Law Wives Club—Dee (Mrs. Richard) Miller, president; Mary (Mrs. Richard) Reinthaler, vice-president; Pattie (Mrs. Thomas) McCarthy, secretary; and Mary (Mrs. John) Holinka, treasurer. The faculty wives were hostesses at the club's last meeting; Mrs. Nathan Levy was guest speaker....Congratulations also to recent graduates who moved to the pinnacles of law-firm partnership—including Thomas Joyce, '63L, at Shearman and Sterling, New York City; Francis M. Gregory, Jr., '65L, at Sutherland, Asbill, and Brennan in Washington; and Charles A. Bonniwell, '61L, in his own firm in Corpus Christi. (Tony is also mayor of that city.)...also to Steve and Parrolee Boone, '71L, (Patrick, born March 21 in Detroit)....and to Tom Dovidio, '72L, who drew high and official praise after a career-day appearance at Fenwick High School in Oak Park.

Unofficial word is good on two major proposals for sponsored research here—on Prof. McIntire's training-grant proposal for a specialized professional program in environmental law; and on our joint venture to establish
here a National Advocacy Center for the Developmentally Disabled; Prof. Murdock and I are working with Mr. Linden Thorn and the St. Joseph County Council for the Retarded on the latter venture.

Prof. Broderick was elected president of the Notre Dame chapter of Beta Kappa; he is again co-editor and co-director of the annual Union-Man ment Conference....Judge William Jones, '31L, of the D.C. federal distric court is chairman of the Board of Directors of the National Institute for Trial Advocacy....Get well wishes to Prof. Rodes, who taught his seminar week from a bed of pain....The class of 1962 will reunite May 6, on campus and will join us for brunch before the spring football game, and after the game for our law school spring picnic....Several of us participated in one of the annual spring meeting of the Indiana State Bar Association, on campus last week....The officers and directors of the Notre Dame Law Association meet here May 13; Frs. Hesburgh and Burtchaell, Mr. Faccenda, and Associ Dean Link, Miss Jeffers, and I will join NDLA president Martin Torborg, in reporting to our alumni leaders....Assistant Dean Foschio participated April 27 in the Operations Research Society of America Conference in New Orleans and described the Notre Dame Court Delay study.

Our women students have formed a new Notre Dame Women's Rights Assoc to pursue their common interests and to act as an advocacy organization for women. Judy Snyder, '73L, is president; Mary Martha McNamara, '73L, is secretary and Stella Owens, '73L, is treasurer; membership is open to men.

Visitors: Dean Paul Moritz, of Yale College....Harold Schwartz, Distinguished Columbia lawyer and until recently Assistant Commissioner of Internal Revenue (Technical)....Jack Roe, '68L, just out of service as a military lawyer....Dr. Martin Feferman, lecturing on orthopedic injuries, April 25; Judge Norman Kopec, '51L, here to help in Prof. Broderick's trial seminar.

Travelogue: Tim Hartzer, '72L, our S.B.A. president, representing us at a conference on alternative forms of practice, at the University of Miami. Prof. Osakwe, on a panel on models for international order, during the meeting of the International Law Society in Washington....Prof. Moo, on panels on Uniform Commercial Credit Code, in Indianapolis and Ft. Wayne....Associate Dean Link, participating in a seminar on simulated intelligence for lawyers at the Stanford Law School, April 28....Prof. Rice in Dubuque, speaking at Clarke College, on abortion....and Prof. Beytagh, who hit the headlines in the Virgin Islands, with an address to the constitutional convention and learned testimony on reapportionment.

