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Notre Dame Lawyer - Summer 2009

Notre Dame Law School

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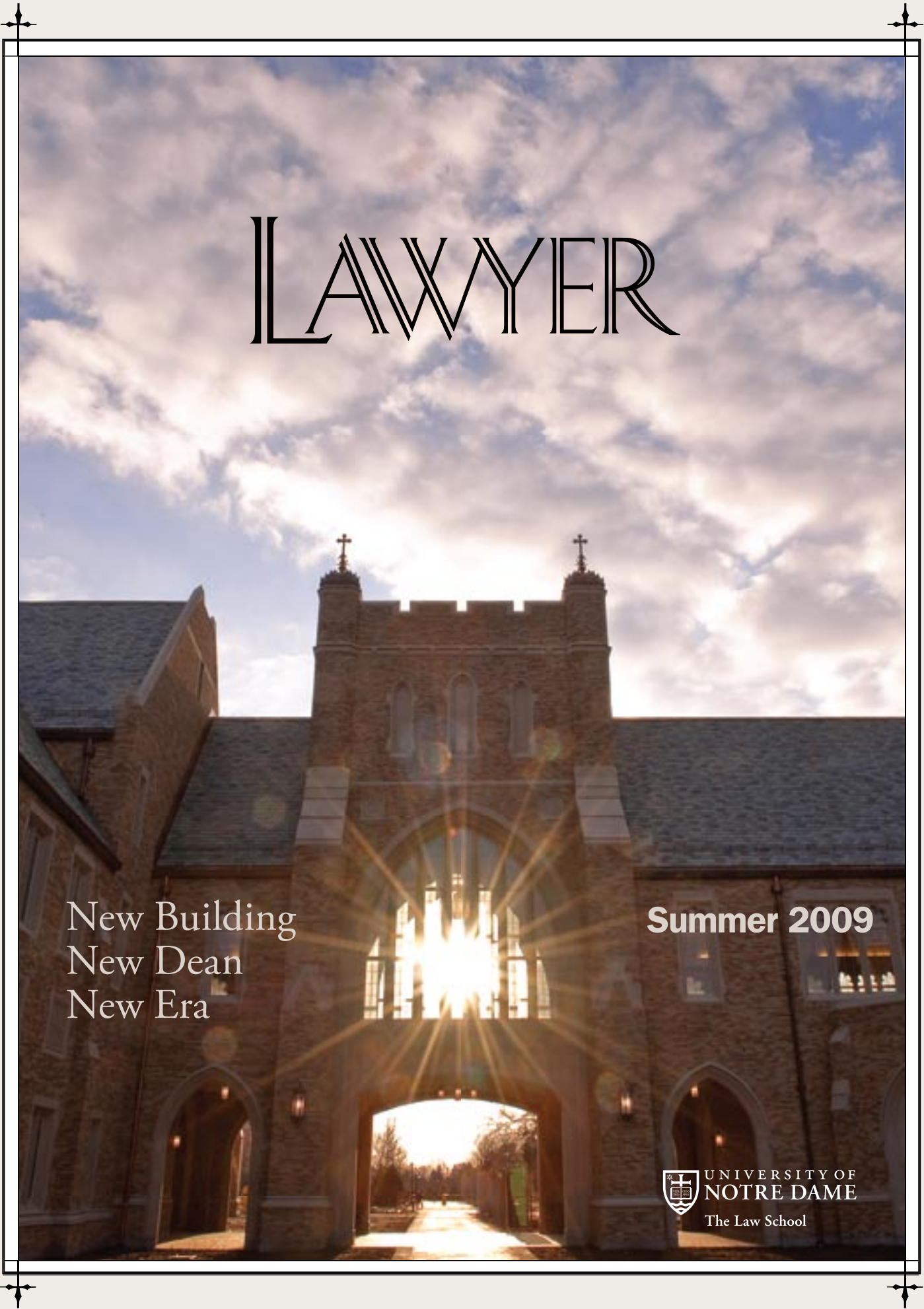
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EDITOR'S NOTE



Write Us

We want to hear from you. Send us your letters and e-mails pertaining to material printed in the magazine. The editor reserves the right to determine the suitability of letters for publication and to edit them for accuracy and length. Write to:

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Dear Reader,

I have always been impressed by the ability of architects to conceptualize a structure and design it in such a way that it becomes a vibrant, functional, lasting building for generations to utilize and enjoy. That skillful combination of art and science is evident in the new Eck Hall of Law. It's beautiful, and it embodies the Law School's commitment to being a preeminent, Catholic law school.

American historian and sociologist W.E.B. Du Bois once said, "The most important thing to remember is this: To be ready at any moment to give up what you are for what you might become." That affirmation of the value of change certainly has applications for the Law School community right now.

From a structural standpoint, we have given up a small facility with inadequate space, but also a place with abundant, fond memories attached to it. We have done so to become nearly twice as large, technologically more advanced, and a more robust center of academic life for faculty and students, but also a place temporarily devoid of the comfort that familiarity brings.

On the leadership front, Dean O'Hara has given up her post at the helm of the Law School for a renewed role as a professor beginning in 2010–11, and her successor, Nell Jessup Newton, will be giving up the "known" as Dean of her alma mater to embark upon a new adventure at Notre Dame.

Our graduating students are giving up the structure and security of law school for a professional role that is sure to bring challenges and opportunities yet unimagined.

As an institution and a community always striving to reach new heights, we stand "ready at any moment to give up what [we] are for what [we] might become." What we are is an outstanding law school. What we are sure to become is even better.

Regards,

Melanie McDonald

NOTRE DAME LAWYER



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This summer, Patricia A. O'Hara will end her tenure as dean of Notre Dame Law School after a decade at the helm. Members of the Law School community, and a current student express their gratitude and esteem for her many years of service and friendship.

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Retired Chilean Judge Juan Guzman will go down in history for investigating, indicting, and prosecuting Chilean dictator Augusto Pinochet. Guzman visited Notre Dame Law School and spoke to LL.M. students about his amazing career.



In many ways my tenth and final year as dean has been the busiest. From the memorable visit of Chief Justice Roberts in mid-September, to packing up the accumulated history of our 80-year-old building for the move in January into Eck Hall of Law, through the sabbatical site visit of the American Bar Association and American Association of Law Schools in early March, to the announcement in late March of our new dean, Nell Jessup Newton, and the dedication festivities for Eck Hall in May, the year has flown.

Over the course of the past few months, as I prepare to return to the faculty, many of you have asked me whether the closing events of my final year as dean have been bittersweet. Bittersweet does not describe at all what I feel; instead, my heart overflows with gratitude and deep joy—gratitude for the collective efforts and support of dedicated faculty, staff, students, alumni, and friends who have made possible all that has transpired here over the past ten years; deep joy at seeing the fruition of our collective efforts—not just in the bricks and mortar that make up our new building, but in the people who have joined or chosen to remain part of this distinctive community we call Notre Dame.

No person deserves as many celebrations as I have enjoyed the past few months—a reception in mid-April hosted by the Law School community, which my family from California attended as a surprise; the spring board meeting of the Notre Dame Law Association marked by the hanging of a beautiful tapestry of Our Lady of Guadalupe in our new chapel as a gift to me, as well as a bench outside the front of Eck Hall from which I can sit and greet you when you return to campus; announcement at the dedication festivities of a presidential fellowship in my honor from the members of the Law School

Advisory Council as part of the Eck Family Fellowship Challenge; gifts to the Loan Repayment Assistance Endowment from faculty and staff in my name; not to mention so many kind letters and messages. I am both humbled and overwhelmed. From my days as a scholarship student here at the Law School, I have tried to give back to Notre Dame. I have come to realize that it is an impossible task. Time and time again, I receive more than I give.

Thus, as is often the case, I turn to the gospels to find words commensurate with what I feel. I find them in Philippians 1:3-11:

I thank my God whenever I think of you; and every time I pray for all of you, I pray with joy, remembering how you have helped to spread the Good News from the day you first heard it right up to the present. I am quite certain that the One who began this good work in you will see that it is finished . . .

It is only natural that I should feel like this towards you all since you have shared the privileges which have been mine . . . You have a permanent place in my heart, and God knows how much I care for you all, loving you as Christ Jesus loves you.

My prayer is that your love for each other may increase more and more and never stop improving your knowledge and deepening your perception so that you can always recognize what is best. This will help you to become pure and blameless, and prepare you for the Day of Christ, when you will reach the perfect goodness which Jesus Christ produces in us for the glory and praise of God.

Following a sabbatical, I look forward to returning to the classroom—the venue from which I forged life-long relationships with so many of you. In the meantime, I know that you will join me in welcoming our wonderful new dean, whom I have every confidence will lead our Law School to the next level of excellence as we continue our quest to be a premier law school rooted in the Catholic intellectual tradition. Know of my deep thanks, my prayers, and my best wishes.

Patricia A. O'Hara

Patricia A. O'Hara
The Joseph A. Matson Dean and Professor of Law

ECK HALL *of* LAW



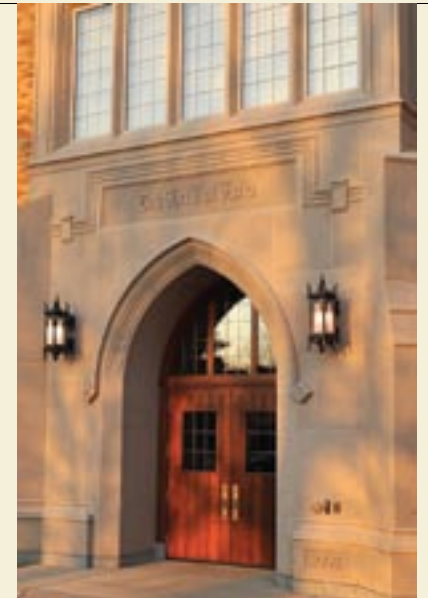
Eck Hall of Law opened its doors on January 5, 2009, to the awe of faculty, staff, and students. The University dedicated the building on Friday, May 1, 2009. The celebration began with Mass in the Basilica of the Sacred Heart, followed by blessing of the building, tours of Eck Hall, and dinner. In addition to donors and their friends and family, attendees included faculty, staff, and students as well as University officers, members of the University Board of Trustees, and the Law Advisory Council. University President, Rev. John I. Jenkins, C.S.C., presided.

The building is named for the late Frank Eck, Sr., who donated \$21 million—the largest gift in the Law School’s history—toward construction of Eck Hall.

While photos can’t capture the magnitude of the moment that students first walked into the Atrium or the emotion of the dedication celebration, the images on these pages do offer a window into the structural beauty that is Eck Hall of Law.

Take a look around.

Visit law.nd.edu for a video about Eck Hall.



ECK HALL BY THE NUMBERS

CLASSROOM SPACE:

- Two 105-seat lecture halls
- Two 70-seat lecture halls
- Three 24-seat seminar rooms
- Two 22-seat seminar rooms
- One computer lab
- Three skills training rooms
- 205-seat Moot Courtroom

TOTAL GROSS SQUARE FEET FOR ECK HALL OF LAW:

85,500

TOTAL GROSS SQUARE FEET FOR ECK HALL OF LAW AND BIOLCHINI HALL (SCHEDULED TO OPEN IN JUNE 2010):

192,000

ECK HALL GROUNDBREAKING:

July 31, 2007

FACULTY AND STAFF MOVE IN:

January 5, 2009

TOTAL PROJECT COST:

\$57,680,000

*Includes expansion
(Eck Hall of Law) and
renovation of existing
Law School (Biolchini Hall)*



The main doors of Eck Hall of Law open into this stunning atrium, named in memory of Judge James J. Clynes, Jr., a '45 graduate of Notre Dame and a longtime supporter of legal education here.



"[T]he very structure of Eck Hall serves to remind all of us who are privileged to walk its halls, teach in its classrooms, and serve God in the tangle of our minds of our call to... offer Notre Dame's distinctive voice, rooted in the Catholic intellectual tradition, to the legal academy."

—Dean Patricia O'Hara

"We are proud to be part of this historic transition."

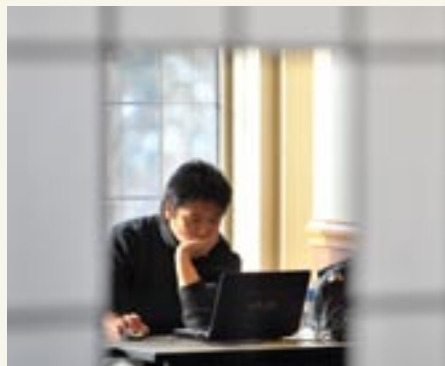
—LL.M. student Joe Kubugu



Patrick F. McCartan is senior partner of the distinguished international law firm Jones Day, whose generous donation in honor of Mr. McCartan made this beautiful courtroom possible.

*"This feels like a law school,
and it really reflects the
caliber of the learning that
we have here."*

—Starr Rayford, J.D. student



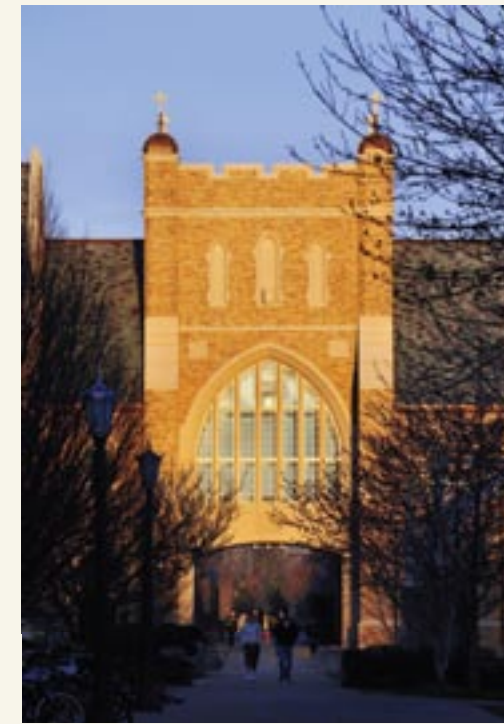
*Above: This is one of four classrooms in
Eck Hall of Law, in addition to five semi-
nar rooms and three skills training rooms.*

*Right: At more than 4,000 square feet,
the sprawling Eck Commons serves as
a popular study and meeting space for
students, faculty, and staff.*



*Above: The St. Thomas
More Chapel is located
at the center of the Law
School, connecting Eck
Hall and Biolchini Hall,
which is currently under-
going renovation. This
placement is symbolic of
the central role that faith
plays at Notre Dame.*

*Right: The sun rises on
Eck Hall of Law.*



Eck Hall of Law Dedication

MAY 1, 2009



From left to right: Father John I. Jenkins, C.S.C., University President; Cindy Kinder, Frank Eck, Sr.'s daughter; Frank Eck, Jr.; Bryce Brooks, Frank Eck, Sr.'s granddaughter; Kelly Eck, Frank Eck, Sr.'s daughter; and John Moyer, Kelly Eck's husband.



