

8-1-1993

## NDLS Update 08/1993

Notre Dame Law School

Follow this and additional works at: [http://scholarship.law.nd.edu/ndls\\_updates](http://scholarship.law.nd.edu/ndls_updates)



Part of the [Law Commons](#)

---

### Recommended Citation

Notre Dame Law School, "NDLS Update 08/1993" (1993). *NDLS Updates*. Paper 99.  
[http://scholarship.law.nd.edu/ndls\\_updates/99](http://scholarship.law.nd.edu/ndls_updates/99)

This Newsletter is brought to you for free and open access by the Law School History at NDLScholarship. It has been accepted for inclusion in NDLS Updates by an authorized administrator of NDLScholarship. For more information, please contact [lawdr@nd.edu](mailto:lawdr@nd.edu).

Volume III, No. 1

August, 1993

# NDLS UPDATE

NOTRE DAME

AUG 31 1993

LAW LIBRARY

*News of the Notre Dame Law School*

---

---

## NEW ACADEMIC YEAR BRINGS LAW SCHOOL'S ANNIVERSARY

This week, the Notre Dame Law School began an academic year that will feature the School's 125th anniversary. According to NDLS historian Jack Pratt, the School's first classes were held in February of 1869. NDLS is thus the oldest Catholic law school in the country.

Orientation Week-End marked the arrival of a new class of 175 highly talented law students. On Saturday morning of that Week-End, Dean Link introduced the Faculty and Administration to the new students. On Sunday, in the Student Lounge, Father John Pearson and Father Bill Lewers celebrated Mass for the entire Law School community. (The usual Sunday afternoon picnic, to be co-hosted by the Student Bar Association and Dave and Barbara Link, was postponed due to rain). Classes began Monday morning.

NDLS extends a warm "welcome" to our new students, and an equally warm "welcome back" to everyone else. We look forward to a great year.



## KITTY HOYE BECOMES DIRECTOR OF CAREER SERVICES

Kitty Hoye has assumed the directorship of the Department of Career Services at NDLS. A graduate of the College of St. Benedict and the Drake University School of Law, Kitty comes to us from her position as Director of Career Services at Drake University Law School. Prior to that, she directed Career Services at the University of Minnesota Law School and clerked for Justice Harris of the Iowa Supreme Court. Married to Bill Hoye (see "News from the Legal Aid Clinic," *infra*), Kitty has one daughter, Katie, three years old. Kitty states that she is excited to be at Notre Dame and looks forward to working with everyone here. The Hoye family survived the "Flood of '93" in Des Moines and "will be happy to offer points of survival on living fourteen days without running water." Welcome, Kitty, Bill and Katie, to NDLS!

## PRATT GIVES ADDRESS AT ND SUMMER COMMENCEMENT

On August 6, in the Joyce Athletic and Convocation Center, JACK PRATT delivered the principal address for the University's Summer Commencement. Entitled, "Everyone Knows What a Dragon Looks Like," the variously clever, humorous, insightful and touching address received an enthusiastic response.

One Dean from another School remarked, "Why can't we get him for our May Commencement?" Great work, Jack!

## NDLS ALUM ELECTED PRESIDENT OF THE NEW JERSEY STATE BAR ASSOCIATION

THOMAS R. CURTIN, NDLS '68, will serve as President of the New Jersey State Bar Association during 1993-1994. Tom, a member of the Board of Directors of the Notre Dame Law Association, is a partner of Ribis, Graham & Curtin, of Morristown, New Jersey. Congratulations to Tom on this wonderful honor!

## FRANNY FORSMAN ELECTED VICE-PRESIDENT OF NEVADA BAR

FRANNY FORSMAN, NDLS '81, has been elected Vice-President of the Nevada State Bar Association for 1993-94. She will become President of the Bar in 1995. She currently serves as United States Public Defender for Nevada. Congratulations to her, as well!

The State Bar of Nevada is a professional association that governs the State's 3800 attorneys. The Association maintains offices in both Reno and Las Vegas to administer attorney discipline, continuing legal education, admissions, fee-dispute resolution and other public and membership services.

## NDLS ALUMNA PROSECUTES IN PROMINENT TRIAL

KYM WORTHY, NDLS '84, Assistant Prosecutor for Wayne County, Michigan, received widespread publicity for her prosecuting role in the criminal trial involving the alleged beating of a black motorist by three Detroit police officers. The case received national attention, especially as a parallel to that involving the



beating of black motorist Rodney G. King by white Los Angeles police officers. Indeed, in her opening statement, Worthy indirectly referred to the King beating by citing the differing circumstances of the Detroit case. Although three defendants were tried at the same time, separate juries heard the cases against two of the defendants, while the presiding judge in those cases also served as factfinder for the third defendant, who waived his right to a jury.

