

4-1-2010

# Notre Dame Lawyer - Spring 2010

Notre Dame Law School

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## Recommended Citation

Notre Dame Law School, "Notre Dame Lawyer - Spring 2010" (2010). *Notre Dame Lawyer*. Book 36.  
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SPRING 2010

# NOTRE DAME **LAWYER**



## IN THIS ISSUE

# NAVIGATING YOUR CAREER

## ALSO INSIDE

- ▶ Charlie Weiss, J.D. '68 wins exoneration for a convicted murderer
  - ▶ The legal market today: An alumnus' perspective
  - ▶ A 1L's public interest work over winter break



Dear Notre Dame Lawyers,

It has been nearly a year since I became Dean of Notre Dame Law School, a year filled with challenges and blessings unimaginable before July 1, 2009.

Among my top priorities has been to meet as many of you as I can. It has been a great pleasure getting to know you, whether at football games or on the road at any of the ten receptions I've attended across the country, from San Diego to Detroit to New York City. Regardless of where you live or how divergent your career paths may be, you share characteristics that define the Notre Dame lawyer: talent, generosity of spirit, good humor, and a commitment to others.

As you will read in this issue's feature story, another major focus of this year has been on career placement efforts. In order to help soften the impact of this economic downturn, we have added staff and additional resources to enhance the innovative career programs described in the article. As always, our alumni network serves us well and we have all come together to help each other through this difficult time.

Attracting the best and brightest to Notre Dame remains an overarching goal at NDLS. This year, I am happy to report a record number of applications. We are up 20 percent over last year, compared to a five percent increase in the national pool. The quality of our current applicant pool is exceptionally strong as well, and we expect to seat an impressive class this fall.

The class of 2013 will be the first to experience both Eck Hall and Biolchini Hall, which is nearing completion. With these magnificent physical edifices in place, I will be able to focus my attention on the Law School's intellectual architecture. Our faculty is one of the best in the nation, but it is too small to provide the depth and breadth of programs law students and the changing demands of law practice require.

During this past year we have begun an aggressive effort to bring new faculty to NDLS. I am delighted to announce that two outstanding entry level scholars and teachers will join us this fall. Colleen Baker is a 1995 graduate of the University who subsequently earned a J.D./M.B.A. from the University of Virginia. She is in the process of completing her Ph.D. at the University of Pennsylvania, Wharton School of Business. Colleen will teach the regulation of financial institutions and corporate bankruptcy, adding an important dimension to our business curriculum. Jeff Pojanowski is the Olin/Smith Fellow in Law at the University of Virginia School of Law. Prior to that, he worked as an associate at Latham & Watkins in the appellate and administrative law practice. He was also a law clerk for Supreme Court Justice Anthony Kennedy. He is a Harvard Law School graduate with a bachelor's degree from Princeton. Jeff will teach torts and administrative law at NDLS.

Notre Dame Law School is positioned for great success in the coming years. As the tenth person asked to be steward of this unique institution, I ask for your help, your ideas, and your support as I seek to serve our beloved Notre Dame Law School.

In Notre Dame,

A handwritten signature in dark ink, appearing to read 'Nell Jessup Newton'.

Nell Jessup Newton

*The Joseph A. Matson Dean and Professor of Law*

# NOTRE DAME **LAWYER**

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## FEATURE

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13

### **NAVIGATING YOUR CAREER**

In today's difficult hiring environment, the Career Services Office provides a robust network of people, programs, and support for ND Law students and grads seeking employment.

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## SPOTLIGHT ON ALUMNI

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7 / **FREE AT LAST** The Law School's own Charlie Weiss, J.D. '68, won freedom for a man wrongly convicted of murder.

10 / **GIVING BACK, PAYING IT FORWARD** The many contributions of Patrick A. Salvi '78.

12 / **ALUMNUS Q & A** Double Domer Tom Fitzgerald, B.B.A. '76, J.D. '79, of Winston & Strawn in Chicago on today's legal market.

19 / **CLASS NOTES**

25 / **IN MEMORIAM**

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## NDLS AT A GLANCE

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2 / **NEWS BRIEFS** 5 / **STUDENT PERSPECTIVE** 26 / **FACULTY SCHOLARSHIP**





## NEWS BRIEFS

### **GALILEE Program Participants Face Problems of Urban Poor**

Half of Notre Dame Law School's first-year class—92 students—spent part of their winter break exploring public interest lawyering around the country through the GALILEE program. An acronym for Group Alternative Live-In Legal Education, GALILEE introduces Notre Dame law students to the legal problems of the urban poor in ways impossible to learn in the classroom. **GALILEE is the only program of its kind among American law schools.**

By spending several days meeting with prosecutors, public defenders, legal aid attorneys, governmental law agencies, private firm pro bono attorneys, and social service professionals, law students are provided the opportunity to explore public interest law while developing an appreciation for the tensions and complexities that result from interaction between real people and the law. Read about one student's GALILEE experience on page 5.

### **Thomas L. Shaffer Honored for Service to University**

▼ The Notre Dame Alumni Association awarded the Rev. John Cardinal O'Hara, C.S.C., Award to Prof. Emeritus Thomas L. Shaffer '61 on June 5, 2009. **The award is conferred on an alumnus/alumna who is a former employee of Notre Dame and has rendered distinguished service to the University.** Shaffer has written



nearly 400 scholarly works in the areas of estate planning, law and religion, legal ethics, clinical teaching, and legal counseling.

A member of the Notre Dame faculty since 1963, Professor Shaffer began his career at Notre Dame teaching estate planning in the Law School. He served as associate dean from 1969 to 1971, and as dean from 1971 to 1975.

After serving as a professor at various universities, Professor Shaffer rejoined the Notre Dame faculty in 1988 as a chaired professor. Recently, he has lent his services as a supervising attorney in the Notre Dame Legal Aid Clinic, where law students provide legal services to low-income South Bend residents while also practicing clinical ethics.

### **Alumnus Portrayed in Movie**

John Crowley, a 1992 Notre Dame Law School alumnus, is the subject of *Extraordinary Measures*, a movie that tells the true story of Crowley's search for a treatment for Pompe Disease. Two of Crowley's three children have the life-threatening genetic defect. Actor Brendan Fraser plays Crowley, and Harrison Ford plays the researcher that discovered the treatment.

**Notre Dame hosted a screening of the movie in Browning Cinema of the DeBartolo Performing Arts Center on Thursday, Jan. 14, 2010. Crowley and his wife Aileen were on hand to introduce the movie, which was released nationwide on January 22.**

The screenplay is derived from a 2006 book about Crowley by Pulitzer Prize-winning writer Geeta Anand entitled *The Cure: How a Father Raised \$100 Million—and Bucked the Medical Establishment—in a Quest to Save His Children*.

Pompe Disease, which affects just 10,000 people worldwide, causes progressive muscle weakness throughout the body and affects various body tissues, particularly the heart, skeletal muscles (including those involved with breathing), liver, and nervous system.

### **Panel Presentation on Conscience Clauses**

Notre Dame Law School hosted a panel discussion titled "What Would a Good Conscience Clause Look Like? A Catholic University's Perspective" on

Dec. 3, 2009, in the Patrick F. McCartan Courtroom of Eck Hall of Law.

The discussion concerned how Catholic teaching and tradition, scholarship, and legal developments might inform efforts to protect the rights of conscience of health workers, pregnant women, taxpayers, and other citizens.

The panelists were Rev. Michael D. Place, chair of the International Federation of Catholic Health Institutions; Carter Snead, associate professor of law at Notre Dame Law School; and Margaret F. Brinig, Fritz Duda Professor of Law at Notre Dame Law School.