From left to right: Robert, JoAnn, and Elizabeth Clune, close friends of Judges James J. Clynes, Jr., deceased; Father John I. Jenkins, C.S.C. The Clunes attended the dedication ceremony on behalf of Judge Clynes.

From left to right: Stephen Brogan, Jones Day; Patrick F. McCartan and his wife, Lois; Karen McCartan DeSantis, Patrick's daughter; Father John I. Jenkins, C.S.C.



Notre Dame Law School Dean Patricia O'Hara offered these remarks on the occasion of the dedication of Eck Hall of Law.

I am often struck by the dual way in which both the Old Testament and the New Testament use the image of a building. Sometimes the reference to a building means the physical facility itself; other times the image is used to refer to a person or community. Temple or House of God can mean *the temple* in Jerusalem, but it can also mean the person of Christ himself or the community that is the Church. Christ is angered at the money changers in the temple for the way in which they are using the House of God; but Christ also speaks of himself as the temple who when destroyed will rise in three days. In Mark's gospel, Jesus recalls the

passage from Psalm 118 about the stone which the builders rejected becoming the cornerstone. St. Paul in Corinthians reminds us that we are God's temple. It strikes me that this dual use of building as the physical facility itself, but also the people within the building, is very apt when we think of Eck Hall.

St. Augustine in the fourth century gave a famous sermon involving dedication of a church in which he analogized the construction of a building to the construction and formation of our lives as individuals and as a community. He wrote that with hard work, beams and stones can be fit together in a definite order to create a secure structure that

when completed can be celebrated; so too, he said, people of faith are living stones to be chipped and chiseled, straightened out, leveled and planed—fashioned by faith, made firm by hope, cemented in charity—so that one day we will be complete and can celebrate in the presence of God.

This passage from Augustine captures the magnificence of the beams, bricks, and stones that come together in what we celebrate as Eck Hall, as well as the continuing formation that will go on for generations to come in the teaching, research, service, and scholarship of the faculty and students who will walk the halls, fill the classrooms, come together

in prayer in the St. Thomas More Chapel, and socialize in the Commons of Eck Hall of Law.

With its arch rising high overlooking the Main Circle and DeBartolo Quadrangle, graced on top by the statue of Christ the King, with the stone cut image of alpha and omega, and with the word "Logos" carved into its bricks, the very structure of Eck Hall serves to remind all of us who are privileged to walk its halls, teach in its classrooms, and serve God in the tangle of our minds of our call to be living stones—designed to come together to offer Notre Dame's distinctive voice, rooted in the Catholic intellectual tradition, to the legal academy.

A colleague reminded me that the word "dedication" also has a dual meaning. At one level, it captures what we are doing today—celebrating with great joy the opening of a magnificent new structure; but in a deeper and more forward-looking sense, it also means a commitment; a promise to devote our energies wholly and earnestly to a purpose. It is in that deeper sense that my colleagues on the faculty and I dedicate ourselves—commit ourselves—to using the great gift of Eck Hall for the ongoing formation of our students and the creation of scholarship to advance the rule of law.

Meet Nell Jessup Newton

BY MELANIE McDONALD

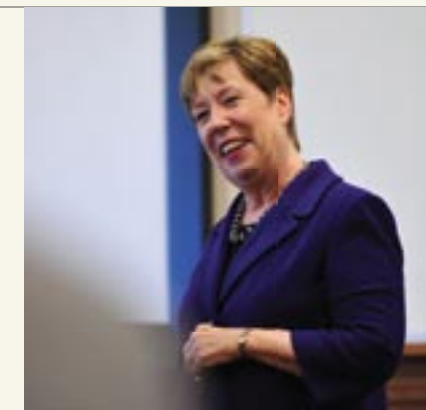


She is an accomplished scholar, a professor, dean, volunteer, and an advocate. She is also a UConn women's basketball fan from her days at that institution's law school, but perhaps you can forgive her for that. "A love for Huskies women's basketball is my secret vice," says Nell Newton, newly appointed dean of Notre Dame Law School. "I may have to go in for reprogramming," she adds with a laugh. "But support for Notre Dame teams should not come too hard for me, since my brother, Rob Mier, founded the Notre Dame Rugby Club many years ago and, like everyone else in the Midwest, I grew up rooting for the Irish." (Newton lived in Baldwin, Mich., and St. Louis, Mo., as a child.)

On July 1, 2009, Newton will become the 10th dean of Notre Dame Law School. "I am drawn powerfully to the mission of Notre Dame to educate a different kind of lawyer," Newton explains. "As the premier Catholic law school in the nation, Notre Dame has an outstanding faculty with an unwavering commitment both to excellence and to the Catholic mission that created and continues to ground this great institution." She is excited about the opportunity both to "serve and lead the extraordinary community that is Notre Dame Law School."

"As the premier Catholic law school in the nation, Notre Dame has an outstanding faculty with an unwavering commitment both to excellence and to the Catholic mission that created and continues to ground this great institution."

"I am drawn powerfully to the mission of Notre Dame to educate a different kind of lawyer..."



Newton received her bachelor's degree from the University of California at Berkeley, where she majored in humanities with an emphasis on ancient Greek language and literature. She went on to earn a J.D. from the University of California, Hastings College of the Law. There, she was a member of the Order of the Coif and served as managing editor of the **HASTINGS LAW JOURNAL**. Upon graduation, Newton taught at Catholic University School of Law and then at the Washington College of Law at American University. She began her administrative career as dean at the University of Denver College of Law in 1998, and went on to become dean of the University of Connecticut School of Law and chancellor and dean of the University of California, Hastings College of the Law, before accepting the deanship at Notre Dame Law School.

Newton's scholarly focus is American Indian law, a discipline she finds "intellectually challenging, doctrinally complex, and philosophically fascinating." She is the editor-in-chief of the only treatise on Indian law, **COHEN'S HANDBOOK OF FEDERAL LAW**. Newton is particularly proud of her role in providing the constitutional underpinning for a major piece of federal legislation affecting Indian tribes and of her role in mentoring a younger generation of scholars who have made their mark in academia.

Newton became interested in working with American Indians the summer after her 1L year, when she clerked at California Indian Legal Services (CILS). "When I returned to law school as a 2L, I wrote my student comment on the mismanage-

ment of Indian tribal trust funds, arguing that the federal government's role in managing tribal trust funds should be measured by the same standards that would be applied to a private trustee." Some of her theories have been put to the test many years later in the *Cobell* litigation, a multimillion-dollar landmark case that has been before the courts since 1996 seeking an accounting and restitution for mismanagement of Indian trust funds.

While Newton's academic pursuits keep her plenty busy, she also makes time for community service. She volunteers at De Marillac Academy, a Catholic school for children from underserved, low-income families in the Tenderloin district and other at-risk communities in San Francisco. She is a member of the St. Thomas More Society of San Francisco and also serves on an oversight committee for the city's Safe Streets and Neighborhoods Initiative.

As a dean, Newton enjoys reaching out, and says that meeting with faculty and staff and making connections with alumni will be top priorities when she arrives at Notre Dame. Let's just hope she brushes up on Notre Dame basketball first.

To Dean Patricia A. O'Hara: A Personal and Professional Tribute

BY MATTHEW J. BARRETT WITH SPECIAL HELP FROM WIFE, KATE,
AND CHILDREN KEVIN, WILSON, LUKE, AND MAGGIE



As someone who teaches Accounting for Lawyers and who has written extensively about auditor independence, I need to disclose immediately that I lack objectivity on the subject of this retrospective: Dean Patricia A. O'Hara, who has come to be known and loved by my family as simply "Patty." As Patty prepares to step down from the deanship, the Notre Dame Law School community owes an enormous debt of gratitude to my former professor, dear friend, colleague, and one of its most outstanding alumnae. After all, she has devoted most of her adult life to serving the University of Notre Dame and, for the last 10 years, to advancing its Law School.

When I was a third-year law student, Professor O'Hara told my classmates and me on the last day of Business Planning class that, although she lived by herself, she did not live alone. With Patty's family—her mother, her two sisters, her brother-in-law, and her nephew—back in California where she grew up, she became a significant presence in the lives of at least three different families in South Bend over the course of her 29 years on the Law School faculty.

Like the two other families before us, the Barretts have been very privileged to include Patty in many of our family's activities. After all, she arranged the blind date on which I met my wife, Kate, more than 18 years ago; proclaimed the first reading at our wedding; has devotedly fulfilled any and all responsibilities as the godmother for our youngest son, Luke; has taken the time to drop by and

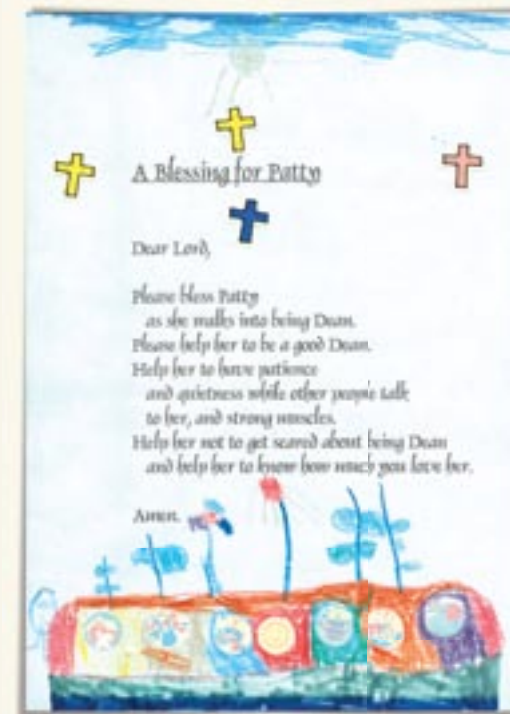
see or to call our children almost every week for the past 14 years; and has joined us for numerous family gatherings and celebrations. When her travels prevented her from attending a birthday gathering, she always treated the celebrating child to lunch. Truth be told, our four children not-so-secretly hope that Patty will be out of town on their birthdays because they so much look forward to going to lunch with her alone.

We are indeed privileged to know—and share with you—some fun facts about Patty: she turns 60 on August 26, 2009; her preferred gift for any occasion is a photograph; she likes to watch Notre Dame basketball, and her all-time favorite player is John Paxson; and blue tops her list of favorite colors. We also know that her refrigerator often contains only ketchup and Diet Coke.

While serving as the vice president of student affairs, she read to our children on the floor under a built-in desk in our family room. As dean, she has attended T-ball games, intramural basketball games, and swim meets. She also went to great lengths—legally, but off the public record—to acquire a "Ron Paul for President" sign as a joke for our oldest son's most recent birthday.

Ten years ago, just before Patty assumed the deanship, our two oldest sons, Kevin and Wilson, prepared the following

blessing for Patty, which they then illustrated. To this day, the framed blessing occupies a place on her desk.



Although three remarks did not make the authors' final cut, they found a place as "outtakes" on the back of the frame. In response to the question, "What will Patty need from God to be the dean?" our son Wilson, then three years old, responded: "A new computer and a bicycle." His five-year-old brother, Kevin, suggested "Lots of smartness, that's for sure." Kevin also suggested, "We'll make two copies, one for Patty, and one to go straight up to God."

On the evening that Patty announced that she was stepping down from the deanship, she brought the framed blessing to our home so that she could thank the boys again for the blessing, which she referred to frequently over the past decade. She also assured her godson that she would retain her faculty discount at the bookstore.

As early as her youth, Patty was destined for the deanship. I'm told on very good authority that as a 10-year-old eagerly awaiting Christmas, our dean requested not Barbie or other dolls, but a thesaurus and a briefcase.

As I reflect on the last 10 years at this Law School, I recall numerous accomplishments that will highlight the O'Hara deanship for years to come. Among her strengths: an unwavering commitment to the Law School's unique mission; her dedication to Notre Dame and its founding religious order, the Congregation of Holy Cross; and the integration of faith and reason into her leadership and her personal and professional lives.

The nearly \$58 million Law School expansion, when completed, will stand as testimony to her ability to work with the Development Office to raise funds for the Law School. Most particularly, she leaves her taste in the design and decoration of the St. Thomas More Chapel. During her tenure, the Law School's infrastructure has matured. Membership in the Order of St. Thomas More has more than doubled. During the last 10 years, we have welcomed 20 new regular faculty members, all with very impressive credentials, and in the process enhanced our diversity and expanded significantly the number of chaired professors. The credentials of our student body have soared. In 2001, the Law School announced a new Loan Repayment Assistance Program, which has since been significantly improved.

After a well-deserved sabbatical, Dean O'Hara plans to return to the classroom. Once again, the Barrett children, now ages 14, 12, 10, and 8, have composed a blessing as Patty begins the next chapter of her service to Our Lady's University and its Law School:

Dear Lord,

Please bless Patty

as she returns to research,
to writing, and to teaching
in the classroom.

Please help her to be an outstanding
professor.

Help her to learn PowerPoint, to answer
students' questions patiently,
and to grade exams fairly and
promptly.

Help her not to get scared about
returning to the classroom,
working with the new dean,
researching the law, and writing
articles and books.

Help her to know how much you love her.

Amen.

A Tribute to: DEAN PATRICIA A. O'HARA

During a Law School reception honoring Dean Patricia O'Hara's service to Notre Dame Law School, three members of the NDLS community paid tribute to her. Below are comments from Professor A. J. Bellia, Director of Law School Advancement Glenn Rosswurm, and SBA President Katherine Kirkpatrick.