We had 1,532 applications for next year, as of April 15 (compared to on April 15, 1971); we have accepted 144 (net), of which 101 are confirmed. Gerard K. Sandweg, '67L, St. Louis, will represent us at a building dedic at the Washington Law School, and Prof. Booker will perform similar dutie Florida State....Our Cass County legal internship program looks good for 1972-73; Dick Shafner, '73L, is the new Cass County LADA director; f our students will work in that program on a full-time basis this summer a another 25-30 will be assigned there during the next academic year.... R. Enz, '73L, serves on the university-wide Advisory Committee for Coeducat.
Three professors in the College of Engineering will offer a special course for law students next fall—in "consumer materials and products liability"; the course is a specialized study of materials-science principles as they apply to litigation involving product failure....Father Hesburgh, who has been a recurrent angel in the acquisition of materials on Indian law for our civil rights collection, recently sent over a new handbook on Indian civil rights, published by the U.S.Commission on Civil Rights, and a study on Indian civil rights prepared by Tim Sweeney, '70, who is teaching at an Indian mission school in South Dakota....Assistant Dean Foschio has been appointed to an A.B.A. task force on offender employment restrictions....John Dorgan, '29, and A.A. Sommer, '48, will meet with Associate Dean Link and me Friday, to plan the fall meeting of the Law Advisory Council.

Our semester will end this Friday, May 5; examinations begin next week.

The April '72 Lawyer is an apparent record for size (407 pages) and teems with interest:

--articles on cable TV (by Prof. Barnett of California-Berkeley); control of behavior through law (by Professors Anderson and Whitman, Notre Dame psychologists); rights of federal employees (by Mr. Berzak, Chairman of the Board of Appeals, U.S. Civil Service Commission); and two law-and-psychology pieces (by Mr. Marshall of the New York Bar and by me).

--student notes on the Pentagon Papers, "No-Fault" divorce, prenatal-injury damages, equipment leases under the UCC, the pre-emption doctrine in labor cases, and specific performance of construction contracts.

--case comments in environmental law, expatriation, and invasion of privacy.

--book reviews by Prof. Pusateri (St. Louis) and Mr. Tomc of the New York Bar.

T.L.S.
DEAN'S DESK
Monday, May 15, 1972

The officers and directors of the Notre Dame Law Association were on campus Saturday for their annual spring meeting. President Martin Torborg, '74L, Fort Wayne, presided; several members of the Faculty participated, along with Fr. Burtchaell, Mr. Faccenda, and Tony Palumbo, our new S.B.A. president.

Good news: Two graduating couples have kept alive the tradition of having babies just before final exams; congratulations to Edward Hamilton Artzer and Scott Friedman...Rich Kelly, '72L, has been accepted into the LL.M. program in international and comparative law at the Free University of Brussels, and has been awarded a fellowship there for 1972-73...Michael Eng, '67L, has taken a leave from the litigation section of Jenner and Block, Chicago, to work with the Lawyer's Committee in Cairo, Ill., litigating for the poor. Mike worked with Fr. Lewers and other students in the Committee's Jackson, Miss., offices when he was a student here...The Board of Governors of the Center for Judicial Education met here April 29; Assistant Dean Foschio is a member.

The Class of 1972 will receive diplomas in an all-Law School ceremony in the Memorial Library Auditorium, beginning at noon on May 21. Prof. Rice, who received our first annual Distinguished Teaching Award, a tradition established by this year's graduating class, will give the charge to the graduates. The Law Wives will serve as hostesses for a reception following the ceremony and preceding the general University commencement. The Law School's honorary-degree laureate at the main ceremony will be Justice Walter V. Schaefer of the Illinois Supreme Court, one of the nation's greatamon-law judges, a member of our Advisory Council, and an old and good friend of the Law School.

Prof. Broderick was honored at our picnic on May 6, for his 25 years of service to the Law School; he also received a diamond pin from Father Hesburgh at the President's Dinner, May 2...Mr. Terry Lenzer, former head of legal services for the O.E.O., spoke at our senior dinner, May 3; he outlined theustrations of maintaining a legal-services program in a political atmosPHERE...Congratulations to Gregg and Franny Zive (Joshua, born May 8).