The event was sponsored in association with Notre Dame's new Task Force on Supporting the Choice for Life.

### Prof. Gurulé Awarded Fulbright

▼ Notre Dame Professor of Law Jimmy Gurulé will spend the spring 2011 semester in Chile as a Fulbright scholar. Gurulé will conduct field research on Chile's legal efforts to hold persons accountable for international crimes and human rights abuses committed during the military rule of former President



Augusto Pinochet. He will work from Diego Portales Law School in Santiago. Gurulé plans to write a book about what he learns from his Fulbright research, focusing on Chile's approach to avoiding impunity and ensuring accountability for serious international crimes.

### NDLS Hosts Law & Economics Forum

Notre Dame Law School hosted the Midwestern Law & Economics Association (MLEA) annual meeting on October 9-10, 2009, at Eck Hall of Law. The MLEA is a loose consortium of law school professors that began with Big Ten schools. It works to promote research in law and economics, and to enhance understanding of how economics can be applied to solve legal problems. Topics covered at the conference included torts and health care, criminal law

and welfare economics, and intellectual property and competition law. The yearly conference has always sought to help scholars at the beginning stages of their projects. Notre Dame Professor of Law Margaret Brinig and Assistant Professor of Law Daniel Kelly organized the conference this year.

### D'Arcy Successor Bishop Rhoades Visits Law School

▲ Notre Dame Law School Dean Nell Newton and Notre Dame Professor of Law and Associate Dean Margaret Brinig extended a warm welcome to Bishop Kevin C. Rhoades of the Fort Wayne-South Bend Diocese at a reception in the University's Main Building. The reception followed a Mass of Thanksgiving on February 9 in the Basilica of the Sacred Heart, in honor

of Rhoades' recent installation as leader of the local diocese.

Bishop Rhoades presided and preached at the Mass, which was concelebrated by Rev. John I. Jenkins, C.S.C., Notre Dame's president, and other priests from the Notre Dame community. The Mass was followed by a public reception in the rotunda of the University's Main Building.

Bishop Rhoades was installed January 13, 2010, as successor to Bishop John M. D'Arcy, who had led Notre Dame's home diocese since 1985.





### Prof. Snead Recognized as Expert by Adult Stem Cell Initiative

▲ It is one of the world's most contentious debates, and Notre Dame law professor Carter Snead—along with seven other colleagues drawn from Notre Dame's colleges of Science, Engineering, and Arts and Letters—is at the heart of it as an **expert on the University's newly formed Initiative on Adult Stem Cell Research and Ethics**. The research aims at the common good, and is conducted in a manner that respects the equal dignity of all human lives from conception to natural death.



### NDLS Supports Haitian Relief

▲ The Black Law Students Association (BLSA) organized a fund drive that collected \$2,300 for Haitian relief. BLSA, which established donation centers throughout the Law School, **donated the money to the American Red Cross to assist victims of the January 12 earthquake that left the nation devastated**. Donors included students, faculty, staff, and student groups. In addition to fundraising, Law School students organized a prayer service for victims of the tragedy.

### Giving Back at Thanksgiving

Philanthropy is, and has always been, an important part of life at Notre Dame Law School. The annual Thanksgiving Basket Drive is one of several major efforts organized by students and supported by the entire NDLS community. On Sunday, November 22, Dean Nell Newton and scores of students and staff (and members of their families) gathered inside Eck Hall of Law to assemble baskets of food purchased by cash donations. Through the Law School community's generosity, 124 needy families enjoyed a complete Thanksgiving dinner. The Social Justice Forum sponsored the food drive.

### Biolchini Hall Update

▼ The renovation of Biolchini Hall is on schedule. During April, staff members from Kresge Law Library's technical services and access services

departments will move to their permanent locations. This will allow the contractor to complete the final work in the temporary spaces occupied by these departments during the transitional phase of construction and renovation. After commencement, the remaining Law School and Law Library staff members with permanent space in Biolchini Hall will move. Notre Dame Law School's four journals will also be moving into renovated space in Biolchini Hall.



# STUDENT PERSPECTIVE

by WENDY TRAN, J.D. '12



> First-year law student Wendy Tran spent part of her winter break exploring public interest lawyering through the GALILEE program. An acronym for Group Alternative Live-In Legal Education, GALILEE introduces Notre Dame law students to the legal problems of the urban poor in ways impossible to learn in the classroom.

At the end of each day, Tran recorded her thoughts about her experience with various agencies in Los Angeles. >



Monday, January 4, 2010:

**DESTINATIONS:** Legal Aid Foundation of LA; Alliance for Children's Rights

> I want to prevent human trafficking. I want to work on immigration rights. I want to help those with limited English gain access to justice. The day I spent at



Nicholas Dehmann

Skid Row, Los Angeles

the Legal Aid Foundation of Los Angeles (LAFLA) inspired me to pursue my dreams by reminding me of the power law can have on someone's life. LAFLA has provided civil legal services to more than 2 million poor and low-income people in Los Angeles. It would be such an honor and privilege to be a part of an endeavor like that. Does that mean I want to be a public interest lawyer? I want to say "ABSOLUTELY!" but honestly, I'm not sure yet.

**CONCLUSION OF THE DAY:** I am still trying to discern whether this is the path God has set forth for me. If anything, I do know that I will be applying for a summer law clerkship position with LAFLA and several other public interest organizations.

Tuesday, January 5, 2010:

**DESTINATIONS:** Justice Corps; Housing Project Law of LA

> We spent our whole day in one of my favorite places, the courthouse. I have had experiences in the courthouse setting from internships and from my service as a court mediator. It is truly awesome to be back after having some legal education.

During the first half of our day, we met with the Justice Corps. It is the largest self-help center in the nation, serving the busiest courthouse in the United States. Litigants line up to file their cases at the clerk's office and then wait in line on the other side of the room to see Justice Corps attorneys who will provide legal workshops, training, and individual assistance. While litigants do not walk out the door as legal

experts, they are more educated and prepared to represent themselves. This court-run program seems efficient and resourceful.

In contrast, the next group we met with, a private, non-profit organization, seemed like it was struggling. We were able to see how the economy and financial climate affected this small organization. The staff was just as passionate about helping those with limited means but, because their resources were limited, they could not be as effective. What is the solution? Do they keep going and hope they make enough money to keep their doors open? Should they merge with another organization? Obviously, I don't know these answers. What I'm coming to realize, however, is that it takes more than just heart and knowledge to do public interest work. Having access to resources is essential.

**CONCLUSION OF THE DAY:** I'm starting to see the different ways people can be involved in public interest work. Would I want to do work with a private organization? A governmental one? What about pro-bono work as a firm associate? There are so many options.

Wednesday, January 6, 2010:

**DESTINATIONS:** Los Angeles District Attorney's Office; U.S. District Attorney's Office

> Do something that matters. Do what is right for you. That has been the theme of this trip. At each of our sites, especially today, these ideas prevailed during our meetings with both the Los Angeles District Attorney's Office and the U.S. District Attorney's Office. The Deputy DAs and the District Attorney we met with seem to love their jobs. Although they told us they were constantly in court, deciding on the spot their litigation plan, everyone seemed calm and in control. Our meeting with the U.S. District Attorneys included a conversation with "Rich," who comes from a family of doctors but chose law school for himself and ended up in a large firm. He wasn't satisfied with that line of work, and decided to pursue his interests in criminal prosecution as a U.S. District Attorney.