Professor A. J. Bellia earned his J.D. summa cum laude in 1994 from the Notre Dame Law School, and joined the NDLS faculty in 2000.

At surface level, it is easy to write the narrative of Patty O'Hara's accomplishments as Dean of the Notre Dame Law School. Ten years ago, the Law School faced severe space limitations and rapidly aging facilities. Today, the Law School occupies a magnificent, state-of-the-art facility—Eck Hall of Law. Next year, Biolchini Hall of Law—sister building to Eck Hall—will open its doors, completing one of the premier facilities of legal learning in the United States,

indeed in the world. Ten years ago, the Law School faced limited resources to support research programs essential to our mission and student learning. Today, research programs flourish—in areas as important and diverse as cyberlaw, intellectual property, urban planning, international law, freedom of religion, American constitutional history, and corporate ethics, to name just some. Dean O'Hara has attracted outstanding faculty—premier researchers, who are committed to providing our students with the most rigorous and integrated legal education in the United States. And she continues to attract students as gifted in intellect and imbued with character as ever. They continue not only to succeed, but to exceed expectations.



Glenn Rosswurm worked closely with Dean O'Hara for more than nine years in his capacity as director of Law School Advancement.

Although I learned a great deal about business associations from Patty when I was a law student, she has taught me about a much more important subject during the past nine years: how to serve Notre Dame with soulful dedication, fierce passion, and deep reverence.

As Patty knows, I'm fond of using saints' feast days to illuminate special occasions like this one. In preparing my remarks, I was hesitant to go back to that proverbial well again. However, when I discovered that today is the feast day of St. Bernadette of Lourdes, the serendipity was too profound to ignore.

St. Bernadette's life and example provide a fitting prism through which to view Patty's long and distinguished service to Notre Dame. We all know the story of how the young Bernadette experienced numerous visions of the Blessed Virgin at a grotto near Lourdes, France. In the

face of considerable skepticism from many in her community, Bernadette never wavered in her devotion to the truth and sanctity of these visions.

In my view, during Patty O'Hara's long association with Notre Dame, the Grotto and the Blessed Lady that it represents have stood at the very heart of her love for, and devotion to, this remarkable place. Like Bernadette, Patty's dedication to Our Lady, Mirror of Justice, has been tireless as she has labored in service to Notre Dame. Like Bernadette, she has persuasively advocated the integration of faith and reason, a remarkable accomplishment. And like Bernadette, she had a beautiful vision inspired by Our Lady: a vision of a Notre Dame Law School that would continue to be unabashedly and unmistakably Catholic, while at the same time scaling new heights of academic excellence.

That is the easy narrative of Dean O'Hara's accomplishments to write. She faced a challenging deanship, she met the challenges with remarkable success, and she has earned our deep gratitude and high praise. Our hope for the future stands on confident ground.

As true as it is, that narrative fails to fully or fairly capture Dean O'Hara's tenure. Such a conventional farewell narrative—noting the office-holder's accomplishments, giving appropriate thanks and praise, and moving on to a “new” era—is not quite befitting our outgoing dean.

In truth, the final months of Dean O'Hara's tenure have not felt like the conventional final months of a term of office. Students and faculty alike have commented during this past semester that Dean O'Hara's tenure seems “fresh” and “invigorating,” as if it were only commencing now. The days are marked with not only pride in the past and excitement for the future, but *renewal* in the *present*. What accounts for this?

The answer is evident. For all of Dean O'Hara's measurable contributions to

the Law School, she continues to reinvigorate the spirit of the Law School in countless *immeasurable* ways. For Dean O'Hara, law has a purpose: to serve and protect the well-being of all human persons. Learning, too, has a purpose: to pursue, through the tireless exercise of reason and the rich practice of faith, the reality of truth. For ten years, she has built a community that enables the most rigorous learning—by any measure—to occur in communion with the life of the Church. This is her signal accomplishment and a tremendous hope for the legal profession. Her service cannot help but continue to renew the Law School, based, as it is, in enduring principles—and an abiding faith in Christ as the source and end of all human endeavor.

I have heard Dean O'Hara remark on various occasions that Notre Dame is primarily not a place, but people. It is ironic that she probably will be most remembered for building the Eck and Biolchini Halls of Law. She should, of course, receive due credit for that and more—the new facilities already are enabling teaching outcomes and research programs that otherwise would not be

possible. Dean O'Hara's heart, however, has always been with the people who occupy the building—those who teach, and those who learn; those here now, and those in other places; those she knows, and those she does not. The priority Dean O'Hara has placed on the people who constitute the Notre Dame Law School will be her most enduring legacy, recognized as such or not. She has recruited faculty who are not only excellent teachers and premier scholars, but visionaries of the possibilities of Catholic legal education. She has attracted students who are not only gifted intellectuals, but eager servants of God and others. She has inspired alumni who are not only generous benefactors, but models of the best a law school can hope to achieve. From Dean O'Hara's wisdom in building first the people who are Notre Dame, the Law School will realize authentic success long after it ever is attributed to her.

We wish Dean O'Hara the best for her sabbatical. But we eagerly anticipate her return to the faculty. May she know our gratitude—and our prayers for God's blessings upon all of her endeavors.



Katherine Kirkpatrick '09 spoke on behalf of the student body as SBA President. She will be working at King & Spalding in New York City.

My first introduction to Dean O'Hara was when I was a prospective student perusing the law school's website. I remember thinking—oooh, a female dean. Fantastic. The feeling of being impressed by Dean O'Hara extended come orientation, where she spoke to the first-year class. We were all overwhelmed and thrilled by pretty much everything at that point, but I can say that after hearing Dean O'Hara, we all felt even more confident about our choice of a law school.

Without Dean O'Hara, we would not be standing in this glorious atrium.

We wouldn't be surrounded by some of the incredible faculty talent that makes Notre Dame Law School truly the premier Catholic law school in America. We have so much to thank her for. The education we've all received—the caliber of that experience is due in large part to her. We know for a fact that this school wouldn't be where it is today if not for Dean O'Hara.

I know, personally, that getting to know Dean O'Hara—from the first letter I received when I was elected 1L Representative—has been a privilege.

Dean O'Hara, on behalf of the students of NDLS, I would like to extend our heartfelt thanks...We feel privileged to have had you as a dean, and my only regret upon graduation is that I won't get to take one of your classes. NDLS is lucky to have you for the rest of your career.

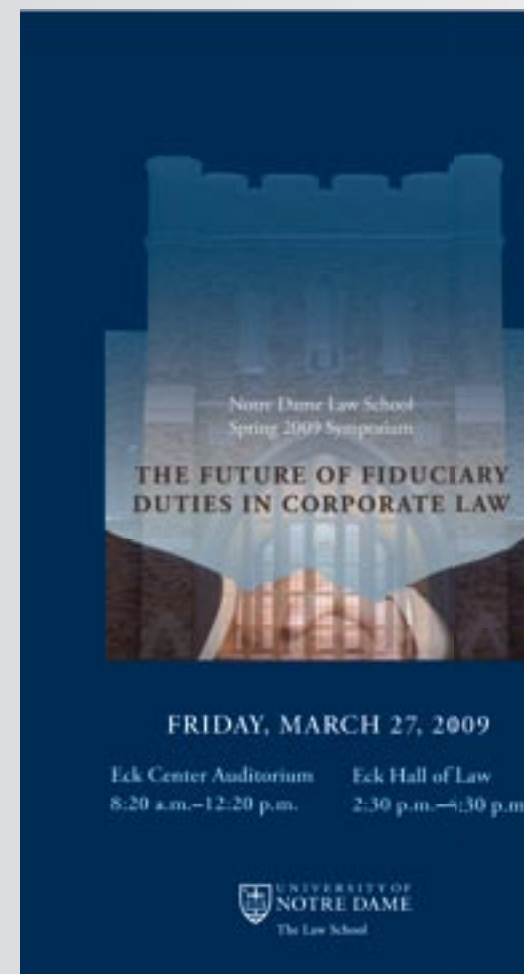


Chief Justice of the United States John Roberts addressed Notre Dame Law School students, faculty, and staff at the DeBartolo Performing Arts Center during a visit to campus as a guest of the Law School and Notre Dame President John Jenkins, C.S.C., on Friday, Sept. 12.

Chief Justice Roberts engaged in a conversation with Notre Dame Law School Professor William Kelley, who asked the Chief Justice questions of his own and questions submitted by students. Kelley served in the White House as Deputy Counsel to the President from 2005–2007. A reception followed at which students had an opportunity to speak informally with the Chief Justice in what was a memorable day for the Law School community.



The Future of Fiduciary Duties in Corporate Law Symposium



In recent years, discussion of accountability for corporate directors has emphasized market solutions and shareholder self-help through voting and selling. However, there is another important tool for holding directors accountable: enforcement of fiduciary duties. What role will fiduciary duties play in the future of corporate law? What role should they play? What is the relevance of the recent financial crisis and ongoing financial scandals in shaping the contours of corporate governance?

A distinguished group of scholars considered these issues at Notre Dame Law School on March 27. The symposium was organized and hosted by Professor Julian Velasco, and was made possible through the generosity of Robert T., '74 J.D., and Ann Therese Darin Palmer, '73 B.A., '75 MBA.

The keynote address was given by the Honorable Myron T. Steele, Chief Justice, Delaware Supreme Court.

Other participants included:

Margaret Blair, *Vanderbilt University Law School*

Richard A. Booth, *Villanova University School of Law*

Lisa L. Casey, *Notre Dame Law School*

Deborah A. DeMott, *Duke University School of Law*

Lisa M. Fairfax, *University of Maryland School of Law*

Brett McDonnell, *University of Minnesota Law School*

David Millon, *Washington and Lee University School of Law*

Larry E. Ribstein, *University of Illinois College of Law*

D. Gordon Smith, *Brigham Young University Law School*

Robert B. Thompson, *Vanderbilt University Law School*

Julian Velasco, *Notre Dame Law School*

Associate Dean William Kelley

BY MELANIE McDONALD

“As a member of the faculty, you can’t fully appreciate how much work is done by administrators.”



“Sitting in the Oval Office advising the President of the United States about some of the most important issues of the day was exhilarating,” says Professor William Kelley, reflecting on his time in the White House as deputy counsel to George W. Bush (2005–2007). In that role, Kelley helped shepherd Chief Justice John Roberts and Associate Justice Samuel Alito of the U.S. Supreme Court through the senate confirmation process.

Kelley—who joined the Law School faculty in 1995 after a career that included both government service and private practice—says it was not an easy thing to leave that life, “but teaching and research remained a vocational call for me, and there was no question that my family and I would return to South Bend.”

A father of five children—ranging in age from five to 20—with wife, Margaret, Kelley explains his affection for the area. “We have a good life here, with strong ties to friends, our parish, and schools. And Notre Dame is a special place. This Law School continues on its trajectory of becoming one of the premier law schools in the country—an institution that is also authentically, distinctively Catholic. I’m proud to be a part of that.”

A graduate of Marquette University and Harvard Law School (where he served as the Supreme Court editor for the **HARVARD LAW REVIEW**), Kelley began his legal career as a clerk to Chief Justice Warren E. Burger and to Associate Justice Antonin Scalia.



“There is no limit to how good we can get.”

Currently, Kelley teaches constitutional law and administrative law and focuses his scholarship on public law issues. “I think it’s important to the future of the American legal and political culture that people think hard about American constitutional law, particularly matters of constitutional structure,” says Kelley. “To that end, I try to do my part to teach others and pursue scholarship in this area.”

Kelley also serves as associate dean, with responsibility for coordinating special projects. Most recently, he oversaw construction of the Eck Hall of Law. “My role was largely that of conduit between the Law School and the University architect’s office and contractors,” explains Kelley, who fielded questions from faculty, staff, and students, and helped keep critical phases of construction on track. “Everyone involved was outstanding to work with. It took a heroic effort on the parts of many to open for classes less than one-and-a-half years after breaking ground.”

Kelley says that this past couple of years as an associate dean have been a real education for him. “I’ve learned a lot. As a member of the faculty, you

can’t fully appreciate how much work is done by administrators. A whole lot goes on here that doesn’t involve teaching and research.”

Kelley enjoys spending downtime with his family, and revealed a penchant for golf, reality television shows, and cooking. While he’ll admit he’s no Iron Chef, he says he’s not bad in the kitchen. “If you ask those who have tasted my cooking—and many of those people work in the Law School—they’d tell you, ‘yes, he can cook, at least a little.’”

When it comes to the Law School’s recipe for enduring success, Kelley can name a couple of major ingredients: “As we progress, I see a larger faculty, all of whom are dedicated to pursuing the distinctive Catholic mission of the Law School and the University from a variety of intellectual perspectives, and a student body that continues to be among the best anywhere, consisting of good people who will leave here and go into the world to do great things. There is no limit to how good we can get.”

Bringing Down a Dictator

BY MELANIE McDONALD

In any human story, there are elements of verifiable fact mixed with matters of personal perspective. At that intersection of perception and reality lies an individual's own truth, different from any other.

This is Juan Guzman's truth, as told to Melanie McDonald during a visit to the Law School on Nov. 14, 2008.

"Yes, I do feel that way," said retired Chilean Judge Juan Guzman when asked if he felt like a veteran of war, despite never having worn a military uniform. That perspective is understandable, considering Guzman has seen the remains of brutally tortured men and women and endured the wrath of a nation when he indicted Chile's then-president, Augusto Pinochet, on charges of kidnapping and murder.

"I don't regret it," says Guzman, who gives the impression of being a modest, kind, and content man. "I have the sensation of being a very happy judge."

While Guzman will go down in history for investigating, indicting, and prosecuting Chilean dictator Augusto Pinochet on human rights violations, he is forthcoming about his initial support of the former military leader. "I offered a toast when Pinochet's coup [of democratically elected Salvadore Allende] succeeded in 1973," says Guzman. "You see, under Allende, the economy suffered terribly, and there were shortages of food and goods. He was a Marxist, too, and people worried that he was trying to bring communism to Chile."

