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NDLS Update 04/1996

Notre Dame Law School

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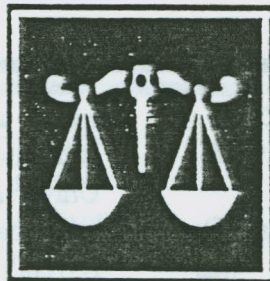


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NDLS Update

News from the Notre Dame Law School

Vol. V, No. 9
April, 1996

TEX DUTILE
EDITOR

ALAN GUNN APPOINTED TO CHAIR

On March 29, Dean Link notified the faculty that Father Malloy had appointed Alan Gunn as the John N. Matthews Professor of Law. The informal announcement stressed that the appointment "is effective as of this semester," even though the formal inauguration will not occur until Fall.

Alan came to Notre Dame from Cornell in 1989. At Notre Dame, he has taught Contracts, Insurance, Law and Economics, Taxation, and Torts. Among his publications are *PARTNERSHIP INCOME TAXATION*, in 1991; *CASES ON FEDERAL INCOME TAXATION*, a third edition of which appeared in 1992; and *STUDIES IN AMERICAN TORT LAW*, in 1994.

Alan received his B.S. from Rensselaer Polytechnic Institute in 1961 and his J.D. from Cornell in 1970. He served as Articles Editor for the *CORNELL LAW REVIEW*. Admitted to practice in the District of Columbia in 1970, he practiced law there until 1972. He began his

academic teaching career at Washington University in St. Louis in 1972, leaving that school for Cornell in 1977. At Cornell, he quickly climbed the academic ladder from Associate Professor in 1977 to the J. duPratt White Professorship in 1984.

Superb teacher, scholar and colleague, Alan richly deserves the honor expressed by his selection for the Matthews Chair. Congratulations and best wishes!

TRAI LE HONORED AT RECEPTION

On April 18, Professor Trai Le received accolades and best wishes at a reception marking her retirement from the full-time faculty at NDLS. The Women's Legal Forum and the Asian Law Students Association hosted the event, which took place at the Morris Inn. The invitation cited Professor Le "as the first woman and first Asian-American faculty member of the Notre Dame Law School," and alluded to "her many contributions over the past twenty years."

GREG RUTZEN APPOINTED DIRECTOR OF CAREER SERVICES

Greg Rutzen, who received his J.D. from Indiana University in 1987, was recently named the Director of the Law School's Career Services Office. Greg already knows the ropes—he served the past year as the Assistant Director of Career Services at the Law School. Prior to his work at Notre Dame, Greg was the Director of Career Services of the law schools at Marquette University and the University of Colorado at Boulder. Greg and his wife Kathy, who works in the Law School's admissions office, moved to South Bend last July. Greg replaces Kitty Hoyer, who resigned in December.

CHICAGO SUN-TIMES FEATURES VALIANT NDLS ALUM

On March 22, the CHICAGO SUN-TIMES reported on Kathy Meyers-Grabemann's fight with cancer. Kathy, NDLS '89 and a lawyer for Bell, Boyd & Lloyd, a Chicago law firm, was diagnosed with leukemia in September of 1995. Although the disease went into remission for six months following three chemotherapy treatments, the disease has returned. Although she needs a bone-marrow transplant, finding a match will not be easy; she is an adopted child with no known siblings. Nonetheless, the article reported, "she remains upbeat, encouraged by the fact that her adopted father is a cancer survivor and driven by her competitive spirit."

One of the "pioneers of women's basketball in Illinois," she starred in three

sports at Niles North High School. She graduated *magna cum laude* from Loyola University, which she attended on a basketball scholarship. She was named Loyola's outstanding student in political science and criminal justice. She and her husband Rob, also a lawyer, have a sixteen-month-old daughter, Kaily Marie.

CHRISTINE VENTER COMPLETES FOUR YEARS OF SERVICE TO NDLS

Christine Venter will soon finish four years of service to the Law School and the Clinic. She has taught courses in international law, elder law, children's rights, and comparative law, and has served as a supervising attorney in the Clinic. She did all of this while completing work on the Law School's first research doctorate, which was awarded to her in May 1995, and while giving birth to and caring for three children—the last of whom, Elijah Jude, was born in January. Christine's husband, Anre, is a doctoral candidate in psychology at Notre Dame. Thanks and best wishes, Christine!