**CONCLUSION OF THE GALILEE**

**EXPERIENCE:** I truly believe that everyone we met knows that the work they do matters. They inspired me. To be honest, I felt compelled to move to Los Angeles and start public interest work, but that's silly. There is need everywhere, including in South Bend. I do know that I will use my education and training to impact my community, whether I am in a busy, bustling city or a more rural environment. The main point is this: it is such a blessing to have a legal education. To whom much is given, much is required. GALILEE reminded me of why law is my calling.



## Free at Last

by MELANIE MCDONALD

> Joshua Kezer re-entered society in February 2009 after serving 16 years—nearly half of his life—of a 60-year prison sentence for murder. Notre Dame Law School alumnus Charles Weiss made it happen. He took the case pro bono in September 2006 after all of Kezer's other post-conviction remedies had been exhausted.

"The judge ruled in our favor on substantive, not procedural grounds," says Weiss, a partner at Bryan Cave LLP in St. Louis, Missouri. "We uncovered a mountain of exculpatory evidence and proved clearly and convincingly that Josh was actually innocent of the crime."

Exoneration in a case like Kezer's is extremely rare. As it turns out, nothing about his case was typical and, in fact, some aspects of Kezer's trial and conviction proved especially problematic. >



Josh Kezer leaves the Jefferson City, Mo., penitentiary a free man.

### > THE CRIME

At age 18, Kezer was arrested and charged with killing 19-year-old college student Angela Mischelle Lawless in Benton, Missouri, in November 1992. She was found shot to death in her car at the top of an exit ramp.

There were no eye witnesses. There was no motive. Physical evidence was absent. Still, a jury found Kezer guilty of murder in June 1994.

"Obviously, the justice system is administered by human beings. People make mistakes, and so the justice system makes mistakes," says Weiss. "Josh's wrongful conviction occurred for a variety of reasons. In a nutshell, prosecutors were overzealous and, in some cases, dishonest, and law enforcement personnel withheld material exculpatory evidence."

#### WEISS GETS INVOLVED

In early 2000, a Columbia, Missouri, social worker—Jane Williams—who regularly visited the Jefferson City penitentiary where Kezer was held saw him kneeling alone in the prison chapel, praying. She and her minister husband befriended Kezer and came to doubt his guilt. Williams eventually acquired Kezer's original defense attorney's files and, believing the case against him was weak, sought an attorney to represent him.

"She couldn't find anyone local who wanted to take on the case pro bono," says Weiss. "But she was persistent. She called an acquaintance in Boston who referred it to James Wyrsh, a Notre Dame alum who was also Missouri State Committee Chair of the American College of Trial Lawyers, of which I am a member. He called me and asked if I would take the case. I read the court transcript and said 'yes' without hesitation."

All told, Weiss estimates that he and two of his associates at Bryan Cave spent several thousand hours on the case over a 2½ year period. The firm also funded a private investigator, and the attorneys were assisted by the Innocence Project in New York as well.

"The people who worked on my case are a credit to God's wisdom," says Kezer.

#### UNCOVERING CORRUPTION

A few months into the investigation, Weiss and his Bryan Cave team were astounded to find not only mistakes by law enforcement and the prosecution, but serious ethical breaches that resulted in evidence being withheld, manufactured, and misrepresented.

The sheriff who directed the investigation at the time of the crime, Bill Ferrell, did not assign his deputy Rick Walter—one of the first to arrive at the crime scene—to the case. Walter always believed Kezer's conviction was a mistake, and voluntarily reopened the investigation when he became sheriff in 2005, before the case made its way to Weiss. "It's unusual for a



Charlie Weiss at work in his office.

sheriff to voluntarily reopen a case when nobody else cared," says Weiss.

Walter, Weiss, and their teams joined forces, ultimately interviewing dozens of witnesses and taking depositions of more than 20 people. One critical discovery: the chief investigator for the sheriff's office said in her deposition before the initial trial that she had destroyed all of her interview notes, but Walter found copious handwritten notes in the case file. Those notes included statements that rebutted much of the testimony at trial, including the following:

- the driver of the killer's car was Hispanic or black (Kezer is white);
- the witness who claimed he saw Kezer in a car near the crime scene provided a markedly different description of the car in his initial statements than in his trial testimony;
- the prosecution's chief witness, who said he saw Kezer near the crime scene, initially reported that the person he saw was not Kezer but someone else he knew.

In addition, the Bryan Cave team retested DNA from the victim's fingernails. The new tests confirmed again that it was not Kezer's DNA. The former prosecutor claimed that a few tiny spots found on Kezer's jacket were blood from the victim because they glowed from Luminol. New tests by the Bryan Cave team proved that the spots tested negative for blood.

"I don't harbor anger about all of this, but I do feel angry now and then," says Kezer. "It just overwhelms me sometimes. Not just that I lost all those years in prison, but that I got so many of them back. I just thank God that it's over."

Says Weiss, "The smart people, when they get out of prison, know that bitterness can kill you. Josh has tried to block out the bitterness part and just look ahead and be grateful."

#### NEW EVIDENCE, NEW FATE

In April 2008, Weiss and his team filed a 63-page petition for habeas corpus. The court conducted a three-day hearing in December 2008, and the judge, Richard





Left to right: Steve Snodgrass, Joshua Kezer, Charlie Weiss

Callahan, issued his judgment on February 17, 2009. “I never felt confident that he’d be exonerated,” says Weiss. “A judge has so much discretion in deciding these cases. Statistically it’s rare that a court finds someone innocent of a crime after they were convicted and had lost again on appeal.”

Yet, in his opinion, Judge Callahan wrote emphatically in Kezer’s favor:

“A jury trial is intended by purpose and design to limit the power of prosecutors and judges to incarcerate. Just as important, however, is what the right to jury trial is not. A jury trial is not a shield for prosecutors to avoid difficult charging decisions, and deference to a jury verdict is not a substitute for meaningful judicial review. In the final analysis, our system of trial by jury is there to protect citizens from its own government, not to protect government from its own mistakes.

“There is little about this case which recommends our criminal justice system. The system failed in the investigative and charging stage, it failed at trial, it failed at the post-trial review, and it failed during the appellate process. The only bright note is the Scott County Sheriff Rick Walter, who after being elected sheriff, reopened the investigation. Largely through his efforts, along with those of Petitioner’s counsel, is the system finally righting itself with respect to Josh Kezer.”

#### UPDATE

Weiss and Bryan Cave recently filed a civil suit against the chief investigator, Brenda Schiwitz, the sheriff, Bill Ferrell, and Scott County for whom they worked. “The case was filed under a section 1983 case which provides for remedies if someone has deprived you of your constitutional rights,” says Weiss.

“I just thank God that it’s over.”

—Josh Kezer

Weiss recalls the elation he and his colleagues felt upon hearing the news. “We shouted a little bit in the hallway. Lots of people at the firm got to know Josh or know of the case and were emotionally involved. It’s a very rewarding experience for any lawyer to help someone who has been wrongly convicted.”

#### **PRESENT DAY**

“Charlie [Weiss] started out as my lawyer, but I consider him my friend now,” says Kezer, who talks to Weiss on the phone regularly and even travels with him to conferences to talk about his case. Kezer lives in his own apartment, partially furnished with donations from his friends at Bryan Cave. He has a job doing interior construction right now, and enjoys opportunities to talk to groups about his ordeal, as well as about forgiveness, love, and empathy.

When asked what his future holds, Kezer replies, “I want to say greatness, but whatever God has for me I’m going to be forever thankful.”



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## GIVING BACK, PAYING IT FORWARD

by JILL DONNELLY, B.A. '76

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> Professor Seckinger once told a student, “you have a special gift,” after observing his exceptional courtroom skills. The student—Patrick A. Salvi, NDLS '78—is now one of the country’s most prominent trial attorneys and continues to share his “gifts” in a variety of ways.