It didn't take long for Guzman to realize he had made a "terrible mistake" by endorsing Pinochet. "The very same day that Pinochet rose to power, I felt the iron claw of the dictatorship," remembers Guzman. Strict mandatory curfews were put in place, and soldiers used violence as a means of enforcing rules.

One month after the coup, the massacre known as the Caravan of Death scarred this South American nation. Thousands of Allende loyalists were tortured and murdered by Pinochet's military. Thousands more simply disappeared. "The world outside of Chile knew, much better than we did, what was happening," says Guzman, who was a young judge



Judge Juan Guzman, center, with LL.M. students from Notre Dame Law School's Center for Civil and Human Rights.

at the time. "We were under a dictatorship, and didn't read about these atrocities in the news." He characterized the contents of the nation's leading newspaper as "an international story here and there, surrounded by photos of smiling politicians shaking hands and doing good," says Guzman.

Fast forward to 1998 when Guzman, now an experienced appellate judge in line for the Supreme Court, was assigned the first cases against Pinochet. He could have dismissed the cases under the Amnesty Law of 1978, promulgated by Pinochet and applicable to all crimes committed between 1973 and 1978, "the worst period of Pinochet's dictatorship," says Guzman. But after examining the cases before him, Guzman began to realize that "the violations against human beings in Chile were not isolated, but systematic. Clearly, the idea was to extinguish groups of people. It was then that my tendency toward individualism evolved into a keen social awareness, prompting my commitment to pursue the greater good by bringing Pinochet to justice for his atrocities."

Instead of granting Pinochet and his regime immunity under the amnesty law, Guzman dug through volumes of doctrine to find a prosecutory loophole. The answer: kidnapping charges. "Kidnapping is a continuing crime. If a person disappears, there is no end to the crime, unless they reappear in your living room one day, or they are found dead. Since kidnapping extended indefinitely beyond the date of amnesty, I could indict without fear of being overturned by the Supreme Court."

After three years of investigation, Guzman indicted Pinochet in 2001 on kidnapping and murder charges. This was an unpopular move, as Pinochet enjoyed great support among most Chileans for bringing economic prosperity to the nation and saving the country from Marxism.

Guzman and his family required around-the-clock security. "At one point, I asked my mother, 'Should I stop this?' And she said, 'No, you are a soldier. You must continue.' The women in my life—my wife, daughters, and mother—are heroic for enduring this with me."

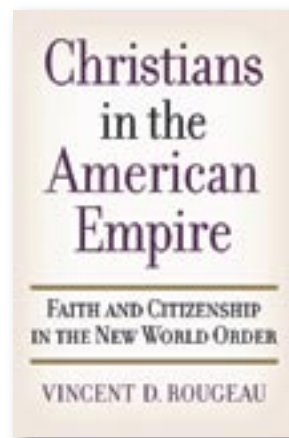
Guzman says it didn't take long for many people to realize that Pinochet was not the man they thought he was. "He became viewed as a kind of Chilean Hitler," he explains. Pinochet died in Santiago, Chile, in December 2006 at the age of 91 without a single conviction for human rights violations, but with a seriously eroded reputation and time in jail and under house arrest as his legal battles unfolded.

While Guzman is glad to have had a role in bringing down a dictator and bringing justice to victims' families, he doesn't want that to be his only legacy. "I'm 69 years old, and I hope I continue to be useful for my country. I hope that I can still serve my people . . . I pray for that." Guzman is also a budding author and is putting the finishing touches on a novel that he plans to publish next year. The book is titled **MURIEL**, and tells the story of a young woman who was kidnapped and tortured during the Pinochet regime. "Even though the character is fictional, I did not invent a single thing that happened," says Guzman.

Surely his readers will be hoping for a happy ending.

Christians in the American Empire
(Oxford University Press,
November 2008), Vincent Rougeau

In **CHRISTIANS IN THE AMERICAN EMPIRE**, Professor Vincent Rougeau argues that orthodox Christianity, properly understood in its intellectual and historical context, is much more supportive than is generally understood of many of the political and legal ideas championed by “progressives” in American politics. Using Catholic social teaching and its secular philosophical antecedents as his point of departure, Professor Rougeau explores how key assumptions underlying Catholic thinking diverge from many of the ideas animating American law and public policy in areas like poverty relief, immigration, and redress for racial discrimination. He also develops an understanding of Christianity as a natural partner for international human rights and a foundation for a legal cosmopolitanism that transcend nation-state boundaries.



Oxford University Press describes the book this way:

What does it mean to be a Christian citizen of the United States today? This book challenges the argument that the United States is a Christian nation, and that the American founding and the American Constitution can be linked to a Christian understanding of the state and society. Vincent Rougeau argues that the United States has become an economic empire of consumer citizens, led by elites who seek to secure American political and economic dominance around the world. Freedom and democracy for the oppressed are the public themes put forward to justify this dominance, but the driving force behind American hegemony is the need to sustain economic growth and maintain social peace in the United States.

This state of affairs raises important questions for Christians. In recent times, religious voices in American politics have taken on a moralistic stridency. Individual issues like abortion and same-sex marriage have been used to “guilt” many Christians into voting Republican or to discourage them from voting at all. Using Catholic social teaching as a point of departure, Rougeau argues that conservative American politics is driven by views of the individual and the state that are inconsistent with mainstream Catholic

social thought. Without thinking more broadly about their religious traditions and how those traditions should inform their engagement with the modern world, it is unwise for Christians to think that pressing single issues is an appropriate way to actualize their faith commitments in the public realm.

Rougeau offers concerned Christians new tools for a critical assessment of legal, political and social questions. He proceeds from the fundamental Christian premise of the God-given dignity of the human person, a dignity that can only be realized fully in community with others. This means that the Christian cannot simply focus on individual empowerment as ‘freedom’ but must also seek to nurture community participation and solidarity for all citizens. Rougeau demonstrates what happens when these ideas are applied to a variety of specific contemporary issues involving the family, economics, and race. He concludes by offering a new model of public engagement for Christians in the American Empire.

Professor Rougeau’s teaching interests are in contract and real estate law, as well as in law and religion. He teaches first year contracts, real estate transactions, and seminars in Catholic social teaching and immigration and multiculturalism. He is a member of the bar of Maryland and of the District of Columbia. Before entering the academy, he practiced law at the Washington, D.C. office of Morrison & Foerster from 1988–1991.

In October 2008, three Notre Dame Law School women joined together in order to establish the Timothy R. Aher and Ryan A. Rudd fellowships in memory of two of their classmates who had tragically passed away. These fellowships became a reality with the matching funds offered through the Eck Fellowship Challenge and will serve to assist future law students in obtaining the high-quality legal education available at Notre Dame Law School.

Heather, M.T., and Katherine are lighting the way for the hopes and dreams of those who will come after them. Through the hardships we all face, the spirit of giving in Notre Dame never fails. Who will you light the way for today?



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B.A. 2006,
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Legal interest: litigation
J.D. 2009, Notre Dame Law School

GALILEE in New York City

BY JOSEPH SCHUESSLER, '11

During this past Christmas break, I had the opportunity to participate in Notre Dame Law School's GALILEE program in New York City with a group of seven other first-year students. GALILEE, an acronym for Group Alternative Live-In Legal Education, is a program that gives law students an opportunity to travel to a major city and meet with legal professionals working in the interest of the urban poor. GALILEE was valuable in increasing my understanding of public interest law and the different environments in which lawyers work. Besides New York City, groups also coordinated trips to Austin; New Orleans; Chicago; Washington, D.C.; and Tulsa.

Having one semester of law school under my belt, I have some knowledge of the law but a limited familiarity with legal practice. GALILEE gave our group a glimpse into the different work environments of law firms, prosecutors, legal aid attorneys, and even lawyers at the United Nations.

Each institution emphasized how its practice served the common good while at the same time being professionally rewarding, and it was notable how much pride each place took in its own particular practice niche.

Our group visited the United Nations Office for Legal Affairs, the New York City Bar Justice Center, the Urban Justice Center, and the firms White & Case and Jenner & Block, and prepared and served lunch at a neighborhood mission operated by a Catholic religious order, the Fraternité Notre Dame.

At the United Nations, we talked with Annebeth Rosenboom, who works in the treaty section of the Office of Legal Affairs, one of five sections in the office. We learned about this office's work recording the ratification of treaties and registering treaty documents, and had the opportunity to tour the General Assembly building. At the two firms we visited, we met with attorneys responsible for coordinating the firms' pro bono practice. James Stillwaggon, the pro bono coordinator at White & Case, highlighted the extent to which it was possible to take on meaningful pro bono work as a young associate in a law firm. He explained that all first-year associates get a pro bono assignment the first day on the job; that the firm places no limits on the total amount of hours for pro bono work;

that all these hours counted toward the firm's internal requirements; and that pro bono assignments were often some of the most exciting work carried out by the firm.

At the New York City Bar Justice Center, we spoke with six attorneys about their work, which included advocating for the homeless, helping neighborhood entrepreneurs creating small businesses, and handling consumer bankruptcy and immigration cases.

At the Urban Justice Center's offices, we spoke to the center's founder, whose work involves aiding clients in navigating the complex regulatory and administrative systems surrounding veterans' benefits, welfare, public housing, and immigration.

We stopped by the office of John Brancato, a 1978 NDLS alum and bureau chief in the New York County District Attorney's Office. Brancato discussed his work prosecuting criminal cases and enjoyed giving our group a Socratic grilling session on current legal issues in New York.

Of the seven calls we made during GALILEE, the most memorable one for me was our group's service project at Fraternité Notre Dame's mission in East Harlem. Along with the two French nuns who manage the mission, we prepared and served helpings of rice, vegetables, potatoes, pasta, and ham for more than 50 people. We also placed food in individual containers to be distributed to families later as part of the mission's food pantry project. One nun said, "People see our name and ask us all the time if we are associated with the University of Notre Dame." Seeing the time and effort these two nuns put into providing hundreds of needy people with meals every day of the week made me more than glad to share a name with them.

GALILEE was helpful in framing my plans for the upcoming summer and beyond. I gained a new perspective on public interest law as attorneys spoke to us about their education, career backgrounds, observations about changes in their practice, and the challenges of balancing work and family life. The group of organizations was as diverse as the legal profession itself, and had no single shared set of underlying causes or goals, other than devotion to the cause of justice.



The Protective Order Project

BY KATHLEEN PORTMAN, '09 (WITH MEGAN MATUSKA, '10)

As students on the path to becoming "a different kind of lawyer," many of us seek ways to be a different kind of student. The Protective Order Project is one way that a small group of us are quietly making a small difference in the lives of domestic violence survivors in our community, even without the much-coveted bar card.

The Protective Order Project was born out of a unique partnership between the Law School's Pro Bono Project and the Family Justice Center of St. Joseph County (FJC). The FJC is an amazingly diverse resource offering civil, legal, medical, and social services to survivors of domestic violence, all under one roof. This "one-stop-shop" is a centralized effort to protect survivors, and it provides a remarkable transformation from the previously fragmented and uncoordinated services of the past. The FJC, one of only 15 collaborative centers nationwide, was opened with a grant funded by the U.S. Department of Justice. The Law School's involvement with the FJC began in the spring of 2008 with 20 student participants, including me.

The Protective Order Project gives law students the opportunity to interview clients, prepare protective order petitions, make small group presentations on legal matters, and research topics with an eye toward training other attorneys and law enforcement officers. Students who are certified legal interns will also be able to assist pro bono attorneys at client hearings. While all of this gives you the general idea of what we do at the FJC, the best way to illustrate the Protective Order Project is to walk you through a "typical" day.

Many of our clients learned of the FJC through referrals from other agencies or by word of mouth. Either as walk-in clients or scheduled appointments, our survivors come to us by bus, by car, or by foot, all seeking help from the wide variety of resources available at the FJC. Some clients are in the midst of an emergency and flee to our building for protection from a relentless assailant outside. It is in these situations that the power of the FJC comes alive. In one such situation, we were able to provide the client with safe harbor, set up an immediate police interview, counsel her about ways to stay safe, and provide her with resources for the future.

When we are not dealing with an emergency, the process begins when one of our intake advocates conducts an initial interview to determine what services the client would require

and whether a protective order is needed. If the client is in need of a protective order, she then participates in a second interview, this time with an ND law student. During the school year, law students working with the Protective Order Project generally work in pairs, listening and taking down the client's story and obtaining the information necessary to complete the petition and supplemental documents. One student will take detailed notes and the other will be the primary interviewer, asking questions, eliciting a narrative, and clarifying details. Once the client interview is over, the team meets and completes the petition and any other related court documents. A final meeting is conducted with the client, this time making sure that the petition accurately and faithfully represents her story and circumstances. The client then signs the petition and, in most cases, files the petition with the court.

While the paperwork for protective orders has been carefully designed to be accessible to pro se litigants, many of our clients still have questions about the consequences of filing for a protective order. We provide reassuring and informative answers to all the client's inquiries.

Another part of leading the client through petition involves explaining different outcomes and options for relief that she could request, and helping her plan for a hearing where she would have to stand face-to-face with her abuser in court.

Each client's situation is unique and poses different legal questions about the appropriateness and type of relief requested in the petition. It is a valuable learning experience to have so much client contact and to see how legal actions and petitions can make a positive impact on a person's self-confidence and safety. However, the Protective Order Project represents much more to law students than a mere application of our legal education. It represents a shared commitment to the members of our community and our dedication as members of Notre Dame Law School to becoming "a different kind of lawyer."

What is also not depicted in the process is the reward a law student receives by sitting face-to-face with a survivor of domestic violence. The power of the law is revealed when it enables a woman to protect herself and her family from an abusive situation. Such a feat is a marvel to witness, and it cannot help but change the life of the law student who helps to make it possible.



2008 Barristers Go to Nationals for Second Straight Year

The NDLS Barristers Trial Team showed great skill in the 2008 National Trial Competition. The team was one of the two finalist teams advancing from the regional competition, held at the Daley Center in Chicago in February 2008, to nationals. Members of the regional team were Annabelle Pereira, George McDonnell, Drew Haase, Kyle Smith, Nicole Tlachac, and Joseph Fiorino.

Competing at nationals were Kyle Smith, Nicole Tlachac, and Joseph Fiorino. NDLS Adjunct Assistant Professors Joel Williams and Kate Singer, NDLS '97, coached the team.