MORRISSEY TO SPEARHEAD NDLS ADVANCEMENT PROGRAMS

David Morrissey, Associate Director of Development at Notre Dame and Director of the University's Los Angeles Regional Development Office, has been promoted to the newly created position of Director of International and Public-Policy Advancement. In his new role, Morrissey

will expand the University's international-development activities and also establish special advancement programs for Notre Dame's law and graduate-business schools and for the University's presence in Washington.

A member of the Notre Dame Development Staff since 1980, Morrissey previously worked in alumni and development positions at Loyola Marymount University. He served four years in the U.S. Air Force as a missile-launch officer and instructor. He earned a bachelor's degree from Loyola and a master's of business administration from the University of Southern California. Morrissey and his wife, Bonnie, have four children, all Notre Dame graduates. Colleen is a second-year student at NDLS. Morrissey assumed his new position April 1.

NATURAL LAW INSTITUTE SPONSORS ANNUAL LECTURE, MEETING, AND DINNER

On April 11, the Natural Law Institute, which publishes the *AMERICAN JOURNAL OF JURISPRUDENCE*, sponsored a lecture at which the Reverend James Schall, S.J., gave a talk entitled "The Problem of Democratic Tyranny."

At its Annual Meeting, held the same day, the Editorial Board of the *JOURNAL* announced that Professors John Finnis and Gerard Bradley have replaced Professors Charlie Rice and Bob Rodes as Editors-in-Chief of the *JOURNAL*. The Annual Dinner of the Institute took place that evening.

NDLS STUDENTS ARGUE IN LONDON'S ROYAL COURTS OF JUSTICE

The Notre Dame London Law Programme held its International Moot Court Competition at the Royal Courts of Justice on April 11. The participants included Todd Carcelli, Rich Murphy, Matt Kent, Craig Prins, Requel Gibson, Heather Sodergren, Scott Moran, George Spaeth, Lingze Wang and Christopher Turk. "Best Speaker" awards went to Requel Gibson and Rich Murphy. The problem this year involved international legal issues of extradition and damages for violation of privacy.

The judges included American attorneys practicing in London and law professors. One of the judges, James Gresser, NDLS '82 and an attorney for the U.S. Department of Justice, spent a year in Notre Dame's London Law Programme. Other judges: Professor Frank Wooldridge, a lecturer on European Community Law at Notre Dame's London Law Programme; Michael Miller and Mark Alexander of Sullivan & Cromwell; Laura Musial of Covington & Burling; and Kenrela Rodkinson of Gudeon & Ferrell. After the arguments, a wine-and-cheese reception was held at the Edinburgh Tavern, which allowed participants and judges to become acquainted in a more social setting.

NDLS STUDENTS ELECT OFFICERS

Student elections are as sure a sign of Spring as blooms and birds. Accordingly, new officers for the Student Bar Association were recently elected. Steve McBride will serve as president during the 1996-97 academic year. He will be assisted by Vice President Joe Byrne; Secretary Nicole Byrd; and Treasurer Amy Dixon.

The various journals also weighed in with their leaders for the next academic year. The NOTRE DAME LAW REVIEW chose Ben Allison to lead it. The JOURNAL OF LAW, ETHICS AND PUBLIC POLICY elected Mike Nader as Editor-In-Chief. That position on the JOURNAL OF COLLEGE AND UNIVERSITY LAW will be filled by Scott Sroka. Melissa O'Loughlin will lead the JOURNAL OF LEGISLATION.

In other journal news, the journals have agreed to combine the "write-on" competition into a common project. As a result, the "write-on" process for the White Center will no longer be separate.

The LAW REVIEW has agreed to dedicate one issue each year to a symposium dealing with procedure. The topic is purposely broad, reflecting a plan to fit within that topic symposium issues for years to come. The symposium issue will address matters relating to the Federal Rules of Criminal Procedure, the Federal Rules of Civil Procedure, and the Federal Rules of Appellate Procedure. Karen Dixon will serve as Editor for the next symposium.

* * *

LAW BALL A SUCCESS

On April 13, faculty and students pulled themselves away from those last-minute tax questions and put on their finest attire to attend the annual Law Ball at the Marriot Hotel. The well attended event began with an open bar. Dinner was followed by dancing. The Student Bar Association sponsored the event.

* * *

**NDLS ALUM SECURES
\$12.5 MILLION SETTLEMENT**

Patrick A. Salvi, NDLS '78, secured a \$12.5 million out-of-court settlement on behalf of an injured construction worker. Donald P. O'Connell, chief judge of the circuit court of Cook County, approved the settlement petition February 21. The settlement related to injuries suffered on May 21, 1991, by David Garcia, a union tuckpointer, in a restoration project at the Merchandise Mart in downtown Chicago.