After serving in a general law practice with his father (Albert S. Salvi, ND '48), Pat established the firm of Salvi, Schostok & Pritchard in Waukegan and Chicago, Illinois. The firm has advocated for families and victims of negligent conduct in personal injury and medical malpractice cases for 28 years, winning more than 155 multi-million dollar settlements and jury verdicts totaling over a half-billion dollars. Their legacy continues, as last year Pat won two record-setting verdicts with his son Patrick, NDLS '07, now an associate with Salvi, Schostok & Pritchard.

His clients are not alone in receiving the benefits of Pat’s special gifts. Pat shares his legal expertise every Wednesday night with the 47 students in his personal injury litigation class at Notre Dame Law School. In his third year, Pat’s class has become so popular that there is a waiting list. Pat makes the trip from his home in Lake Forest to provide a packed classroom the practical skills to become successful practicing attorneys. They learn the basics of landing and evaluating cases, negotiating

settlements, ethics, and tort reform. He also teaches them the hard lessons that he learned through his numerous years of practice, helping students “get off on the right foot” as they begin their legal careers. With his guidance, they are on solid ground.

Pat Salvi’s gifts to Notre Dame students are not just limited to the classroom. He offers guidance to the Law School as part of the Law Advisory Council and has provided financial support to Notre Dame every year since graduating 33 years ago. As a member of the Order of St. Thomas More Dean’s Circle and the President’s Circle, Pat’s unrestricted support for the Law School and the University assists Dean Nell Newton and Father John Jenkins in addressing their most pressing needs.

Pat’s recent commitment to Notre Dame establishes the Salvi Law Fellowship. This generous gift will have double the impact in providing financial aid for our students owing to the matching funds from the Eck Fellowship Challenge. Pat and his wife Lindy’s gift was one of the key commitments in successfully completing the Challenge and reaching the \$5 million goal set by the Eck family. The winners will be our current and future students who will benefit from an increase of \$10 million in endowed fellowships.

Pat also gives back to St. Mary’s University of Minnesota in Winona, his undergraduate alma mater, where he serves on the Board of Trustees and received a Doctor of Laws, Honoris Causa, in 1999 and was presented with the Distinguished Alumnus Award in 2005. Serving on the board, he met John Ehlert, owner of the Kansas City T-Bones minor league baseball team. Sports have always been a part of Pat’s life, from the time his father introduced him to Notre Dame football through his years of playing football and hockey. When he learned from Mr. Ehlert that the Gary SouthShore RailCats minor league baseball team was for sale, he jumped at the opportunity.

He purchased the team in April 2008 and his passion for being the owner and



CEO is obvious. His fervor goes beyond profiting from the franchise, winning games, and having one of the highest attendances in minor league baseball. He cares deeply about the challenging economic conditions of Gary, Indiana. Giving back to this community is always on his mind, whether at the ballpark or driving by on the Indiana toll road on his way to Notre Dame.

Pat’s work with the RailCats is shared with his son David who handles advertising and on-field promotions for the team. Pat, Lindy, and their five sons all share the excitement of the RailCats and the Fighting Irish. Brian graduated from Notre Dame in 2009 and participated like his older brother, Patrick, in the Bengal Bouts. Christopher, a current ND student, was invited to walk on the ND football team after transferring from and playing in all games as a true freshman at Butler University. Will, Pat’s youngest son, is a freshman at the University of Alabama—home of the 2009 national football championship team.

Pat Salvi is a champion who gives back to his family, his clients, his students, his RailCat fans, and his community. The firm continues to grow and assist many families in need, and the RailCats fans are blessed with Pat’s interest in the future of their northwest Indiana community.

## THE ECK FELLOWSHIP CHALLENGE

# WE DID IT



Thank you to the 548 alumni, parents, and friends who helped to make the Eck Fellowship Challenge a success! With their support, the Notre Dame Law School has raised \$5.04 million for law fellowships—monies that will be matched with a \$5-million contribution from the estate of the late Frank Eck Sr. '44.

The matching gift challenge, which began on April 1, 2008, and concluded at the stroke of midnight on December 31, 2009, has helped the law school to rapidly close in on the \$17-million *Spirit of Notre Dame* campaign goal for law fellowships. All told, just over \$14 million in new law fellowship funds has been raised since the campaign commenced on July 1, 2004.

St. Mary’s University of Minnesota and the University of Notre Dame were blessed when Pat Salvi first walked on their campuses. Notre Dame students will continue to benefit from the gifts of his time, talent, and treasure for years to come. If they are lucky, they may even have an opportunity to pick up some RailCat fan gear.



## Q&A

> Tom Fitzgerald, B.B.A. '76, J.D. '79, of Winston & Strawn in Chicago, shares his perspective on the legal job market. >



**Q** Is the recession the main reason for the sharp decline in job opportunities for young lawyers?

**FITZGERALD >** The recession is certainly the primary factor, but the recent outsourcing of work that has historically been done by associates is a second factor. For example, a certain portion of litigation discovery is now conducted by third parties instead of law firms.

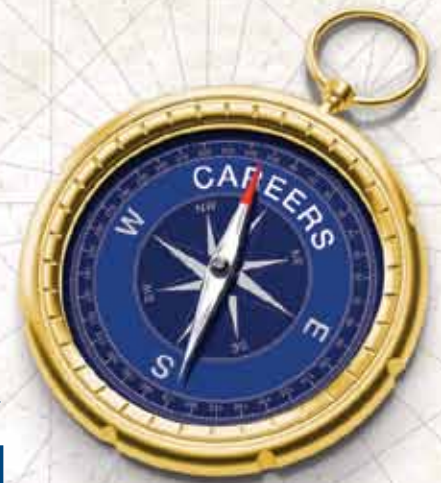
**Q** When will the legal job market improve?

**FITZGERALD >** The current economic downturn must change for the job market to improve. At the same time, changes in health care, intellectual property, and environmental law will create jobs in the legal industry. We need to be patient in these difficult times. Congress won't stop enacting laws. Commerce won't come to a halt. There will always be work for lawyers, and firms like Winston & Strawn need

to build an associate base for the long term.

**Q** Is attending law school a good idea at this point in time?

**FITZGERALD >** I would encourage anyone to pursue a law degree if they have a passion for the practice of law. The short-term economic forecast shouldn't dissuade someone from attending law school. The decision to enter any field of work should be based on what you want to do with your life. If law is what you love, make a commitment to it and don't look back. Notre Dame Law School students have made that commitment. At Winston & Strawn, we are very pleased with the people who enter our firm from Notre Dame. They are very intelligent and skilled, and make substantial contributions to our firm.



# NAVIGATING YOUR CAREER

by MELANIE MCDONALD

**In today's difficult hiring environment, the Career Services Office provides a robust network of people, programs, and support for ND Law students and grads seeking employment.**

> It's a tough time to be an attorney—maybe the toughest ever. Jobs are scarce and the competition is stiff, particularly at big firms. That's not news to anyone reading this magazine. Thankfully, there is a silver lining surrounding the job-scarcity cloud; Notre Dame has always been a different kind of law school, and in times of trouble, we step it up. Additional resources for the Career Services Office (CSO), innovative approaches to assisting students in their job search, and the ever-generous assistance of ND's famed alumni network are proving to be game changers. >

## Staffing Up

"YOU CAN'T SERVE STUDENTS WELL—even in 'normal' economic circumstances—if your CSO isn't fully staffed," says Law School Dean Nell Newton, who made funding for hiring and programs a top priority when she arrived last July. "It's like expecting an airplane to fly with only one wing. It won't get off the ground. On the contrary, our career service efforts have to reach new heights, especially now."