### SEVERAL NDLS ALUMS CALLED "THE BEST LAWYERS IN AMERICA"

NDLS alumni from the Michiana area cited in the 1993-94 edition of "The Best Lawyers in America" are: JOHN A. BURGESS, '68, Barnes & Thornburg; JOHN E. DORAN, '52, Doran, Blackmond, Ready, Hamilton & Williams; ROBERT J. KONOPA, '67, Konopa & Murphy; FRANKLIN A. MORSE II, '64, Barnes & Thornburg; J. RICHARD RANSEL, '74, Thorne, Grodnik, Ransel, Duncan, Byron & Hostetler; CHARLES ROEMER, '58, Roemer & Mintz; and NELSON J. VOGEL, Jr., '71, Barnes & Thornburg. THOMAS H. SINGER, who was graduated from the University of Michigan Law School but teaches Trial Advocacy for Notre Dame, also made the list.

### NAWL AWARD TO MARY YU

The National Association of Women Lawyers makes an award to a graduating student at each law school annually. Based on faculty reaction, MARY YU was the clear choice. (You'll recall that Mary also won the University's Distinguished Graduate Student Award for 1993).

### THOMPSON AND McCAULLEY WIN AWARDS FOR COPYRIGHT ESSAYS

The Nathan Burkan Memorial Competition provides two prizes, carrying honoraria of \$500 and \$200, respectively, for papers dealing with intellectual property. At NDLS, the 1993 First Prize went to NATASHA THOMPSON for her essay, "The Beat Goes On: 2 Live Crew Brings the Supreme Court into the New Rap Generation." RICHARD T. McCAULLEY garnered Second Prize for his essay, "Copyright in Architectural Structures." Dave Link and Joe Bauer judged the competition at Notre Dame. These essays will now compete with prize-winning essays submitted from other law schools throughout the country, with national prizes of up to \$3000 at stake. The outstanding essays will be selected for publication in *ASCAP Copyright Law Symposium No. 40-3*.

### NDLS SPONSORS MINORITY LAW-TEACHING PROGRAM

The Notre Dame Law School, along with nineteen other law schools in the Midwest, will co-sponsor a conference aimed at expanding law-teaching opportunities for minority attorneys. Entitled, "Teaching Law -- Exploring the Possibilities: A Program for Minority Attorneys Who Want to Know More about Entering Law Teaching," the Conference will take place on Saturday, August 28, at the University of Wisconsin Law School.

### NOTRE DAMERS WORK WITH MINNESOTA ADVOCATES

The Minnesota Advocates counts among its 1993 Summer interns and volunteers two who have studied at NDLS:



ANDRES SANFUENTES, a Chilean lawyer and LL.M. graduate of NDLS, who will assist Minnesota Advocates with its work in Latin America; and MARK YOSHIDA, a J.D. candidate who will work with the Advocates' Refugee and Asylum Project. A Notre Dame undergraduate, CAROL SMOLLER, will assist the Advocates with regard to human rights in Mexico.

### CCHR PUBLISHES REPORT ON CHILE

The Center for Civil and Human Rights has announced the publication, through the University of Notre Dame Press, of the *Report on the Chilean National Commission on Truth and Reconciliation*. The *Report* was translated by Philip E. Berryman, and carries an Introduction by Jose Zalaquett.

The Chilean National Commission on Truth and Reconciliation was formed by Chilean President Aylwin to gather information and receive testimony on the grave violations of human rights committed under the military regime in that country from 1973 to 1990. The final report, translated and published by the Center with support from the Ford Foundation, includes the individual history of each of the 2,279 cases in which a moral conviction was reached that a human-rights violation had resulted in a death or disappearance after arrest. The final report of the Commission explores the political, legal, and judicial conditions that made human-rights violations possible.

### ADVISORY COUNCIL MEMBER DIES

Jim Dwyer, UND '26 and a member of the NDLS Advisory Council since 1974, passed away in August.

### NEWS FROM THE DEPARTMENT OF CAREER SERVICES

On July 30, WANDA CORTIER retired from the NDLS Department of Career Services. Wanda was presented with a framed picture of the Law School at the Annual Staff Appreciation Dinner held on June 17.