The National Trial Competition is one of, if not the most, prestigious law school trial competitions and is sponsored by the American College of Trial Lawyers and the Texas Young Lawyers Association. It was established in 1975.



Pictured in the courtroom are: first row, Annabelle Pereira and Nicole Tlachac; second row, Joseph Fiorino, Kyle Smith, Drew Haase, and George McDonnell.

2009 Barristers

The 2009 Notre Dame Barristers Trial Team made it to the semifinals of the Chicago Regional of the National Trial Competition, Feb. 5–7. Congratulations go to David Roberts, Jeff Caffee, Tom Burnett, Jason Heaser, Drew Haase, and Sean Lyttle (pictured below from left to right).



Jessup Moot Court Team

Tim Sullivan, Laura Rawski, David Diorio, and Jessica Kim (Alternates: Jessica Brock and Lindsay Hawley) competed in the Super Regional Round of the International Moot Court Competition in February. Although the team did not advance, Laura Rawski received an award as one of the top 15 oralists out of more than 100 competitors.

Pro Bono Trip to Appalachia

Six 2L and 3L students engaged in pro bono work in Appalachia over spring break, March 8–14. The Law School’s Pro Bono at Notre Dame Program organized the trip in conjunction with the Appalachia Seminar of the Notre Dame Center for Social Concerns. Students worked with the Appalachian Research and Defense Fund of Kentucky (AppalReD)—the umbrella legal services organization for Eastern Kentucky—to pilot a new type of legal services delivery to low-income clients: one-day clinics in various counties to draft wills and powers of attorney.

Chilean Judge Guzman and Ambassador Williamson Speak at NDLS

On Friday, Nov. 14, 2008, Notre Dame Law School’s Center for Civil and Human Rights (CCHR) hosted the Honorable Juan Guzman, the retired Chilean judge who became internationally famous for being the first judge to prosecute former Chilean dictator Augusto Pinochet on human rights charges, and Ambassador Richard Williamson, President Bush’s special envoy to Sudan. See page 22 for more on Juan Guzman.

Client Counseling Competition

Each year, the Law School sponsors an intra-school competition as part of the ABA Client Counseling Competition. Teams of two students interview a client about a particular legal issue, eliciting the facts of the case and counseling the client on possible options. Jamie Padgett and Ukachi Okoronkwo won the Notre Dame intra-school contest—judged by a combination of law professors, local attorneys, and counselors—and went on to compete in the regional event at Marquette University Law School against 12 teams from schools in Indiana, Illinois, and Wisconsin. They advanced to the semifinal round.

Moot Court Showcase

Notre Dame Law School presented its 59th annual Moot Court Showcase Argument on Thursday, Feb. 19, in the Patrick F. McCartan Courtroom of the Eck Hall of Law. All five advocates on the case were third-year law students.

The case involved the Religious Land Use and Institutionalized Persons Act and the Individuals with Disabilities Act as the

bases of a complaint against the town of San Teresa. Attorneys for the petitioners were Gabriel Bradley, Andrew Hofland, and Kathleen Portman. Advocates for the respondents were Charles Gough and Carissa Mulder.

The case was tried before the Honorable Jerome A. Holmes of the U.S. Court of Appeals for the Tenth Circuit, the Honorable Debra Ann Livingston of the U.S. Court of Appeals for the Second Circuit, and the Honorable Patrick J. Schiltz of the U.S. Federal District Court for Minnesota.

Intensive Trial Advocacy

Jan. 5, 2009, began a weeklong opportunity for students to develop their trial practice skills and gain litigation experience through simulated courtroom exercises. The bi-annual Intensive Trial Advocacy program brings top litigators from major law firms, as well as judges and justices from across the country to campus to advise and coach students.

Notre Dame Law School alumni, Notre Dame undergraduate alumni with law degrees from other institutions, and lawyers without a connection to Notre Dame participate as mentors to ND Law students. Volunteer lawyers and judges come from major firms and judicial benches across the United States and Canada.

Second- and third-year law students are eligible to enroll in the course, which always begins a week before the start of each semester.

Intensive Trial Ad participants continue to meet once a week throughout the duration of the spring semester. During that time, each student acts as a trial lawyer in two trials—one jury trial and one judge trial—and also serves as a witness or observer in one jury trial and one judge trial.

NDLS’s program is ranked among the best trial advocacy programs in the country by *US News & World Report*.



Pictured above from left to right: Andrew Hofland, Kathleen Portman, Gabriel Bradley, the Honorable Debra Ann Livingston, the Honorable Jerome A. Holmes, the Honorable Patrick J. Schiltz, Charles Gough, Carissa Mulder, and Professor Meredith Bowers.

Student Groups Host Immigration Symposium

The NOTRE DAME JOURNAL OF LAW, ETHICS, AND PUBLIC POLICY (JLEPP), in conjunction with the Hispanic Law Student Association, presented Yearning to Breathe Free: Immigrants and the American Dream, a symposium on immigration on Tuesday, Sept. 30, 2008, in the Law School Courtroom. Featured speakers were Dina Francesca Haynes, a professor at the New England School of Law; Micah N. Bump, a research associate with the Institute for the Study of International Migration; Robert Gittelson, a garment manufacturer and frequent contributor to the Immigration Portal (ILW.com); and Patricia Gittelson, an immigration attorney in the Los Angeles area. Rev. Daniel G. Groody, C.S.C., moderated the symposium.

LRAP Enhancement

The Loan Repayment Assistance Program (LRAP) was recently enhanced, thanks largely to a growing LRAP endowment. Now, the LRAP can provide substantially increased benefits to program participants.

THE APPLICATION DEADLINE IS NOV. 1 for funding during the 2010 calendar year. This applies to the classes of 2005–2009.

In short, these are the changes: The income ceiling was raised to \$54,000 (from 50,000). The percentage of monthly law school debt payments covered by the program also increased significantly. Finally, LRAP loans will be forgiven much more quickly. One-third of LRAP loans will be forgiven after a single year of public service work, and the program loans will be fully forgiven after just three years of public service work.

Those changes should more than double the total annual benefits paid by LRAP, and they should make public service work possible for more graduates.

Contact Cathy Roemer, program administrator, with questions: croemer@nd.edu or (574) 631-6241, or visit law.nd.edu.

FACULTY SCHOLARSHIP AND HONORS



Matt Barrett

published the 2008 supplement to the unabridged and concise fourth editions of the **ACCOUNTING FOR LAWYERS** casebook, coauthored with David R. Herwitz, professor emeritus,

Harvard Law School. He presented “The Credit Crisis, the Federal Government’s Response, and What It May Mean to Businesses” to the law firm, Bodman, LLP, and its clients in October 2008.



Joseph Bauer

presented a work in progress titled *Copyright and the First Amendment: Comrades, Combatants or Uneasy Allies* at Valparaiso Law School (Jan. 30), Notre Dame Law School (Feb. 27), and

William Mitchell Law School (March 13). He also presented an earlier version of this copyright paper at the Intellectual Property Scholars Conference, held at Stanford Law School in August 2008.

Bauer delivered a keynote speech at the Korean Competition Law Association International Symposium in Seoul, South Korea, Nov. 6–7, 2008. The symposium focused on the regulation of the insurance industry.



Tricia Bellia

published *The Memory Gap in Surveillance Law*, 75 **UNIVERSITY OF CHICAGO LAW REVIEW** 137 (2008).



Gerard Bradley

published *Religion at a Public University*, 49 **WILLIAM AND MARY LAW REVIEW** 2217 (2008).



Peg Brinig

published the following:

Are All Contracts Alike? 43 **WAKE FOREST LAW REVIEW** 533 (2008);

The One Size-Fits All Family, 49 **SANTA CLARA LAW REVIEW** 137 (2009) (with Steven L. Nock);

Legal Status and Effects on Children, 5 **UNIVERSITY OF ST. THOMAS LAW REVIEW** 548 (2009) (with Steven L. Nock); and

Children’s Beliefs and Family Law, 58 **EMORY LAW JOURNAL** 55 (forthcoming in 2009) (with Steven L. Nock).

Brinig’s book, **SUPPORTING THE COVENANT: FAMILY AND COMMUNITY**, is under contract with University of Chicago Press.

She presented “The Public Choice of Catholic School Closings” at the Midwest Law and Economics Association annual meeting at Northwestern Law School in October, 2008, and “Catholic School Closings and Neighborhood Effects” at Notre Dame Law School’s faculty colloquium. Both papers were coauthored with Professor Nicole Stelle Garnett.

Brinig currently serves as chair of the Law and Economics Section of the American Association of Law Schools, and was elected to the Dean’s Search Committee here at NDLS.



Alejandro Camacho

published *Beyond Conjecture: Learning about Ecosystem Management from the Glen Canyon Dam Experiment*, 8 **NEVADA LAW JOURNAL** 942 (2008).

He presented the following:

“Smart Growth and Public Participation in Regulatory Decision-making,” Tulane Law School, International Legislative Drafting Institute, New Orleans, June 20, 2008;

“The Candidates and the Global Environment” as a panel discussion participant for The American Election: The View from Abroad at the University of Notre Dame London Centre, London, United Kingdom, Oct. 29, 2008;

“Adapting Governance to Climate Change,” University of St. Thomas School of Law, Jan. 26, 2009; and

“Assisted Migration,” Climate Change Solutions, 2009 Natural Resources Law Teachers Institute, Rocky Mountain Mineral Law Foundation, Chico Hot Springs, Mont., May 29, 2009.



Paolo Carozza

published *Human Dignity and Judicial Interpretation of Human Rights: A Response to Christopher McCrudden*, 19 **EUROPEAN JOURNAL OF INTERNATIONAL LAW** 931 (2008) and *La comunità sovranazionale*

dei giudici e il significato del diritto, in **LA VERITÀ, IL NOSTRO DESTINO** (Giorgio Vittadini, ed., Mondadori 2008).

He presented:

“Looking at the Future: The Main Challenges Facing the Inter-American Human Rights System” at a conference titled When Two Regional Human Rights Systems Meet: The Inter-American and European Systems in Comparative Perspective, at the University of Utrecht, Netherlands, in September 2008;

“Fifty Years of the European Court of Human Rights Viewed from the Americas” for the European Court of Human Rights, Strasbourg, France, in January 2009;

“The Promise and Problem of Subsidiarity in International Human Rights” on a panel titled Community as a “Third Force” in Domestic and International Relations: Models of Subsidiarity at the annual conference of the Association of American Law Schools, San Diego, in January 2009;

“Global Values, Local Virtues: Human Rights, Democratic Self-Governance, and International Justice” at a New York University Law School faculty colloquium and at a Harvard Law School faculty colloquium, in February 2009.

He was visiting professor and John Harvey Gregory Lecturer on World Organization at Harvard Law School during the spring semester.



Douglass Cassel

won the 2008 Elmer Gertz Award from the Human Rights Section of the Illinois State Bar Association. The award is bestowed upon a civil and human rights lawyer who has exemplified that

commitment to civil and human rights shown by famous Chicago lawyer Elmer Gertz.



Tex Dutile

published *Bringing Cases to Life: Education Law Stories*, in 35 the **JOURNAL OF COLLEGE AND UNIVERSITY LAW** 131 (2008).



Ed Edmonds

presented “Major League Baseball’s Salary Arbitration” at the Hot Stove meeting of the Oscar Charleston Chapter (Indianapolis) of the Society for American Baseball Research at the

Conner Prairie museum in Fishers, Ind., on Feb. 7, 2009;

“Major League Baseball Salary Arbitration in 2009” at the 16th Annual NINE Spring Training Conference in Tucson, Ariz., on March 13, 2009; and

“The Integration of Baseball and the Influence of Jackie Robinson Upon the Negro Leagues: Consideration of an Alternative Approach,” Diversity and Sports: The History, the Challenges, and the Future, Dean’s Leadership Forum on Diversity, Widener University School of Law, Harrisburg, Pa., on March 16, 2009.



Barbara Fick

published *What Constitutes a “Current Violation” under the Pregnancy Discrimination Act?: An Analysis of AT&T Corp. v. Hulteen*, 36 **PREVIEW OF UNITED STATES SUPREME COURT CASES**, Issue No. 3 (Dec. 1, 2008).

Her presentations include:

“Protecting Labor Rights in a Global Economy” for the staff of Region 26, National Labor Relations Board, Indianapolis, on Aug. 12, 2008;

“Economic, Social and Cultural Rights: ILO and Inter-American Enforcement Regimes” for the Summer Course on Human Rights, sponsored by Katholieke Universiteit, Leuven, Belgium, Aug. 28, 2008;

“Employee Free Choice Act,” sponsored by Barnes & Thornburgh Elkhart, Ind., Sept. 12, 2008; and

“Legislative Update on Employment Law Issues,” sponsored by the Council for the Advancement of Labor & Management Relations, South Bend, Oct. 22, 2008.

Fick was also a team member, USAID Labor Assessment Mission to Ukraine: The Role of Labor-Related Issues in the Foreign Assistance Framework, Dec. 6–20, 2008.



Judy Fox

was featured in **NOTRE DAME MAGAZINE** for her research on the subprime lending/home foreclosure problem and her work assisting victims of predatory lending. On Jan. 7, 2009, she testified

before the Indiana House Financial Institutions Committee and the Senate Judiciary Committee on the mortgage foreclosure issues, and was asked by the Indiana Judicial Center, an Indiana Supreme Court agency charged with the continuing education of Indiana’s judicial officers, to conduct two trainings at the Indiana Judicial Conference on April 16 and 17, as well as at some of the district meetings held throughout April. Fox was also invited, as a part of this same initiative, to chair the Indiana Continuing Legal Education seminar on the topic on May 12. This program was filmed and will be presented throughout the state.