The first thing Newton did was secure the salary for an additional full-time assistant director and a temporary career counselor. "We're increasing our staff, which boosts our ability to assist all Notre Dame lawyers looking for work," says Assistant Dean for Career Services Gail Peshel. "It's imperative that we have the people in place to find career opportunities and make the necessary connections for our students, because it's a labor-intensive endeavor."



**THE  
ROAD TO  
SUCCESS**

**Andrew Sullivan '10** will begin his career as an attorney at Winston & Strawn in Chicago after graduation. His start date is deferred until January 2011, but he is nonetheless pleased and relieved to have landed a position at a top firm in his city of choice.

"The Notre Dame connection with Winston & Strawn is really strong, especially in Chicago," says Sullivan. "I know that benefited me. They do a good job recruiting Notre Dame lawyers—four of my classmates were also hired there as a result of the work they did as summer associates." Sullivan says that, while he worked hard to achieve this position, several of his friends who are also bright and hard-working have not been so fortunate. "It's just a brutal market out there."

### Thinking Outside the Recession

"'Business as usual' is a recipe for failure at this moment in time, and that's just not an option at Notre Dame Law," says Dean Newton. "People expect more of us. We expect more of ourselves, and we owe it to our uncommonly bright, high-achieving students to work harder and, yes, allocate more funds to help coun-

ter the effects of the recession on their employability."

To that end, NDLS has begun or enhanced programs designed to give job-seeking students an edge.

#### **SPRINGBOARD PROGRAM**

"Psychologically, it's a blow when you walk across that stage to receive your law degree but don't have a job waiting for you on the other side," says 2008 alumna Shawtina Ferguson, who now practices



product liability and asbestos defense as an associate at The Rasmussen Law Firm in Los Angeles. “Notre Dame Law School did not forget about me after graduation. The faculty and staff remained interested in my continuing development, and the alumni community has incredible power to impact career placement.”

Ferguson benefited from the Springboard Program, which began with the 2008 graduating class and has been particularly successful at placing unemployed recent grads in internships subsidized by funds from the Dean’s discretionary budget. This gives grads extra time after commencement to secure a permanent job while earning money and gaining experience.

Participating graduates contact public interest employers directly, offering free legal service for three-and-a-half months

“As an alum, I can see how important it is that we remain active agents in the professional development of current students and fellow alums,” says Ferguson. “Notre Dame relationships have completely impacted my life and career, and I’m truly grateful.”

#### **SUMMER STIPEND PROGRAM**

Deepali Doddi ’10 began her 2L year unsure about what her future would hold. She had considered public interest law, but wanted more exposure to that type of work before committing to it.

Enter the Law School’s Summer Stipend Program, which provides students with financial support to take otherwise unfunded public interest law positions during the summer months. Unique in size and scope, the program allows more

“Without the Summer Stipend Program, I wouldn’t have had the opportunity to explore this area of the law.” —DEEPALI DODDI ’10 ▼

with the understanding that the graduate will be seeking permanent employment throughout the course of the program. Of the 16 Springboard participants from the class of 2008, 13 were employed either before or shortly after their Springboard employment ended.

This year, Dean Newton more than doubled the amount allocated to the program in order to fund as many as 40 Springboard positions in 2010, if necessary.

Ferguson says the program made all the difference in her professional life. “I pursued a clerkship with the help of the CSO, and was introduced to the Honorable Barbara Scheper, a Notre Dame alumna and California State Superior Court Judge. She put me in touch with her colleague, the Honorable Patti Jo McKay, the presiding judge of the appellate division. I got the clerkship with Judge McKay because of the Springboard Program and Notre Dame Law’s well-connected and caring alums.” Ferguson began the clerkship on February 1, 2009, and began work with The Rasmussen Law Firm on May 11, 2009.

than 100 students each year to pursue legal work with a public service component.

“I had taken Professor Hull’s disability law class and really enjoyed it, so I pursued the U.S. Department of Health and Human Services for my Summer Stipend experience,” says Doddi. “I felt a real connection to the work I did on a disability discrimination case in the Department’s Office for Civil Rights, and that helped cement my decision to work in the public interest sector,” says Doddi. “Without the Summer Stipend Program, I wouldn’t have had the opportunity to explore this area of the law.” As a result of her great work last summer, the Office for Civil Rights offered Doddi a permanent legal position in the Chicago field office, which she’ll begin upon graduation this spring.

Last summer, NDLS awarded more than \$500,000 to participating students, with more than a quarter of that money coming from alumni, student organizations, and the Dean’s discretionary fund (the remainder is federal work study money). This year, Dean Newton will commit even



more resources to the program. "It's hard to imagine a more worthwhile allocation of Law School funds right now than to programs that provide our students with valuable skills, contacts, and experience—particularly in the public interest realm," says Newton.

And while the opportunity to gain legal experience and secure permanent employment as a result of the program is an important component, Paul Mattingly '75—an organizer of and fundraiser for the program since its inception—articulates an additional purpose. "Every Notre Dame lawyer has an obligation to realize the needs associated with public interest law, and every Notre Dame lawyer's education should contain some kind of commitment to public service, even if the goal is to be employed by a large law firm. It's just part of our mission."

#### LUNCHTIME LECTURES

The CSO knows that combining effective career tips with a little bit of pizza is a great way to attract students to lunchtime lectures aimed at giving them a broad perspective of the legal market. "We've offered a total of 30 lunchtime programs this year," says Peshel. The CSO hosted attorneys with

## Loan Repayment Assistance Program (LRAP) makes going into public service easier

"There is no way I could be doing this kind of work without the Loan Repayment Assistance Program," says Mark Williams '07, an immigration attorney and director of ministries in Salt Lake City, Utah. "I wouldn't be able to afford my loan payments, let alone support my family," adds Williams, who is married with young children.

Alumni giving is a major factor in LRAP's success. "Thanks to their generosity, the Law School was able to substantially enhance LRAP two years ago," says Bob Jones, Clinical Professor of Law and LRAP administrator. "Since that time, the total amount

awarded annually has more than doubled to \$70,000 (the maximum allowed per qualifying student is \$12,000), and the number of participants in the program has increased considerably. Our hope is to continue to grow the program so that it will become one of the best in the country."

"Each year when I write my loan assistance application, I say 'thank you' to the people who have contributed money to the fund that makes my career possible," says Williams. "They aren't just helping me; they are helping my clients who have a much better life because of the services I am able to provide."

#### MEET THE CSO STAFF

**B. Riku Ahluwalia** is a 2003 graduate of Notre Dame Law School and assistant director for career services at NDLS. She earned her bachelor's degree in philosophy from Loyola University in Chicago, and then worked for five years with Prudential Securities where she began her recruiting career and ultimately earned an associate vice president title. Following graduation from NDLS, Ahluwalia, a licensed Illinois attorney, worked for three legal recruiting firms in the Chicago and San Francisco Bay Area markets before returning to her law school alma mater to work.



"I believe we are watching history unfold. I do think there are some dramatic changes currently in the works. I think the apprenticeship model that a handful of firms are implementing is fascinating, innovative, and responsive. I also think regulatory governmental work is on the rise. Because corporate legal departments also sometimes expand as a cost-cutting measure, I think the path to these in-house jobs may also change. As a result, I would very much like our work with alumni in government roles and in-house legal departments to broaden in scope; it seems that charting collaborative, training-intensive programs with these two types of employers might very well be a win-win for Notre Dame."

—B. RIKU AHLUWALIA





“...the alumni community has incredible power to impact career placement.”