Prof. Broden was elected vice-chairman of the new South Bend United Religious Community (successor organization to the Council of Churches here); he has long been active in the religious and community life of this area and a Knight of St. Gregory...Prof. Rice participated on May 8 in a conference of physicians and clergy on abortion and euthanasia, at Memorial Hospital Jasper, Ind. His article on the proposed constitutional amendment to
permit prayer in public schools will appear in the South Carolina Law Review this summer...I gave the U.N.D. talk in Decatur last Tuesday...Prof. Broderick is again co-editor of the proceedings of the labor-management conference; this year's title is "A Realistic Look at Negotiations Today."...Prof. Beytagh represented us at the annual meeting of the Seventh Circuit Bar Association last week in Indianapolis...I have been appointed to the faculty of the Law Teaching Clinic of the Association of American Law School, to the faculty Advisory Board on the Uniform Probate Code, and to the board advisors of the Estate Planning Institute...Admissions as of April 28: 113 confirmed, out of 1,544 applications.


--a very high percentage of our graduates are in public service (14% as compared with 9% at Yale, and Harvard, 11% at Michigan, 10% at Chicago and 12% at Stanford, Cornell, and Boston College);

--more of our graduates, by percentage, are on the bench (4.5%) than those of any other school noted here;

--we rank with Boston College and Cornell (but well below Chicago, Harvard, and Yale), in percentages of graduates in teaching.

--percentages in private practice range from 73% (Georgetown) to 87% (Harvard); N.D, Stanford, and Duke have 83%.

Visitors: Warden Russell Lash of the Indiana State Prison, in Prof. Dutile's Administration of Criminal Justice course; the class also visited Warden Lash...Dr. Wolf Wolfensberger, international expert on mental retardation, as a guest of Prof. Murdock's and Dr. Kunz's seminar on law and retardation, and as the annual dinner speaker for the St. Joseph County Council for the Retarded...John W. Thornton, '50, '56L, who practices in Miami...William Kelly, '62L, here to talk to our students about big-firm practice in Chicago...Carl Eiberger, '54L, here to talk to us about practice in the Mountain West...members of the law classes of 1962 and 1968, here on May 6 for a pleasant reunion among themselves and with those of us who taught and studied with them in the dim past...Mr. John Dorgan and Mr. Alphonse A. Sommer, both of our Advisory Council, here to help us plan for next fall...Thomas Schussler, deputy attorney general of Ohio, here to interview students for appointment as specialists in environmental law.

A touchingly well written last issue of the 1971-72 London Irish Times ("the perspicacious fortnightly") advises us all to keep alive our sense of humor; notes the London Centre is replete with "exams and papers and a bit of the old push and cram;" and provides perspective for probate lawyers from a great Hoosier (Kurt Vonnegut). Many thanks to John Olsen and his brave sailors for a delightful succession of dispatches from the Mother Country.

T.L.S.
Dean's Desk
Tuesday, May 30, 1972

Our graduating class, 135 strong, received their degrees during the University commencement May 21, and their diplomas in a separate Law-School ceremony presided over by the Faculty and visited by Father Hesburgh, Mr. Stephan, Dr. Kingman Brewster of Yale, and our Law-School honorary degree recipient, Justice Walter V. Schaefer of the Supreme Court of Illinois. The Law Wives offered a superb reception following our ceremony; the diploma ceremony was by all accounts the best attended in living memory.

William J. Maledon (Mich.), who will clerk for Mr. Justice Brennan beginning in July, graduated "with highest honors" (the vernacular liturgy's version of "summa cum laude"), a very rare honor among our graduates. Four students--Francis Gebhardt (Mont.), Stephen Hellrung (Missouri), Victor Koenig (Iowa), and Paul Tomasi (Mich.), graduated with high honors; and six graduated with honors--Mario Beltramo (Calif.), Michael McGloin (Mont.), John Schmutz (N.Y.), Christopher Schraff (Ohio), Raymond Seitz (N.Y.), and Thomas Young (Calif.). Prizes for academic excellence went to Messrs. Maledon, Gebhardt, and Schmutz, and to Miss Jessalyn Pendarvis (Ala.), John Suminski (N.J.), and Dennis Tushla (Nebr.).