Nicole Garnett

published “*No Taking without a Touching?*” *Reflections of an Armchair Originalist*, 45 **SAN DIEGO LAW REVIEW** 761 (2008) She presented the following:

“The Order-Maintenance Agenda as Land Use Policy” (draft book chapter) at Seton Hall Law School, Faculty Workshop Series, Sept. 8, 2008, and at University of Minnesota Law School, Faculty Workshop Series, Oct. 23, 2008;

“Private Norms and Public Spaces” at the 2008 Brigham-Kanner Property Rights Conference, William & Mary Law School, Oct. 17, 2008;

“The Legal and Cultural Landscape of Religious Property Disputes” at the 11th Annual Conference on Litigating Takings and Other Challenges to Land Use and Environmental Regulation, Stanford Law School, Nov. 7, 2008;

“Mercantilism, American Style” at the AALS Annual Conference, Property Law Section, Jan. 7, 2009; and

“Reordering the City” at the AALS Annual Conference, State and Local Government Law Section, Jan. 8, 2009.

Garnett was appointed a provost fellow in July 2008 and was elected to the Dean’s Search Committee.



Richard Garnett

published “*Excluding Religion: A Response*,” 156 **UNIVERSITY OF PENNSYLVANIA LAW REVIEW PENNUMBRA** 113 (2008);

Righting Wrongs and Wronging Rights, **FIRST THINGS** (October 2008) (reviewing **NICHOLAS WOLTERSTORFF, JUSTICE: RIGHTS AND WRONGS** [2007]).

Judicial Review, Local Values, and Pluralism, 32 **HARVARD JOURNAL OF LAW AND PUBLIC POLICY** 5 (2009); and

A Hands Off Approach to Religious Doctrine: What Are We Talking About?, 84 **NOTRE DAME LAW REVIEW** 839 (2009).

He presented:

“The Presidential Election and the Future of the Supreme Court” at the Indianapolis Lawyers Chapter of The Federalist Society (Sept. 25, 2008);

“Religion and the Constitution Roundtable” at Notre Dame Law School (Oct. 10, 2008);

“Religion in the Public Square: What Do Our Laws and Traditions Have To Say?” at Thomas More College (Oct. 27, 2008);

“The International Religious Freedom Act” at the Federalist Society’s 2008 National Lawyers Convention (Nov. 20, 2008);

“Religious Freedom in America Today” at The American Model of Religious Freedom Conference sponsored by the U.S. Embassy to the Holy See, Villa Aurelia, Rome, Italy (Jan. 13, 2009);

As a panel discussion participant for the “Freedom of Religion” Tocqueville Program for Inquiry into Religion and American Public Life at Notre Dame (Feb. 5, 2009);

“Standing for Conscience” at the 2009 John F. Scarpa Conference on Law, Politics and Culture: Liberty of Conscience and Religious Equality; and

“Church Autonomy, the First Amendment, and Constitutionalism” at Drake Law School’s 2009 Constitutional Law Symposium titled “Global Perspectives on Religion, the State, and Constitutionalism” (April 4, 2009).

Garnett’s book proposal, **TWO THERE ARE: UNDERSTANDING THE SEPARATION OF CHURCH AND STATE**, was accepted by Cambridge University Press.

Garnett served as chair of the AALS Section on Law and Religion (2007–08).



Jimmy Gurulé

published **UNFUNDING TERROR: THE LEGAL RESPONSE TO THE FINANCING OF GLOBAL TERRORISM**, Edward Elgar Publishing 2008. In addition, he was appointed to the Seventh Circuit’s Committee on

Pattern Criminal Jury Instructions. Gurulé also met with top government officials, prosecutors, bank representatives, and police officers in Albania’s capital city, Tirana, to discuss financial investigations and the fight against money laundering. He was there from Oct. 15 to 17, at the request of the Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT) of the Department of Justice. Gurulé also was asked to serve as a series editor of the Elgar Press International Financial Crime series.



Vincent R. Johnson

, visiting professor of law from St. Mary’s University in Texas, taught a two-week course on Free Speech and Civil Liability for Defamation at the University of Belgrade, Serbia, in December 2008.



Michael Kirsch published *The Limits of Administrative Guidance in the Interpretation of Tax Treaties*, 87 **TEXAS LAW REVIEW** (April 2009).



Don Kommers earned the prestigious Berlin Prize Fellowship from the American Academy in Berlin. The academy bestows between 10 and 20 awards each year worldwide. Kommers is currently spending a

semester in Berlin to complete a research project on Germany's constitutional culture. On April 22, he delivered a lecture at Heidelberg University on "German and American Constitutionalism: Contrasting Values." On April 30, he delivered the one lecture required of him as part of his residency, titled "German Constitutionalism: A 60-Year Assessment."

Kommers recently completed work on a translation of *Basic Law, Germany's Constitution*, with Professor Christian Tomuschat of Berlin's Humboldt University law faculty. The project was commissioned by Germany's national parliament.



Lloyd Mayer was a panelist at the Church-State Relations and Religious Liberty: Comparative Perspective Conference at the University of Notre Dame on Sept. 22, 2008. He served as moderator for

the "Pulpit Freedom?: On Taxes, Elections, and Religious Freedom" panel at the annual meeting of the American Association of Law Schools on Jan. 8, 2009. He presented "Public Benefits, Private Benefits, and Charities" at the Critical Tax Conference at Indiana University, Bloomington, April 3–4, 2009.



Mark McKenna published *Trademark Use and the Problem of Source*, 2009 **UNIVERSITY OF ILLINOIS LAW REVIEW** 101 (2009).

He presented his paper *Modern Trademark Law and the Right to Make Derivative Works* in August 2008 at the Intellectual Property Scholars Conference at Stanford. He presented the same paper on March 11, 2009, at the University of Toronto as part of its Innovation Law and Policy Speakers' Series.

On Feb. 7–8, McKenna participated in a symposium at the William & Mary School of Law called The Boundaries of Intellectual Property. His paper, *An Alternate Approach to Channeling*, will appear in the symposium edition of 51 **WILLIAM & MARY LAW REVIEW** (fall 2009).



John Nagle presented the following:

"The Effectiveness of Biodiversity Law" as the Distinguished Lecturer in Environmental Law at the Florida State University School of Law,

October 2008;

"How China's Christians Can Heal China's Environment" at the China Challenge Conference, Boston, October 2008;

A talk on the relationship between Christianity and environmental law for Harvard Law School's Christian Legal Society, October 2008;

"Humility and Environmental Law" at Boston University School of Law, October 2008;

The keynote address on China's response to climate change at the International Environmental Law: Concerns for Multinational Enterprises symposium at Loyola University School of Law, Chicago, February 2009;

"China, Creation, and Christianity" at the China Outreach Ministries annual conference, St. Simons, Georgia, February 2009;

"The Three Responses to Pollution" for a faculty colloquium at the University of Nebraska College of Law, February 2009; and

"Controlling China's Pollution" as the Byker Chair Lecturer at Calvin College, March 2009.



Christopher S. O'Byrne published a review of **MARCUS AURELIUS, THE MEDITATIONS OF THE EMPEROR MARCUS AURELIUS ANTONIUS** (James Moore & Michael Silverthorne eds., Francis Hutcheson & James Moor trans.,

Liberty Fund 2008) (1742) in 14.3 Legal History and Rare Books Newsletter 26 (2008).



Mary Ellen O'Connell published **INTERNATIONAL LAW AND THE USE OF FORCE, CASES AND MATERIALS** (Foundation, 2d ed. 2008); Documentary Supplement (Foundation, 2d ed. 2008); and Teacher's Manual (Foundation, 2d ed. 2008). She also published

Beyond Wealth: Stories of Art, War, and Greed, 59 **ALABAMA LAW REVIEW** 1075 (2008) and *Preserving the Peace: The Continuing Ban on War Between States*, 38 **CALIFORNIA WESTERN LAW REVIEW** 41 (2008).

She presented "The New Militarism" at the Mershon Center for the Study of International Security, The Ohio State University, Oct. 2, 2008; and

"The Way Forward—Legal Choices in the Global War on Terror" at Washburn University School of Law, Nov. 13–14, 2008.

O'Connell was recently named Research Professor of International Dispute Resolution at Notre Dame's Kroc Institute for International Peace Studies. She will retain her position at the Law School, which she has held since 2005.



Vincent Rougeau spent the 2008–09 academic year working on a second manuscript as a Senior Fellow of the Martin Marty Center at the University of Chicago. He has been exploring the intersections between

cosmopolitan philosophy and Catholic social teaching as a way to reconsider the role of religion in multi-faith, pluralist democracies. His Senior Fellows Symposium at the Marty Center was delivered on Feb. 26, 2009. It was titled "Religious Citizens, Pluralist Democracy, and Legal Cosmopolitanism."

On March 10, Rougeau was a keynote speaker in the Cheapside Debate at St. Mary-le-Bow Church in the City of London. The debate was titled "Imagining America: The Vocation of a Nation."

On April 3, the Notre Dame London Centre hosted a launch event for Rougeau's book, **CHRISTIANS IN THE AMERICAN EMPIRE: FAITH AND CITIZENSHIP IN THE NEW WORLD ORDER** (Oxford University Press, 2008).

In June, Rougeau will deliver the keynote address at the Faith, Justice, and Civic Learning Conference on the integrative significance of faith, justice, and civic learning in higher education at DePaul University in Chicago.



J. Eric Smithburn published **APPELLATE REVIEW OF TRIAL COURT DECISIONS** (Carolina Academic Press, spring 2009) and co-authored a three-volume treatise, **INDIANA FAMILY LAW**, vols. 14, 15, and 15A

(Thomson West, March 2009).



O. Carter Snead published *Unenumerated Rights and the Limits of Analogy: A Critique of the Right to Medical Self-Defense*, 121 **HARVARD LAW REVIEW** 1 (2007);

Neuroimaging, Entrapment, and the Predisposition to Crime, 7 **AMERICAN JOURNAL OF BIOETHICS** 60 (2007);

Neuroimaging and the "Complexity" of Capital Punishment 82 **NEW YORK UNIVERSITY LAW REVIEW** 1265 (2007) (reprinted in 19 **THE NEW ATLANTIS: A JOURNAL OF TECHNOLOGY AND SOCIETY** 35 (2008));

A Review of Helena Silverstein's HOW COURTS FAIL PREGNANT MINORS (NYU Press 2007), 123 **POLITICAL SCIENCE QUARTERLY** 343 (summer 2008);

Bioethics and Self-Governance: The Lessons of the Universal Declaration on Bioethics and Human Rights, **JOURNAL OF MEDICINE AND PHILOSOPHY**.

He presented:

"The Meaning of *Gonzales v. Carhart*" for the Yale Law School Federalist Society, (Nov. 29, 2007);

"Conscience Clause Protection for Health Care Providers" as McNerny-Hanson Chair in Ethics Lecturer, sponsored by the Garaventa Center for Catholic Intellectual Life and American Culture at the University of Portland, the Catholic Medical Association, and Physicians for Compassionate Care (April 3, 2008);

"Conscience Protections for Physicians" for the Internal Medicine Residency Program at Providence St. Vincent Hospital Department of Medicine in Portland, Ore. (April 4, 2008);

"Law, Neuroscience, and the 'Complexity' of Capital Punishment" at the Junior Scholars Law and Neuroscience Workshop, sponsored by Stanford University Law School, Stanford's Center for Law and Biosciences, and the John D. and Catherine T. MacArthur Foundation (April 5, 2008);

"Law, Science and Incommensurability" for Legal Doubt, Scientific Certainty: What Scientific Knowledge Does for and to Law Symposium, sponsored by the University of Alabama School of Law (April 11, 2008);

"Law, Science, and the Incommensurability of Persons and Particles" at The Rimini Meeting of Friendship Among Peoples, Emilia-Romagna, Italy (Aug. 24, 2008); and

"The Jurisprudence of Abortion" to the Washington & Lee University School of Law Federalist Society (Nov. 13, 2008).

Snead participated in:

The University of Pennsylvania Center for Bioethics Conference on Presidential Bioethics Commissions as a panelist, Dec. 7, 2007.

The AALS Section of Law and Mental Disability at the 2008 annual meeting as a panelist for Ethical Implications of New Developments in Neuroscience, Jan. 5, 2008;

The 23rd Annual Philip and Doris Clarke Medical Ethics Conference, sponsored by the Notre Dame Center for Ethics and Culture, as a panelist addressing the topic genetic testing and the eradication of genetic diseases, March 14–16, 2008;

A conference titled A Common Morality for the Global Age: In Gratitude for What We Are Given, sponsored by The Catholic University of America Center for Law, Philosophy and Culture (March 28, 2008) as a respondent to "God, Sex, and America: Decline of the Common Morality" (by Cambridge University Professor Nicholas Boyle), and "Mastery, Hubris, and Gift: Biotechnology and the Human Good" (by Harvard University Professor Michael Sandel);

The Neuroscience, Law, and Government Symposium at the University of Akron School of Law on a panel for Neuroscience, Gender, and Capital Cases, Sept. 25–26, 2008; and

The inaugural meeting of the Neuroethics Society, Washington, D.C., Nov. 14, 2008, as a debate participant on the topic of human enhancement and neuroethics.

Snead was appointed to the UNESCO International Bioethics Committee for a four-year term on the 36-member body of independent experts tasked with advising member states on bioethics, law, and public policy. He completed service (2007–09) as a U.S. Permanent Observer to the Council of Europe's Steering Committee on Bioethics (CDBI); and was appointed to observe and comment upon CDBI's efforts to elaborate international instruments and standards for the ethical governance of science and medicine; He also serves as co-chair for bioethics on the Ad Hoc Committee on Health Policy and Bioethics, University of Notre Dame (2008–present).



Jay Tidmarsh published **CIVIL PROCEDURE** with Thomas D. Rowe, Jr. and Suzanna Sherry (Foundation Press 2nd ed. 2008) and *The Story of Hansberry: The Rise of the Modern Class Action*, in **CIVIL PROCEDURE STORIES**

233–294 (Kevin M. Clermont ed., Thomson-West 2008).



Rosalind Alexander began work Nov. 17, 2008, as administrative assistant for the External Relations Office. Rosalind came to the Law School highly recommended from Memorial Hospital and

Health System, Inc., where she worked for 26 years. Most recently, Rosalind coordinated special events for the Hospital and Health System, including the three-day Women's Expo, the Spirit of Women Awards event, grand openings, groundbreakings, and other large events. In that role, she interacted regularly with physicians, senior-level management, and board members.