— SHAWTINA FERGUSON '08

careers ranging from legal aid to patent law, and with employers ranging from the Securities and Exchange Commission to the Los Angeles District Attorney's Office.

“Hearing a work experience articulated from someone in the field—someone who is actually doing the work day in and day out—has opened our students' eyes to career possibilities that they might never have considered before,” says Peshel. “It's also a great opportunity for students to network with prospective employers.”

### All in this Together

NOTRE DAME LAW SCHOOL ALUMNI express a genuine desire to lend a hand to those who come after them. It's one of the many characteristics that makes NDLS alumni special. They are well-connected, prominent attorneys who are glad to make an introduction, review a resumé, or share the inside scoop on hiring in their communities.

Here are a few more specific ways Notre Dame Law alums are making a difference.

#### ALUMNI CAPTAINS

The brainchild of 1980 Law School Alumna Sheila O'Brien, a justice on the Illinois

Appellate Court, the Alumni Captain group consists of employed NDLS grads in Chicago and Los Angeles (with other major U.S. cities to follow) who agree to be the eyes and ears of the Career Services Office out in the field. Each alumnus is well-equipped to learn about job opportunities in their geographic area and can then share that information with CSO staff and even students directly. In addition to learning of job opportunities, Alumni Captains serve as point people for resumé distribution, getting the Notre Dame applications in front of the right person at the right time. “In Chicago, my law school classmate Judge Sue Zwick and I are actively communicating with two-to-three students on a daily basis,” says O'Brien. “We're helping them learn how to mobilize their resources to be as effective as possible in their search.”

#### ALUMNI MENTORS

The concept for an Alumni Mentors program was conceived by Denver attorney and Notre Dame Law Association Board Member Brian Bates. While still in the development stage, the program aspires to link recent grads or 3Ls with an employed alumnus living in the job seeker's geographic region or practicing in the person's area of interest. Mentors

#### MEET THE CSO STAFF

**Gail Peshel** joined the Law School in 2000 as director of career services. She was named assistant dean in 2004 and returned to career services in 2008. Peshel, who has more than 20 years of career services experience, participates in both state and national organizations, such as the National Association for Law Placement, the Indiana State Bar Association, the Indiana Bar Foundation, and the Chicago Bar Association. She served on the State Bar's Board of Governors, was president of the National Association for Law Placement, co-chaired the Chicago Bar Association Career Assistance Committee, and chaired two Indiana Women in Law conferences. Peshel earned her juris doctor degree from Valparaiso University School of Law in 2000 and her bachelor's degree in business administration from Valparaiso University in 1990. She was admitted to the Bar in the State of Indiana in 2000.



“I find great joy in using my experience and knowledge to generate creative solutions to current challenges in the legal market. Our incredible alumni provide insight and assistance. At Notre Dame, our entire CSO staff is fortunate to be able to draw on the skills and expertise of dedicated alumni to provide programs, activities, and initiatives that work.”

—GAIL PESHEL



will provide advice to those students and unemployed alumni about job-search strategies, and share information about employment markets and practice areas.

"It's vital for young lawyers to have a mentor, because some knowledge comes only from experience" says Bates. "And while this idea was born of the current economic climate, it will continue to be useful even after the crisis has passed," Bates adds. "It's always a great thing when Notre Dame lawyers engage with one another and with the Law School, and the Alumni Mentors program can be a vehicle for that."

If you're interested in participating as a mentor, contact Assistant Dean for Career Services Gail Peshel at [gpeschel@nd.edu](mailto:gpeschel@nd.edu).

#### EMAIL CAMPAIGN

A 1992 Law School alumnus at Pierce Atwood LLP in Portland, Maine, Jared des Rosiers made contact with all practicing Notre Dame lawyers in New England via email in an effort to harness the collective power of alumni in that region. Here is an excerpt from the letter, written by des Rosiers in his capacity as a member of the Notre Dame Law Association Board of Directors:

"...One of my responsibilities is to help students and recent grads tap in to the Notre Dame network in New England to find summer and full-time jobs. With the current economic slowdown and the ongoing downsizing at many firms, this is a particularly difficult time for law students, even from ND, to find jobs. I accordingly write to elicit your help."

Says des Rosiers, "I've been receiving some positive responses to my inquiry to the ND law grads in New England. Several folks have expressed their willingness to be a point of contact for any students interested in a particular area, and two have indicated that their firms are hiring."



#### MEET THE CSO STAFF

**Ellen Burns** is a 2009 graduate of Notre Dame Law School and assistant director for career services at NDLS. With a bachelor's degree from Cornell and her CPA certification, Burns embarked upon a ten-year career in accounting, auditing, and consulting prior to law school, working for Price Waterhouse, PricewaterhouseCoopers, and Arthur Andersen. After Arthur Andersen's demise, Burns served as director of internal control standards and procedures for a New York-based health insurance company.

"One of the things I am most excited about in working in the CSO is reinvigorating our efforts in public interest placement. As the economy shifts and changes, many students are rediscovering the public interest sector. Public interest work is not only great experience for young attorneys, it is highly rewarding, conducive to a well-rounded lifestyle, and consistent with the mission of educating a different kind of lawyer."

—ELLEN BURNS

## All That's Old is New Again

OF COURSE, EVEN WITH CREATIVE programs and generous alumni, there are still students who receive job offers the old-fashioned way—via OCI, internships, judicial clerkships, etc.—but in this economy, these opportunities are not as plentiful as they once were.

"I tell students, 'Never let the numbers get you down,'" says Dave Scheper '85, president of the Notre Dame Law Association Board of Directors. "Giving up is not an option." Scheper says that those who have to go the extra mile to get their foot in the door will be the better for it in the end. "Achievement, not entitlement, is the ticket. It always has been."

"Giving up is not an option."

—DAVID SCHEPER '85

## CLASS NOTES

# 1960s

**GEORGE N. TOMPKINS JR., J.D. '56**, Of Counsel in the New York office of Wilson Elser Moskowitz Edelman & Dickler LLP, was designated a Distinguished Fellow of the International Academy of Trial Lawyers (IATL). Tompkins was inducted as a Fellow of the Academy in 1985 and served two terms as President in 1996 and 1997.

**PAUL K. ROONEY, J.D. '62**, announces the opening of his new office at 708 Third Avenue, 5th floor, New York City.

**H. PATRICK WEIR '64**, was appointed by North Dakota Governor John Hoeven to fill an open Southwest Judicial District judgeship in Dickinson, North Dakota. Weir has been a partner at Vogel Law Firm since 1967.

**TOM CURTIN, J.D. '68**, received the Judge John F. Gerry Award, presented annually by the Camden

County Bar Foundation. The award recognizes the outstanding contributions of a New Jersey Bar member, or a member of the State or Federal Judiciary, who exemplifies the spirit and humanitarianism for which Judge Gerry is remembered.

**CHARLIE WEISS, J.D. '68**, won the Spirit of Justice Award recognizing lawyers and non-lawyers who foster the rule of law. The award is bestowed by the *Saint Louis Lawyer* publication. Weiss recently achieved exoneration for a pro bono client who served 16 years in prison for a murder he did not commit.

**JIM BRADY, J.D. '69**, was recognized as one of the top 25 attorneys in Michigan by *Michigan Lawyers Weekly*.

**ROBERT MICHAEL GREENE, J.D. '69**, received the Father William Lewers, C.S.C. Award on Friday, October 16, from the Notre Dame Law Association (NDLA) Board of Directors. The award recognized Greene for his contributions in the areas of civil and human rights, social justice, and international humanitarian service, including his efforts to help the people of Haiti. Father Lewers was a long-time and outstanding faculty member of Notre Dame Law School who also directed the Law School's Center for Civil and Human Rights.