Half of the 1972 graduates will go directly into private practice; about one fourth of them will go into public service; nine into military, three into legal-aid work, seven into prosecutors' offices and five into other government service. One each will go into corporate legal work and teaching; two will go on to further full-time study, and 18 will take up judicial clerkships. Dr. Richard Willemin of the University Placement Bureau, reports that the average starting salary for our graduates this year is $12,750.

Assistant Dean Foschio was in St. Louis last week, participating in a regional conference on criminal law; he and Associate Dean link will return here June 8 and 9 to present our LEADIX proposal for a study of court delay in that city...Prof. Beytagh attended a reunion of Chief Justice Warren's former law clerks, May 21 in Washington; he was recently admitted to the Indiana Bar but does not yet have a bow tie...George Murphy, '51L, Chicago, and Fr. Lewers are at work on a project in Dublin in which our students would work with the Archbishop on problems of the poor there, most particularly housing problems...Associate Dean Link will be a speaker in the Economics and Management Conference of the American and Canadian Bar Associations June 2-4 in Toronto; he addressed the Cass County Bar Association on May 18.

Mrs. Grace Olivarez, '70L, is new director of the Institute for Social Research and Development at the University of New Mexico; she will also be on
the law faculty at that University...Her classmate, John Freeman, is leaving private practice in Cleveland to take up a fellowship at the Center for the Study of Financial Institutions at the University of Pennsylvania.

Thomas Crehan, '59L, Los Angeles, was elected to the Board of Directors of the Notre Dame Law Association at the Board's meeting May 13; he succeeds Judge Richard Byrne, Los Angeles, who was recently appointed to our Law Advisory Council...Prof. Osakwe has resigned from our faculty to accept a position on the Law Faculty at Tulane; he will also spend three summer sessions in post-doctoral study at Harvard; the faculty here voted its commendation appreciation to him and granted him a lifetime subscription to the Dean's Prof. Godfrey C. Henry, formerly of our Faculty, has been appointed assistant dean and lecturer at the Rutgers University School of Law in Newark...Mr. Thornburg of our Faculty was cited during commencement exercises at DePauw University for "outstanding achievements and services which reflect honor on DePauw," from which he graduated in 1933...Michael J. Stepanski, '65L, was recently appointed senior attorney in the general counsel's office of Bend Corp...Prof. Dutile will teach at the Catholic University of America this summer...Congratulations (and the Gerber award) to the Jerry Bambricks, '72 whose five-day-old son was the youngest in attendance on May 21...And to Clair and Joyce Fleming, '74L (boy, born May 23).

I will be away from the Law School from June 9 through July 7, completing summer training at the N.T.L. Institute for Applied Behavioral Science in Bethel, Maine. Associate Dean Link will receive all complaints in my absence, and may or may not elect to prevent this little piece from suffering its full lapse in nearly a year.

Classes are finished in London and final examinations began last week; those students will be on their way home in June; our Centre will close for the summer June 27, shortly after a reception and stern admonitions on the work ethic from Prof. Thornton to begin our summer London session on the Brunei campus near London. Prof. Booker's 1972-73 London group were cleared for group air transportation to London September 12; Andres D'Aguero, '74L, will be Prof. Booker's administrative assistant.

Judge Shogo Takahashi, who has been with us this year, returned to his home and his court in Japan last week. He and his wife and three-year-old son lived this year in University Village; he is the sixth in a series, which will continue next year with Judge Ota from Tokyo, of Japanese jurists who have spent a year with us. Judge Takahashi came to us from the District Court in Tokyo; he will return to the Family Court in Kamagawa (near Kyoto), where he will specialize in juvenile cases. He expects to be transferred after one year to the district court, with general civil jurisdiction, in that city.

Prof. Kellenberg, Asst. Dean Foschio, and Sally Zack, '73L, will represent us at a conference on community programming for juvenile justice, at the invitation of the Department of Health, Education, and Welfare, June 4-6 in Cleveland...Miss Hopkins will represent us at the Law School Admissions Test Council Meeting in Vail, Colo., this week...Dean O'Meara represented us this month at the annual meeting of the American Law Institute in Washington; the Institute is discussing new editions of the Restatements of Contracts and...