Eric McCartney joined the IT staff in December as the new student computing manager. Eric previously worked at the campus IT help desk, so he is very familiar with the kinds of questions posed by

students. Before that, Eric worked for 10 years as a technical support manager for a software security firm.



Scott Hengert joined the IT staff in October as an educational technology analyst. His primary responsibility is to support technology in the classrooms. Scott has more than 15 years of experience in providing a variety of technology support and, for the past several years, has worked with the Law School on a contract basis.

Looking Back...and Ahead

BY GREGORY M. SHUMAKER, PRESIDENT, NOTRE DAME LAW ASSOCIATION

All of us have memories of law school. For some, it's seeing the Golden Dome for the first time. For others, it's the excitement of the first day of class, or the chance encounters with classmates who turned into lifelong friends, or a special visit to the Grotto. Some will recall, perhaps less fondly, the long trek from the parking lot to the Law School on a cold, blustery day, or handling the intensity of exam period. Many will remember the fun times: the camaraderie of the student lounge, hearing the band practice in the weekday evenings as a home football game approached, the big win against Michigan, or the friendships with faculty members we never expected. But as I think back, I'm surprised by the number of memories that include the building itself: an exchange with a professor in a particular classroom, conversations with a classmate at a library carrel, a joke during lunch in the law student lounge, or checking for grades at the bottom of the north stairwell. The Law School building is an integral part of everyone's law school experience, particularly at Notre Dame where not insignificant portions of the school year are spent indoors within its walls.

Which is probably why the Notre Dame Law School community is currently so abuzz about its recent move to the Eck Hall of Law. If you haven't been to campus in awhile, you're in for a treat. The new expansion of the Law School's physical facility, quite simply, will take your breath away. Remember the old low-slung Post Office building across the street from the Law School? It's no longer there, supplanted by an addition so majestic you might not recognize it as part of the Law School. From the outside, the Gothic architecture is a seamless match to the old building, with its precise brickwork, detailed precast emblems, and a stately archway that allows the Irish marching band to pass directly beneath the Law School on game days. Inside, Eck Hall nearly doubles the size of the school in stunning fashion. There are huge, new, tiered classrooms with state-of-the-art audio-visual equipment; a chapel dedicated to Father Mike McCafferty that is both peaceful and powerful. The dramatic McCartan Courtroom welcomes a new generation of litigators (and others taking Trial Ad) to test their advocacy skills. And the Commons, which is over the archway and the chapel, is the lively student lounge that now bridges the old building (also soon to be transformed) with the new.



And to whom does the credit go when something this magnificent takes shape in the heart of campus? Surely to Father Jenkins and the rest of the administration who knew that an expansion was necessary if our Law School were to continue as a nationally recognized institution. To the faculty and students, some of whom have already graduated, who deserve ample credit for dealing with

a building that had grown cramped in recent years and for steadfastly putting up with the many inconveniences of a massive construction project. And, of course, to the late Frank Eck, Robert Biolchini, their families, and all of you alumni who have so generously contributed to this critical project. Thanks and kudos go to all of you.

But I want to single out one person for praise, one who surely would prefer that I didn't: the one person who has had as profound an impact on this project as anyone. She is Dean Patty O'Hara, who stepped down at the end of this school year.

Dean O'Hara has often said that the challenge of being one of the nation's premier law schools while maintaining our Catholic mission is not for the faint of the heart. Getting this building completed certainly confirmed that. In the early years of her tenure, the ABA expressed concerns about the adequacy of the Law School's space, and Dean O'Hara patiently explained to all who would listen how urgent it was to pursue this expansion. The project has spanned the entire course of her 10-year deanship; Her task has been monumental. The reward for Notre Dame has been great.

Dean O'Hara would be the first one to give credit to the others I have already mentioned. But the opening of this beautiful new building is, in my mind, the perfect capstone for her tenure. It is bright and big and as bold as the vision she has always had for this wonderful law school. It will serve as the foundation of legal training for thousands of future Notre Dame lawyers. And it will be a place where countless lasting memories will surely be made. Dean O'Hara, for your incredibly strong heart, we thank you.

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In Memoriam

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The Notre Dame Law Association Board of Directors presented Dean Patricia A. O'Hara with the prestigious St. Thomas More Award at a dinner following their spring meeting. The plaque reads:

The Notre Dame Law Association Presents The St. Thomas More Award to Patricia A. O'Hara, April 24, 2009. For her distinguished and extraordinary service, leadership, and achievements as Dean of the Law School, and for her uncompromising integrity and loyalty to conscience.

The award is named for St. Thomas More, who has been the model for Catholic lawyers for centuries. Thomas More was chancellor of England during the reign of Henry VIII and followed the principle, "Do what is right, cost what it may."

Only two others have received the St. Thomas More Award: Patrick McCartan, B.A. '56, J.D. '59 and Father Theodore Hesburgh, C.S.C.

On Oct. 3, 2008, the Notre Dame Law Association (NDLA) Board of Directors presented awards to three Notre Dame alumni for their distinguished service to the University, the Law School, and the profession.



Award recipient John Crowley (left) and NDLA Board President Greg Shumaker.

John Crowley, a 1992 Law School alum, received the Edward Murphy Award "for embodying the high moral and religious values Notre Dame represents, for devotion to faith and family, and for exhibiting professional excellence." After two of Crowley's three children were diagnosed with a debilitating and often fatal disease, Pompe Disease, he went on to lead a biotechnology company that would focus on developing treatments for Pompe. His efforts are the subject of a book written by a Pulitzer-prize winning author, and a movie about the struggle to save his children is in the works.



Award recipient Darrell Gordon (left) and NDLA Board member Frank Julian.

Darrell Gordon received the St. Yves Award "for devoting substantial time and effort in the area of social justice." Gordon earned a bachelor's degree from Notre Dame in 1988 and a master's from the University in 1989. He went on to attend law school at Northern Kentucky University's Salmon P. Chase College of Law. Gordon is CEO of the Wernle Children's Home in Richmond, Ind. Wernle is a nonprofit residential and community-based treatment facility for behaviorally and emotionally challenged males, ages six through 21. Under Gordon's leadership, the Wernle Home has had remarkable success in turning around troubled youth, and has received awards from the Indiana juvenile court system for its achievements.



Award recipient Jack Sandner (center) and NDLA Board members Thomas Curtin (left) and Charles Weiss.

John "Jack" Sandner who graduated from Notre Dame Law School in 1968, was honored with the Father Michael McCafferty Award for his distinguished service to the University of Notre Dame and his generous and outstanding contributions to the Notre Dame Law School. Sandner, a member of the University of Notre Dame Board of Trustees, was the longest-serving chairman of the Chicago Mercantile Exchange when he left the post in 1998. He is a man of great faith and of great philanthropy. His major gift to the Kresge Law Library enabled the Law School to acquire the Chicago Bar Association's 120,000-volume library collection in 1990.

To learn more about the Notre Dame Law Association, visit law.nd.edu/alumni/notre-dame-law-association.

One of the hallmarks of Notre Dame Law School alumni is generosity—of spirit, time, and resources. Their assistance to the Admissions Office is invaluable. Again this year, they have helped us enroll an exceptional class, the Class of 2011, characterized by an outstanding variety of personal and professional experiences and accomplishments in addition to academic excellence. NDLS graduates showed the true spirit of the famed Notre Dame alumni network as they hosted luncheons and receptions, contacted accepted applicants, represented the Law School at various law school fairs and forums, and helped prospective students gain a better understanding of the value of a legal education from Notre Dame Law School.

If you would like to participate in alumni volunteer activities for the Law School Admissions Office, please contact Patricia Cavanaugh, Alumni Coordinator, at (574) 631-9019 or pcavanau@nd.edu.

We would like to thank the following Notre Dame Law School alumni for their assistance:

Carlos Acosta, '90
Gabriela Teodorescu Alvaro, '03
William Anaya, '97
Amy Averill, '03
Erin Gallagher Barnhart, '05
Rob Barnhart, '06
Kathryn Barrett, '08
Robert Barton, '72
Jacqueline Bayley, '02
Shannon Benbow, '03
Andrea Bernica, '03
Mario Bianchi, '01
Scott Bibb, '04
Martha Boesen, '91
Stephen Boettinger, '99
Ross Boughton, '05
Adam Brezine, '97
Emily Bienko Brown, '00
JonMarc Buffa, '01
Paola Canales, '04
Jeffrey Christoforetti, '05
Catherine Coble, '02
Jill Weidner Collins, '06
Thomas W. Cushing, '87
Meg Daday, '07
Jane Dall, '03
Sandra Dermody, '01
Jared Des Rosiers, '92
Amy Egloff, '03
Dennis M. P. Ehling, '93
Mark Emery, '05
Philip J. Faccenda, '92
Sean Flynn, '02
Martin Foos, '95
Margaret Foran, '79
Geoffrey Gasperini, '08
Jennifer Geelan, '06
Teresa Ereon Giltner, '86
Jonathan Gonzales, '05
Robert Greene, '69
Todd Grice, '95
Brian Hammell, '06
Steven Hearne, '98
Ellen Higgins, '05
Patricia Hoffman-Simanek, '01
Elizabeth M. Imhoff, '82
Xavier Jordan, '05
Brendan Judge, '91
Stephen Judge, '07

Frank G. Julian, '82
Christopher Koenigs, '81
Jessica Koester, '02
Ellen T. LaBerge, '83
Andrea Larkin, '83
Lance Lawson, '96
Angela Ligouri, '05
Erin Lucas, '04
Kathleen Lundy, '01
Alicia Matsushima, '97
Dan S. McDevitt, '93
Timothy M. McLean, '88
Ann E. Merchlewitz, '83
Patrick Meter, '70
Lauren Moy, '07
Brian Murray, '00
Suhey Nevarez, '07
Beth Schneider Naylor, '86
George Ng, '02
Sheila O'Brien, '80
Mark Opitz, '06
Kurt Oreshack, '05
Anthony Patti, '90
Christopher Pearsall, '07
David Petron, '01
Daniel Price, '03
Stephanie Renner, '01
David C. Scheper, '87
Lindsay Sestile, '02
Joseph J. Shannon, III, '85
James Shea, '95
Gregory M. Shumaker, '87
Thomas W. Shumate, '98
Chad Silker, '05
Anna Smith, '05
William Sullivan, '89
Alexander Talcott, '07
Sara Thomas, '01
Steven Torello, '06
Carolyn Trenda, '02
Katie Triska, '06
Michelle Tyler, '05
Patricia Victory, '05
Kenneth Vorrasi, '04
David Walsh, '01
Zhidong Wang, '94
Mark Wattley, '91
Lisa Wolter, '98
Andrew Woltman, '06
Bryan Yeazel, '02
Krista Yee, '08
Mario Zepponi, '88

1960s

Jeff Keyes, B.A. '68, was appointed a U.S. Magistrate Judge for the District of Minnesota on April 23, 2008. He previously practiced law at Briggs and Morgan, P.A., in Minneapolis.

1970s

Christopher Schraff, '72, was named one of Ohio's leading natural resources and environment attorneys by **CHAMBERS USA: AMERICA'S LEADING LAWYERS FOR BUSINESS**.



John R. Burns, '74, a partner at Baker & Daniels LLP in Fort Wayne, has been elected to the American Board of Certification's board of directors for a three-year term. The ABC is a nonprofit organization dedicated to serving the public in making informed decisions in choosing bankruptcy and creditors' rights counsel, as well as improving the quality of bankruptcy and creditors' rights law bars.



Michael O'Connell, '74, a former judge and veteran lawyer in Louisville, was appointed in August to fill the post of Jefferson County Attorney, in Kentucky.

Jonathan Ries, '74, was named by **BEST LAWYERS IN AMERICA** for 2009 as one of the best attorneys in the country in the areas of medical malpractice law and product liability litigation.

Dean A. Calland, '79, was named in **THE BEST LAWYERS IN AMERICA 2009** for his work in environmental law.

1980s

Mary Beth Beazley, '83, associate professor at the Ohio State University Moritz College of Law, was the recipient of the Burton Award for Outstanding Contributions to Legal Writing Education for her outstanding contribution in the field of legal analysis, research, and writing.

Michael G. Cumming, '84, was named in the latest edition of **THE BEST LAWYERS IN AMERICA** in the field of trusts and estates.

Brian T. Moynihan, '84, formerly general counsel for Bank of America, was named to succeed John Thain as president of Global Banking and Wealth Management for Bank of America, effective Jan. 22, 2009.

Pat Pedro, '84, was inducted into the Oakfield-Alabama High School Alumni Hall of Fame in Oakfield, N.Y., on Oct. 11.



Michael J. Allen, '85, of Carruthers & Roth, P.A., was named to the board of directors of Legal Netlink Alliance, a global alliance of carefully selected, mid-sized, general practice, independent law firms.

Elizabeth "Betsy" Murphy, '85, has been named secretary of the Securities and Exchange Commission. The secretary of the commission is responsible for the procedural administration of commission meetings, rulemaking, practice, and procedure.



David E. Barry, '86, of Portland, Me., was selected by his peers for inclusion in **THE BEST LAWYERS IN AMERICA 2009**. Barry is recognized for his work in commercial litigation and white-collar criminal defense at Pierce Atwood LLP.

Daniel J. McMahon, '86, was elected chair of the executive committee of Wilson Elser Moskowitz Edelman & Dicker LLP in Chicago. McMahon served as chair of the firm's operations group and as senior managing partner.

Jonathan "Jock" Scharfen, '86, was named vice president of international operations for Northrop Grumman Corporation's technical services sector.

Max L. Siegel, '86, former president of global operations for Dale Earnhardt Inc., is re-affiliating with Baker & Daniels LLP as counsel to lead the expansion of the firm's sports and entertainment practice in Indianapolis.

Margot Fisher Reagan, '87, was appointed to the Superior Court for St. Joseph County, Ind., by Governor Mitch Daniels.



Anne Marie Cook, '88, joined Choate, Hall & Stewart LLP in Boston, Mass., as a partner in its business and technology group, where she will continue to focus her practice on life science companies. Prior to joining Choate, Cook was a principal at Miller Canfield.

Don C. A. Parker, '88, was honored in the **BEST LAWYERS IN AMERICA 2009** in the area of insurance law.