### NEWS FROM THE CENTER FOR CIVIL AND HUMAN RIGHTS

Professor Sabrina McCarthy has joined the staff of the Center for Civil and Human Rights and has moved her office to the Center.

In June, Garth Meintjes, Assistant Director, participated in the World Conference on Human Rights, which was sponsored by the United Nations and held in Vienna.

GARTH, continues his work in support of a new South Bend Community School Corporation Program entitled, "Value in Diversity in Schools."

---

The Ford Foundation has given a three-year extension of its basic grant to the Center in support of teaching and research in International Human Rights Law.

---

Eight young lawyers, representing such diverse countries as Chile, Colombia, Guatemala, Nigeria, Uganda, South Africa, and the United States, will participate this coming academic year in the LL.M. Program in International Human Rights Law.

---

Toomas Silaste of the Law Faculty of Tartu State University of Estonia will enter the J.S.D. Program in International Human



Rights Law and will be in residence at Notre Dame during the 1993-94 academic year.

### NEWS FROM THE LEGAL AID CLINIC

Bill Hoyer joined the Clinic as supervising attorney on August 16. Bill will work with the Clinic on a full-time basis until his classes as a graduate student in government start; he will then work with the Clinic half-time. Bill was graduated from St. John's University and the Drake Law School. He is a member of the Bar in Iowa and Minnesota, a partner in a Des Moines firm, and a lawyer of many years' experience. Bill is secretary of the Young Lawyers Division of the Iowa State Bar Association. (He is also married to our new placement director, Kitty Hoyer).

### NEWS FROM THE LAW LIBRARY

ROGER JACOBS has returned from his year of co-directing the London Law Programme. JANIS JOHNSTON has left for London to co-direct the Programme for the Fall term.

---

JANIS JOHNSTON, DWIGHT KING, LUCY PAYNE and JOE THOMAS attended the Annual Meeting of the American Association of Law Libraries in Boston from July 10 through 15.

---

In July, PATTIE OGDEN attended the Institute on Research on International Organizations at Harvard University. The Institute, the second of five sponsored by the American Association of Law Libraries, provided training for law librarians working with foreign, comparative and international legal materials.

---

In July, LUCY PAYNE attended a LEXIS session at the Chicago training site of Mead Data Central. The seminar for Chicago-area teachers of research and writing included LEXIS training as well as an "idea exchange" among participants. Discussion centered on course models and the integration of on-line training.

### FACULTY NEWS

JOE BAUER published "Antitrust and Sports: Must Competition on the Field Displace Competition in the Marketplace?" in the *Tennessee Law Review*.

---

AUBRY DIAMOND delivered a lecture, entitled "Consumer Protection in Loan Transactions," at a conference on Legal Issues Involved in Banking Services and the Single European Market. The Trier Academy of European Law and Mainz University sponsored the conference, which was held June 17-18 in Trier, Germany.

---

In June, TEX DUTILE attended the Annual Meeting of the National Association of College and University Attorneys (NACUA) in San Francisco. NACUA co-publishes (with NDLS) *The Journal of College and University Law*. At a meeting of the *Journal's* Editorial Board at the Annual Meeting, Tex announced that the 1993-94 Academic Year, his eighth as Faculty Editor of the *Journal*, would also be his last. NACUA officials are exploring alternative arrangements that could allow the *Journal* to stay at the Notre Dame Law School.

---

ROGER JACOBS traveled to Moscow and Minsk, May 24 through 30, to meet and discuss mutual interests with legal academics from the Commonwealth of



Independent States. On June 14, he gave an invited lecture on Legal Research in American Practice and Education at the Institute of Advanced Legal Studies in London, England.

---

DON KOMMERS co-edited, with Paul Kirchhof, "Germany and Its Basic Law: Past Present and Future -- a German-American Symposium." The Volume constitutes the fourteenth in a Drager Foundation Series entitled "Future." The publication grows out of a Symposium held in Washington by the Drager Foundation and the American Institute for Contemporary German Studies of the Johns Hopkins University. The Symposium marked the Fortieth Anniversary of the Basic Law, which is the Constitution of the United Germany and the 200th Anniversary of the United States Constitution.

---

TRAI LE's husband, CHAU, associate dean of Notre Dame's graduate school, has been named an "officier" in *l'Ordre des Palmes Academiques*. He received the honor June 24 in a ceremony at the Offices of the French Consulate in Chicago. The decoration dates from Napoleon's reign and is accompanied by a medal. It is conferred by the French Minister of National Education on professors, writers, scholars and scientists who have distinguished themselves in the field of education and in the advancement of studies in literature and art.