Patrick, who practices in Waukegan, Illinois is past president of the Illinois Trial Lawyers Association and heads a seven-attorney firm, the Law Offices of Patrick A. Salvi, P.C. His national practice specializes in medical malpractice, catastrophic injury and wrongful death. His firm was recently listed in THE CHICAGO LAWYER's 1995 survey of top personal-injury firms for achieving many multi-million-dollar results.

* * *

SON OF JULIUS AND ETHEL ROSENBERG SPEAKS AT LAW SCHOOL

On April 9, the Rosenberg Fund for Children presented a talk entitled, "Crime of the Century: The Trial and Execution of Julius and Ethel Rosenberg and Capital Punishment." The speaker was Attorney Robert Meeropol, the son of Julius and Ethel Rosenberg, who were executed when Robert was six for stealing the "secret of the atomic bomb." Mr. Meeropol, addressing the topic of capital punishment, presented his perspective on his parents' trial and execution. John Robinson arranged the event.

* * *

NEWS FROM THE LAW LIBRARY

On April 12, Priscilla Stultz left her position in Access Services to become reference librarian at Ernst & Young in Chicago. Thanking her for the terrific job she did at NDLS, we wish her all the best in her new position.

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NEWS FROM THE LEGAL AID CLINIC

David Lee obtained SSD benefits for a young man with diabetes, Alfred Lee for a younger man with severe arthritis. Beth Shepard obtained Medicaid for a young man with diabetes. Margaret Egan assisted a family in obtaining additional home health care for a four-year-old who is severely

disabled. The Clinic currently has one SSI appeal, three cases at the appeals council, and ten others awaiting hearings. Four of these involve benefits for disabled children.

The Clinic has also been active as guardian ad litem for children: Jay Ruble has filed a Petition to Terminate Parental Rights on behalf of a four-year-old whose father confessed to sexually molesting her. The Superior Court appointed the Clinic guardian ad litem in six new cases this semester; three cases involve allegations of abuse.

The Clinic represents a nine-year-old with aphasia in a suit in federal district court involving the IDEA and Section 504. The Clinic has recently received favorable rulings on several motions filed by the defendants.

Unfortunately, the Clinic was unsuccessful in a contested-adoption matter in which the birth mother sought an adoptive placement for her baby. Although the Clinic prevailed at trial last summer, the Indiana Court of Appeals reversed and the child was returned to her birth father after almost two years in the adoptive parents' home. Chuck Roth worked on the case last spring and worked on the appeal this semester.

NEWS FROM THE CENTER FOR CIVIL & HUMAN RIGHTS

Luc Reydans, a J.S.D. candidate in the Center for Civil & Human Rights, has published "Universal Jurisdiction over Atrocities in Rwanda: Theory and Practice," in the EUROPEAN JOURNAL OF CRIME, CRIMINAL LAW AND CRIMINAL JUSTICE. The article will form part of Luc's J.S.D. dissertation, for which he is now writing the proposal.

NEWS FROM THE FACULTY

On April 18, Barbara Fick and Kent Hull, Adjunct Associate Professor at NDLS and an attorney for the Legal Services Program of Northern Indiana, participated in a conference entitled, "Consultation: Focus on Affirmative Action." The Indiana Advisory Committee to the U.S. Commission on Civil Rights sponsored the event, which took place at the Embassy Suites in Indianapolis. Barbara presented a paper on "The Case For Maintaining and Encouraging The Use Of Voluntary Affirmative Action In Private Sector Employment"; Kent's presentation addressed "The Americans with Disabilities Act and Affirmative Action."

Geoffrey Bennett, co-director of the London Programme, authored "Evidence and Ossification" in CENTENARY LECTURES IN LAW, published by City University in London. Martin Dockray, who teaches in our London Programme, also contributed a piece, entitled "Guineas by Gas Light."

On April 9 Teresa Collett spoke at Texas Tech Law School on "Faith and the Law." On April 11 she spoke at Marquette University on "Abortion Malpractice" and "The Role of Personal Morality for Professionals." She also was the featured speaker at a special luncheon buffet on April 16. Her topic: "Learning the Truth About Human Life." Teresa is a member of the Board of Directors of University Faculty for Life. The buffet was sponsored by Notre

Dame Right to Life.