# 1970s

**PATTI BOBB, J.D. '72**, received the Esther Rothstein Award from the Women's Bar Association of Illinois on Jan. 22, 2010, for having "demonstrated a visionary approach in [her] professional endeavors by making a contribution to the well-being and empowerment of women, while freely giving back to other women and members of the legal profession."



**JAMES D. FRIEDMAN, J.D. '72**, of Quarles & Brady was selected as a 2009 Wisconsin Super Lawyer, and selected for inclusion in *The Best Lawyers in America 2010*.

**CHRISTOPHER R. SCHRAFF, J.D. '72**, of Porter Wright received a number one ranking in Ohio in the area of Natural Resources and the Environment by *Chambers USA 2009*.

**JUDY DANIELLE SNYDER, J.D. '73**, received the 2009 MBA Professionalism Award from the Multnomah Bar Association (MBA) of Portland, Oregon, in May 2009.

**DAVID J. WHITE, B.A. '69, J.D. '73**, established a private legal practice at 824 West Indian-town Road, Jupiter, Florida. White's primary focus is representing medical, legal, and business professionals with individual disability income insurance policies, who have incurred disabilities that prevent them from performing their specialties.

**GARY SCHUMAN, J.D. '74**, is now Senior Litigation Counsel at Combined Insurance Company of America, Glenview, IL, and author of *Dying Under the Influence: Drunk Driving and Accidental Death Insurance* 43 **TORT TRIAL & INSURANCE PRACTICE LAW JOURNAL** 1 (2008).

**MICHAEL COTTER, B.A. '71, J.D. '77**, was sworn in as Montana's newest U.S. Attorney on December 30, 2009.

**F. JAMES FOLEY, B.A. '74, J.D. '77**, was named chair of the Board of Directors of Catholic Social Services of Columbus, Ohio. Foley is a partner at Vorys, Sater, Seymour and Pease LLP.

**CHRISTOPHER NEDEAU, B.A. '74, J.D. '77**, joined the law firm Nossaman LLP in San Francisco as a civil litigation partner.

**VINCENT R. JOHNSON, J.D. '78**, published the fourth edition of his torts series, **STUDIES IN**



## SPOTLIGHT

> **John J. Hurley, J.D. '81**, was named the 24th president of Canisius College—the first lay president in Canisius' 140-year history. Hurley currently serves as the college's executive vice president and vice president for college relations. His

appointment is effective July 1, 2010.

A native of Buffalo, Hurley graduated from St. Joseph's Collegiate Institute in Kenmore and received a bachelor of arts degree summa cum laude in English and history from Canisius College in 1978. Upon graduation from Canisius, Hurley won a full fellowship to the Notre Dame Law School from which he earned a juris doctor degree in 1981. While at Notre Dame, he studied in the Notre Dame London Law Programme, was a director of the Law School's Legal Aid and Defender Association, and taught classes to inmates at Indiana's maximum security prison at Michigan City.

He served as an associate in the Chicago law firm of Keck, Mahin & Cate from 1981-1984 before returning to Buffalo in 1984 to take a position as an associate (1984-1988) and then partner (1989-1997) at Phillips, Lytle LLP. During his legal career, Hurley concentrated his practice in the areas of secured lending, bankruptcy and insolvency, creditors' rights and acquisitions of troubled companies.

Since 1997, he has been the senior development and external relations officer responsible for capital campaigns, planned and annual giving programs, grant services, all external and media relations, alumni relations and college publications. Under his tenure, the college has raised in excess of \$116 million in total voluntary support. In 2007, Hurley was promoted to the position of executive vice president and took on the additional responsibilities for the coordination of the college's senior leadership team, strategic planning, integrated marketing, and legal and compliance issues.



**AMERICAN TORT LAW, TEACHING TORTS, AND MASTERING TORTS** (Carolina Academic Press, 2009). These three books, used at law schools around the country, have been in print for 16 years. Johnson is Professor of Law St. Mary's University School of Law in San Antonio, Texas.

**PATRICK A. SALVI, J.D. '78**, was appointed to a three-year term as Chairman on the Character and Fitness, Second District Committee of the Illinois Board of Admissions to the Bar by the Illinois Supreme Court.

**ARTHUR A. VOGEL JR., J.D. '79**, of Quarles & Brady was selected as a 2009 Wisconsin Super Lawyer, and selected for inclusion in *The Best Lawyers in America* 2010.



**DEAN A. CALLAND, J.D. '79**, of Babst, Calland, Clements and Zomnir, P.C., was named by *Pennsylvania Super Lawyers*® magazine as one of the top lawyers in Pennsylvania for 2009. Calland was also selected by his peers for inclusion in *The Best Lawyers in America* 2010, and received, along with his wife Mary Calland, J.D. '79, the 2009 Elizabeth Ann Seton Award from the National Catholic Education Association.

# 1980s

**DEBORAH THOMAS BOYE, J.D. '80**, joined the Chicago office of the international law firm Greenberg Traurig, LLP as a shareholder in the Public Finance Practice.

**STEPHEN M. RYAN, J.D. '80**, was honored as "Board Member of the Year" for Operation HOPE, a Los Angeles-based non-profit dedicated to empowering underserved communities through economic empowerment globally. Ryan raised approximately \$12 million in cash or in-kind contributions for Operation Hope, and was the founding Chairman of Operation Hope's Mid-Atlantic Board.



**CAROLYN P. SHORT, B.A. '77, J.D. '80**, was selected as a Fellow by the *Litigation Counsel of America*, the nation's premier honor society for trial attorneys. Short is a partner in the Philadelphia office of Reed Smith LLP, one of the 15 largest law firms in the world.

**ROBERT ALLEN, J.D. '81**, organized the 2009 Miami-Dade Coastal Cleanup, and

hired two Notre Dame students as interns to assist him in the effort. The Cleanup was held in September and is part of The Ocean Conservancy's International Coastal Cleanup, which has now grown into a major worldwide event.

**MICHAEL C. BORDERS, B.A. '77, J.D. '81**, was ranked by his peers as a leader in his field in the Woodward/White *Best Lawyers in America* guide. Borders is an attorney with Dykema in Chicago.

**MIKE BETTINGER, J.D. '83**, was recently named as one of the "Top 100 Influential Legal Leaders in California" by the *Daily Journal*, California's largest legal news publication. Bettinger is head of the intellectual property litigation practice in K&L Gates LLP San Francisco office.

**DON HUBBARD, J.D. '84**, co-authored **FORGOTTEN FOUR: NOTRE DAME'S GREATEST BACKFIELD AND THE 1953 UNDEFEATED SEASON** (Corby Press).

**LLOYD W. GROOMS, J.D. '85**, was recently selected by his peers for inclusion in the 2010 edition of *Best Lawyers in America*. Grooms is a shareholder at Winthrop & Weinstine, P.A., in Minneapolis.



**ANNA CARULAS, J.D. '86**, was selected as an Ohio Super Lawyer by *Law and Politics* magazine, *Northern Ohio Live* magazine, and *Cincinnati Magazine*. She is an attorney in the Cleveland office of Roetzel & Andress.

**DIANE HALLER, J.D. '86**, of Quarles & Brady LLP, was named in the 2009 issue of *Southwest Super Lawyers* magazine as among the top 5% of attorneys in Arizona. She was also ranked in the 2009 edition of the prestigious *Chambers USA* directory, and selected for inclusion in *The Best Lawyers in America* 2010.

**JAMES S. CARR, J.D. '87**, a partner at Kelley Drye in New York, ranked as the number one lawyer in the "Top Bankruptcy Lawyers" list published in *The Daily Deal*.