Anne Marie Finch, B.A. '86, J.D. '89, is now a partner in the Houston office of Brown McCarroll, LLP practicing labor and employment, intellectual property, and commercial litigation.

Michael Paese, '89, was appointed executive vice president, global advocacy, by the Securities Industry and Financial Markets Association (SIFMA) in August. He has responsibility for SIFMA's global legal, governmental, and legislative affairs and advocacy initiatives. Paese was previously with the House Financial Services Committee, where he was the deputy staff director.

1990s

Christine L. Meyer, '91, recently joined the Phoenix, Ariz. office of Bowman and Brooke LLP as an Associate Attorney.

Jack Blakey, B.A. '88, J.D. '92, was appointed the Chief of the Special Prosecutions Bureau for the Cook County State's Attorney's Office in December 2008. Blakey previously served as an Assistant United State's Attorney in both the Southern District of Florida and the Northern District of Illinois.

Thomas P. Berra, Jr., '92, was elected to the 11-person Management Committee of the St. Louis office of Lewis, Rice & Fingersh, L.C., where he has been a partner in litigation since 2000.

Gerard T. Gallagher, B.S. '89, J.D. '92, has joined the South Bend, Ind. office of Barnes & Thornburg LLP as a partner in their Intellectual Property Department.



Fred J. Fresard, '90, was highlighted for his contributions to his firm in the publication **LEGAL 500 UNITED STATES**. He is a partner at Bowman and Brooke LLP in Detroit, Mich., which was selected by the **LEGAL 500 UNITED STATES** as a 2008 "#1 Recommended Firm" in the product liability and mass torts defense—automotive/transport category.

Marty Loesch, B.A. '87, '91 J.D., is now the senior advisor and legal counsel to the governor of Washington state.

Katheryne L. Zelenock, '91, adopted William Hamilton Zelenock, who was born on Oct. 14, 2008. Katheryne is co-leader of the Capital Markets Lending Group and deputy leader of the Real Estate Group at Miller Canfield in Troy, Mich.

Jorge Narváez-Hasfura, LL.M. '93, has been re-elected as chair of the Latin American Tax Practice Group and is a member of the Global Tax Steering Committee of Baker & McKenzie in Mexico City, Mexico.

Julia B. Meister, '95, was elected as a member of the board of trustees of the Cincinnati Opera Association.

Deidre Meehan, '97, and husband, Chris, welcomed their second daughter, Kendra Heather Brooks, into the world on July 29. Deidre is senior counsel at Johnson & Johnson, in New York City.

John Storino, '97, was named one of the Law Bulletin Publishing Company's "40 Illinois Attorneys Under Forty to Watch" for 2008. The annual list honors those who "are not only dedicated to the practice of law and have the cases and clients to back it up," but are also "involved with the community and committed to helping younger attorneys navigate the maze through their legal careers."

John R. Vales, B.A. '94, J.D. '97, was selected by the **NEW JERSEY LAW JOURNAL** as one of New Jersey's top "40 Under Forty" attorneys.

Meg Mahoney, '98, is now assistant U.S. attorney, chief of the Violent Crimes Unit, U.S. Attorney's Office, District of New Jersey.

Sara Vinarov, Ph.D. '98, was promoted to partner at Quarles & Brady LLP's Madison, Wis., office. Vinarov focuses her practice on intellectual property.



Stephanie Gumm, '99, was named a partner at Baker & Daniels. She focuses on domestic and international trademark protection and enforcement in the firm's intellectual property group in Louisville, Ky.

2000s

Pamela L. Cox, '00, a partner at Marshall, Gerstein & Borun, LLP in Chicago, earned the Certified Licensing Professional (CLP) credential. The CLP designation distinguishes licensing professionals who have demonstrated their experience and proficiency in licensing and the commercialization of intellectual property.

Matthew W. Hoyt, '00, was elected partner at Baker & Hostetler LLP. He is a member of the employment and labor group in Columbus, Ohio, and concentrates his practice in employment litigation and immigration matters.

Christine Gould Hamm, '01, was named a partner at Husch Blackwell Sanders in Kansas City, Mo.



Christopher Riley, '01, was named a partner at Barnes & Thornburg LLP in Indianapolis.

Ian M. Redmond, '02, has joined Miller Canfield as an associate. He represents banks, financial institutions, and commercial lenders in the real estate workouts and foreclosures area in Troy, Mich.

Allison Sell, B.A. '03, joined the Milwaukee office of Quarles & Brady LLP as an associate on the public finance team.

Jeremy Gayed, '04, is practicing law in Fort Wayne, Ind., at Barrett & McNagny, LLP. He previously practiced in Chicago for two years and served as a federal law clerk in Atlanta for the Honorable William S. Duffey, Jr. for two years.

Mary Kate Griffith, B.A. '04, has joined Miller Canfield as an associate. She focuses on all areas of business and commercial litigation in the Detroit office.

Courtney L. McDevitt, '05 recently joined the San Francisco office of Jackson Lewis, practicing employment litigation.

Kristin Fortin, '06, recently wrote an article about lawyer ethics and alternative dispute resolution that was accepted for publication by the **GEORGETOWN JOURNAL OF LEGAL ETHICS**, Vol. 22, 2008–09. The article is titled *The Servant Leader Where the Modern Lawyer Should Be and How the Modern Lawyer Can Get There: How the Professionalism Paradigm Fueled by a Lawyer's Ethical Obligation to Inform Clients about Alternative Dispute Resolution Can Revive the Lawyer's Sense of Self, Sense of Vocation, and Sense of Service*. Fortin works on First Amendment law and policy for The Center for Faith-Based and Community Initiatives in Washington, D.C.

Cameron Paredes, '06, and her husband, David, are happy to announce the birth of their son, Thomas Cecilio Paredes, on July 2, 2008.

John C. Peiffer, II, '06, joined the San Francisco office of Baker & McKenzie LLP as an associate.

Cordell Carter, '07, was one of 31 people chosen for the Broad Residency in Urban Education program. The Broad Residency is a management development program that places talented early-career executives from the private or civic sectors into two-year, full-time, paid positions at the top levels of urban school systems across the country. Broad residents work to improve management practices of urban education systems so that critical resources can be pushed down to the classroom. Carter is with Seattle Public Schools.

Brian Morrissey, '07, was just hired by Clarence Thomas, associate justice of the Supreme Court of the United States, to clerk for him during the 2009–10 term of the Court.

Andie Normile, '07, was promoted to the rank of captain in the U.S. Army. She is a judge advocate stationed at Fort Carson, Colo.

Alex Talcott, '07, was Illinois state coordinator of 2008 Libertarian Party presidential candidate Bob Barr.

Guilherme M. Costa, '08, married Monica Maria Palenzuela on Aug. 16, 2008.



Sara Covell, '08, has joined Varnum's corporate law practice group in Grand Rapids, Mich.

Greg Lambourne, '08, and his wife, Jessica, welcomed their first child, Evan, into the world on the same weekend Greg learned of passing the California Bar. Said Greg, "It was a thrilling weekend for our family, one that I think we will never top!"

Michael B. Roaldi, B.A. '05, J.D. '08, joined Bell, Boyd & Lloyd LLP as an associate in the Litigation Department of the Chicago office.

Edward Seilheimer, '08, joined the Houston office of Thompson & Knight LLP in the Real Estate and Banking Practice Group.

Joseph P. Albright, B.A. '60, J.D. '62, died on March 20, 2009, at University of Pittsburgh Medical Center Presbyterian from complications of esophageal cancer. He was 70 years old.

Justice Albright was a member of the Supreme Court of Appeals of West Virginia for nearly 10 years. Prior to serving on the Supreme Court, Justice Albright was a member of the West Virginia House of Delegates, from 1970 to 1972 and from 1974 to 1986. He was elected the 52nd Speaker of the House, serving in that capacity from 1985 to 1986. He served a total of 14 years in the House of Delegates, where he also was chairman of the Committee on Education and Chairman of the Judiciary Committee.

John J. Cotter, Jr., '78, a trial lawyer who practiced law in Western New York for nearly three decades, died on Nov. 20, 2008. He was 55.

Born in Buffalo, Cotter graduated from Canisius College and, after law school, practiced in Western New York's state and federal courts for more than 28 years. He was a longtime member of the New York State Bar, Erie County Bar, and Western New York Trial Lawyers associations.

Cotter loved to golf and was an avid rower. He was a former president of the West Side Rowing Club and was serving as a trustee of the club.

Cotter loved Irish music and culture and was an ardent fan of Notre Dame, particularly his alma mater's football team.

Cotter is survived by his wife of 27 years, the former Karen McCarthy; his parents, Mary Jane and John J., Sr.; two daughters, Cara and Maura; a son, John M.; and two sisters, Mary Jane and Eileen Bowman.

Ronald K. Dallas, B.A. '73, J.D. '76, of Plantation, Fla., former member of the Law Advisory Council, died on Feb. 6, 2009, of diabetes-related complications at the age of 57. Dallas was Broward County, Florida's chief assistant public defender.

Kenneth J. Konop, '29, J.D. '31, of Kansas City, Mo., the son of Notre Dame Law School's third dean, Thomas Konop, died on Nov. 13, 2008, just shy of his 100th birthday. Konop received his undergraduate and law degrees from Notre Dame. As an undergraduate, he was a high jumper on the track team for the legendary Knute Rockne. Konop worked his entire career as a corporate attorney for the American Telephone and Telegraph Company and its subsidiary Indiana Bell.

The following is an excerpt from a feature about Kenneth Konop in the fall 2004 issue of Lawyer magazine:

Imagine having been at Notre Dame when it enrolled its first freshman class of 1,000. Imagine listening to radio broadcasts of the 1924 Democratic Convention with professors and priests in one of the cornfields that surrounded the campus. Imagine being at Notre Dame for the legendary Notre Dame-Ohio State football game of 1935, which Notre Dame won, 18-13. Imagine having Knute Rockne as your track coach. And imagine being a member of the Law School class of 1931, the first to graduate

from the present Law School building. Now imagine having the opportunity to share the memories and stories you have of all these experiences at Notre Dame with Dean Patricia O'Hara, whose office is the same office that was your father's, Thomas Konop, when he was Dean of the Law School from 1923 until 1941.

Such [was] the experience of Kenneth Konop, who [was] possibly the Law School's oldest living alumnus. For the complete article, visit law.nd.edu/alumni/notre-dame-lawyer and scroll down to Fall 2004.

Dallas never married and had no children, but spent time urging young people to pursue their dreams, sometimes helping to pay for their college education.

Dallas attended Florida State University before transferring to the University of Notre Dame, where he received both his bachelor's and law degrees.

He returned to South Florida to work for the Broward Public Defender's Office in 1977.

In 1980, he moved to Chicago to work at the Chicago Mercantile Exchange. The next year, he joined the law firm of Brackey, Finkelstein, and Dallas in Fort Lauderdale. Dallas returned to the Broward County Public Defender's Office in 2004. He is survived by his brother, James Dallas, II; and his sister, Dr. Michelle Dallas of Fort Lauderdale.

Thomas McNally, '66, passed away on Oct. 22, 2008, in Necedah, Wis. His daughter Sarah '02 writes, "He leaves behind a wonderful wife, seven grateful children and 13 grandchildren. My father's priorities indeed were God, Country, Notre Dame. He will be greatly missed, but we are thankful that he has found eternal peace."

Ronald L. Sowers, B.A. '60, J.D. '65, 70, died on Oct. 19, 2008, in Bremen, Ind. He served in the U.S. Marine Corps and was a retired reserve officer who achieved the rank of colonel.

Sowers was a skilled trial attorney who concentrated on medical negligence litigation. His legal experience included more than 30 years of practice in Fort Wayne, Ind., where he was the senior partner of Sowers and Associates. In 2005, he became a senior partner in Sowers, Newcomb and Associates in Bremen, where he continued his litigation practice until his death.

Peter W. Thornton, professor emeritus of law at the University of Notre Dame Law School, died on Jan. 19 in Santa Barbara, Calif. He was 90 years old. Dean/Rev. David T. Link traveled to California to concelebrate the Mass of Christian Burial.

Thornton taught law at Notre Dame from 1968 to 1993, interrupting his tenure from 1973 to 1976 to serve as founding dean of the Nova Southeastern University Law Center in Fort Lauderdale, Fla. He served as director of Notre Dame's London Law Programme from 1976 to 1978 and also was an associate dean of the Notre Dame Law School.

"I was fortunate to be Pete's student in civil procedure in the early 1970s, as well as his colleague on the faculty in the '80s and '90s," said Patricia O'Hara, Joseph A. Matson Dean of the Notre Dame Law School. "I know many alumni who would drop by Pete's office on visits back to campus to ask him to reprise his theatrical delivery of the holding on personal jurisdiction in the famous 1945 Supreme Court case of *International Shoe Co. v. Washington*. He and his beloved wife, Kit, were warm hosts on behalf of the Law School on many occasions over the years."

A New York City native, Thornton was a 1939 graduate of Brooklyn College and served in the U.S. Navy during World War II. He earned law degrees from Brooklyn Law School and taught there for 21 years before joining the Notre Dame faculty. In addition to his long career as a teacher of law, Thornton was a member of the New York State Bar from 1941 to 2006.

Thornton is survived by four sons, Peter, Thomas, James, and John, all of them attorneys and law teachers.

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FALL CLE CLASSES

Football season is fast-approaching, and the Law School will offer CLE before six home games. Those dates are:

September 5, Nevada

September 19, Michigan State

October 3, Washington

October 24, Boston College

November 7, Navy

November 21, Connecticut

While supplies last, attendees can purchase two tickets for the football game on the date of the CLE. Contact Career Services to register at lawjobs@nd.edu or 574-631-7542.

Please note that Eck Hall of Law will not be open to the public during home games, but CLE attendees will be able to access the building. We look forward to hosting you.



The Notre Dame Alumni Association announces the creation of ONWARD, the University's official Alumni Career Development Program, offering powerful career-development tools and advice. Visit career.alumni.nd.edu to access all the career resources provided by Notre Dame, and to learn how to better connect with other Notre Dame alumni and professionals in your career field.

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