---

DAVE LINK, ROGER JACOBS and TEX DUTILE attended the American Bar Association Meeting in New York in early August. NDLS hosted a reception for all alumni and friends attending the ABA meeting.

---

DAVE LINK received the E. Blair Warner Award, the most prestigious award of the Mental Health Association of St. Joseph County. Dave was cited for his involvement regarding the problem of homelessness in our community. Dave was a co-founder of the Center for the Homeless, the Inaugural President of the Council of Providers of Services for the Homeless, a team captain both at the old Maranatha Shelter and the Center for the Homeless, a member of the Center's Board of Directors and a member of the Lighthouse Board of Advisors. In accepting the Award, Dave spoke on the importance and benefits of volunteerism.

In August, Dave donned his carpenter's hat to work with Habitat for Humanity in building a house for a low-income family.

---

JIM SECKINGER served as program coordinator and a faculty member for the NITA/Clifford Chance law firm trial-advocacy program in London in June; for the NITA/Osgoode Hall and University of Toronto Law School teacher-training program in Toronto; and for the NITA teacher-training program at NDLS. In connection with these programs, he gave a series of lectures on Effective Teaching Techniques. In July, Jim also served as a Faculty Member for the NITA Hanley Master Advocates Program and for the NITA National Session Program at the University of Colorado School of Law in Boulder.

---

TOM SHAFFER published a review of Gay, "With Liberty and Justice for Whom? The Recent Evangelical Debate over Capitalism," in the American Journal of Jurisprudence.



---

On May 26, ERIC SMITHBURN presented invited lectures to a group of visiting British Family Court Judges in Reno, Nevada. The National Council of Juvenile and Family Court Judges sponsored the lectures.

On June 30, ERIC gave an invited lecture entitled, "The Challenge of Child Abuse." British judges, magistrates, barristers, solicitors, child-protection officers, social workers and medical doctors at the British Juvenile and Family Courts Society Conference comprised the audience.

### STAFF NEWS

In May, Karen L. Ready, daughter of MARY LEE READY, graduated from the University of Notre Dame with a B.A. degree in Accounting.

---

JACKIE WEILER celebrated her fifteenth year as a Notre Dame employee; PHYLLIS IDALSKI celebrated her tenth. Congratulations and thanks to both of them.

### ALUMNI NEWS

JENNIFER CLASBY, NDLS '92, has left Bill Clinton's transition team.

---

GREGG GHELFI, NDLS '92, received an LL.M. in Taxation from the University of San Diego.

---

DOUG KENYON, NDLS '79, has been elected to membership in the American Law Institute.

---

On July 1, ROSEMARY HIGGINS BURKE, NDLS '92, was robed as the "First

Judge" of the new Superior Court of Fulton County, Indiana. Justice Roger O. DeBruler, of the Indiana Supreme Court, spoke at the ceremony. A reception followed.

---

BERNARDO M. GARCIA, NDLS '91, has announced the formation of his law offices in Phoenix. Bernardo will practice criminal and civil litigation, emphasizing personal injury, medical malpractice, immigration and commercial litigation.

---

VALERIE KANOUSE, NDLS '74, has become "board certified" in the area of marital and family law, effective June 1, 1993.

---

ROBERT J. MALEY, Jr., NDLS '55, has been elected to a second term as President of the Indiana State Board of Law Examiners.

RICHARD S. MYERS, NDLS '80 and Associate Professor of Law at the University of Detroit Mercy, reviewed *Matters of Principle: An Insider's Account of America's Rejection of Robert Bork's Nomination to the Supreme Court*, by Mark Gitenstein, in the December 1992 issue of the *Journal of Legal Education*.

---

TRISH SULLIVAN AND TIM MAHER, NDLS '90, had a baby girl -- Clare Maureen -- on July 31.

---

RUTHANNE OKUN, NDLS '83, practices labor and employment law as a partner in a small law firm "in a downriver suburb of Detroit." She lives in Huntington

Woods, Michigan, sharing a bungalow with "two wonderful cats."

---



MARTHA A. VAZQUEZ, NDLS '78, has been nominated by President Clinton to a federal judgeship in New Mexico. She lives in Santa Fe with her husband, FRANCIS J. MATTHEW (her classmate at NDLS), and their four children.

## TEX DUTILE