On April 19 she spoke at the University of Texas School of Law's Eighth Annual Advanced International Law Institute on "The International Lawyer's Risks: What Does Your Malpractice Policy Cover?"

Les Foschio, former member of the faculty at NDLS and now a U.S. Magistrate in Buffalo, New York, was a featured speaker recently before a group of federal judges and court officials in New York City. In the Foley Square Federal Courthouse, Les addressed the more than two-hundred-year history of federal magistrates, formerly known as U.S. Commissioners. His talk, entitled "An Oral History of the Office of U.S. Commissioner," included accounts of unusual cases handled by magistrates all over the country.

On April 15, Jimmy Gurulé was quoted in USA TODAY. Addressing the "Unabomber" case, Jimmy noted that a Ninth Circuit ruling on the death penalty "could be the (deciding) factor in moving the case out of California." Jimmy also predicted multiple charges: "A good prosecutor is going to want at least two convictions."

Raymond J. Ripple, father of Judge Kenneth Ripple, died April 3, at the age of 81. Funeral services were held on April 8 at Christ the King Catholic Church in South Bend. A period of visitation preceded the

funeral. Our thoughts and prayers are with Judge Ripple and his family.

Judge Ripple presided at the Final Round of the William Minor Lile Moot Court Competition at the University of Virginia on March 30.

Judge Ripple was appointed by the Chief Justice of the United States as chair of the Committee on Appellate Judge Education. That committee works in conjunction with the Federal Judicial Center in Washington.

* * *

Tom Shaffer was quoted extensively in an article appearing March 24 in the (BALTIMORE) SUN. David Folkenflik's article, entitled "Lessons For Lawyers From A Butler," describes how Stevens, the retiring servant of the book THE REMAINS OF THE DAY, has been used by legal-ethics professors to counter the notion of the lawyer as a "hired gun." Lawyers cannot absolve themselves of responsibility, Tom said, by "taking refuge in professionalism, which is what a lot of the legal establishment wants young lawyers to do nowadays, and which, the novel shows, is probably a bad idea."

* * *

NEWS FROM THE STAFF

Members of the class of '96 are not the only ones with something to celebrate over graduation weekend. Congratulations and best wishes go out to Debbie Farmer, a staff secretary, who will marry Jim Sumption on May 18!

* * *

NEWS FROM THE ALUMNI

During the month of April, in commemoration of National Child Abuse Prevention Month, the Richard Slawson Foundation for Children, founded by Richard Slawson, NDLS '70, co-sponsored an awareness-building public-service announcement on television concerning child abuse; an awareness-building direct-mail effort; and an award to be given an individual demonstrating extraordinary effort in prevention of child abuse.

Richard, a partner of Slawson & Cunningham in Palm Beach Gardens, Florida, practices personal-injury, wrongful-death, and insurance law.

* * *

Robert E. Connolly, NDLS '77, and Michael J. Stepek, NDLS '88, visited the London Law Programme in April. Robert practices with O'Dowd, Wyneken & Connolly, in Fort Wayne. Michael practices with Winston & Strawn in Chicago. Both were "in town" to take the three-day Qualified Lawyer's Transfer Test, passage of which enables a foreign lawyer to practice in England.

* * *

Michael McClory, NDLS '89, and his wife Carol announce the arrival, on January 24, of their son, John William. John arrived weighing just short of nine pounds and extending twenty-one inches. The family lives in Sunnyvale, California. Mike earned his B.A. at Notre Dame in 1986.

* * *

Harold F. Moore, NDLS '80 and a partner at Skadden, Arps, Slate, Meagher & Flom in New York, was pictured on the cover of a supplement to the April, 1996 issue of the AMERICAN LAWYER. The cover showed five lawyers representing "five reasons Skadden, Arps stays on top. . . ." The related article was entitled "1996 Corporate Scorecard: Who Was Tops in Corporate Finance Last Year."

Joseph P. Shannon, NDLS '88 and formerly of Segal, McCambridge, Singer & Mahoney, has announced the opening of a new firm, Dolan & Shannon, with offices both in Chicago and in Naperville, Illinois. The firm will concentrate on professional-liability, automotive, wrongful-death, construction, commercial, and government litigation. Joseph did his undergraduate work at the University of Portland.

MISCELLANY

The final presentation of the 1995-96 Notre Dame Law School Colloquium Series took place on April 12. Professor Todd D. Rakoff of the Harvard Law School gave a colloquium entitled, "The Shape of American Law."