**M. ANGELLA CASTILLE, J.D. '88**, a partner at Baker & Daniels in Indianapolis, was elected as chair to the international section of the Indiana State Bar Association (ISBA).

# 1990s

**ANNE MARIE COOK, J.D. '88**, a partner at Choate, Hall & Stewart LLP in Boston, has been elected to serve as Vice President of the Board of Directors for Community Legal Services And Counseling Center (CLSACC), a non-profit agency in Cambridge providing legal assistance and mental health counseling to low-income individuals.

**LAURIE MURPHY, J.D. '88**, is co-editor of the newly released fourth edition of **ADVISING THE OLDER CLIENT OR CLIENT WITH A DISABILITY**, published by the Institute of Continuing Legal Education (ICLE) along with Alison E. Hirschel.



**DON C.A. PARKER, J.D. '88**, of Spilman Thomas & Battle, PLLC in Charleston, West Virginia, was recently included on the 2010 list of *The Best Lawyers in America*.

**FRED FRESARD, J.D. '90**, of Bowman and Brooke LLP in Detroit, was named to The Legal 500's "outstanding lawyers" list.

**MARTY LOESCH, B.A. '87, J.D. '91, LL.M. '92, M.A. '94** was appointed by Washington state Governor Chris Gregoire as her director of external affairs and senior counsel.

**RANDALL D. ROYBAL, J.D. '91**, was appointed by the New Mexico Judicial Standards Commission as its new executive director. Formerly the Deputy Director and Chief Staff Attorney, he has worked at the Commission since 1998.

**KATHERYNE (KATHY) L. ZELENOCK, J.D. '91**, joined Dickinson Wright PLLC as a

member of the Real Estate Practice Group in the firm's Bloomfield Hills, Michigan office. She specializes in commercial real estate finance on behalf of lenders on a national basis, including Fannie Mae and Freddie Mac lending, capital market lending and securitization, and whole loan sales, loan modifications, workouts and foreclosures.



**DOUGLAS D. ANDERSON, B.A. '89, J.D. '92**, has joined Baker & Daniels LLP where

he will practice in tax and business law from the firm's South Bend office.

**JOHN CROWLEY, J.D. '92**, and his family are the subject of "Extraordinary Measures," a movie that tells the true story of Crowley's search for a treatment for Pompe Disease. Two of Crowley's three children have the life-threatening genetic defect. Actor Brendan Fraser plays Crowley, and Harrison Ford plays the researcher that discovered the treatment.

**CHARLES H. ROSE III, J.D. '93**, recently received tenure at Stetson University College of Law in Gulfport, Florida. Rose currently serves as the director of Stetson's Center for Excellence in Advocacy.



## SPOTLIGHT

> *Max Siegel, B.A. '86, J.D. '92*, of Baker & Daniels LLP was honored during the second annual NAS-

CAR Diversity Luncheon at Daytona International Speedway. Siegel, who leads Baker & Daniels' sports and entertainment industry team, received individual recognition for being in the forefront of inclusion efforts across the motorsports industry. He was honored with the award given to the individual who has displayed an impactful personal effort to include diversity and inclusion efforts as part of his or her job.

Siegel was also recently named to the Board of Directors for USA Track & Field. He is one of 15 members on the board, which includes business executives, National Track & Field Hall of Famers, attorneys, officials, coaches and Olympic athletes.

Siegel re-joined Baker & Daniels in January of 2009 after serving as President of Global Operations for Dale Earnhardt, Inc. He also oversees NASCAR's Drive for Diversity program and leads the 909 Group, which provides marketing and strategic services to professionals in the sports and entertainment industries.

**MARIA L. VERTUNO, J.D. '93**, has been named the Founding Director of the Pre-Law Center at Bradley University.

**PETE A. SMITH, J.D. '94**, was elected to the board of directors of Strauss & Troy in Covington, Kentucky. In addition, Smith was included in *The Best Lawyers in America* for 2009. The publication is widely regarded as the premier referral guide in the legal profession. Finally, Smith was named a "Rising Star" by *Law & Politics* magazine.

**BILL ANAYA, J.D. '97**, former vice president of global government affairs for Motorola, is now with Alston & Bird, where he focuses his practice on telecommunications.

**JONATHAN PHILIP LIENHARD, J.D. '97**, is now of counsel at the law firm of Downey & Mayhugh, P.C. in Warrenton, Virginia.



**CHAD MOWERY, J.D. '97**, of Roetzel & Andress in Akron was selected as an "Ohio Rising Star" by *Law & Politics* magazine, *Northern Ohio Live* magazine, and *Cincinnati Magazine*.

**TOM JOHNSTON, J.D. '98**, was named by *The New Jersey Law Journal* to their list of 40 Under 40 accomplished attorneys in the state for 2009.

**KRISTEN POLOVOY, J.D. '98**, was named of counsel to Montgomery, McCracken, Walker & Rhoads, LLP, where she has practiced since graduation from NDLS. Polovoy is also actively involved in the Greater Delaware Valley Chapter of the National Multiple Sclerosis Society, and in 2007 founded *Making MS Work*, a networking group of professionals with MS in South Jersey/Philadelphia.

**WILLIAM L. ESSER, IV, J.D. '99**, of the law firm of Parker Poe Adams & Bernstein LLP, was named by the *Charlotte Business Journal* to its 40 Under 40 list for 2009. Each year, the weekly business newspaper honors 40 people under the age of 40 for their community and professional achievements.

**TRACI GRIFFITH, J.D. '99**, was granted tenure and promoted to associate professor of journalism and mass communication at St. Michael's College in Colchester, Vermont. Her teaching focuses on media law and ethics, cyber law, and race and gender in media.

**DAVID R. PRUITT, B.A. '92, J.D. '99**, was elected a partner at Barnes & Thornburg LLP in South Bend.

# 2000s

**DAVID D. BLACK, J.D. '00**, has joined Cavitch, Familo, Durkin & Frutkin, a leading law firm in Northeast Ohio, as a partner. His practice focuses primarily on commercial transactions with an emphasis on secured transactions, financing, and creditors' rights.

**JUSTIN M. CRAWFORD, J.D. '00**, was elected a principal at Miller Canfield in the Kalamazoo, Michigan office. He specializes in employee benefit plans, including tax-qualified and non-qualified plans, and general corporate matters.



**BENJAMIN J. EVANS, B.A. '97, J.D. '00**, was recently named chair of the Important Developments & Publications Subcommittee of the American Bar Association's Taxation Section - Employee Benefits Committee. He was also named a Young Lawyer Liaison to the Litigation Subcommittee.

**XIAOSHENG HUANG, J.D. '00**, and his wife Qing Yang welcomed their first child, Harry Zhenpei Huang, on January 15, 2009.

**MARISSA MCDERMOTT, J.D. '00**, opened the McDermott Law Office in Highland, Indiana. Her general practice office focuses in the areas of personal injury, employment law, business litigation, and criminal defense.

**CHRIS MUGICA, J.D. '00**, was named a "Rising Star" by *Texas Monthly* magazine. His practice at Jackson Walker LLP focuses on commercial litigation and insurance defense.



**MARK H. ROSENBERG, B.A. '97, J.D. '00**, authored an insurance litigation book, *Extra-Contractual Litigation Against Insurers*, published in November 2009 by Law Journal Press.

**GABE TSUI, J.D. '00**, and his wife Tammy announce the birth of Claire Victoria Tsui, born on March 26, 2009.





**JANELLE BLANKENSHIP, J.D. '01**, is now a partner at Baker & Daniels LLP in Indianapolis.



**JAMES P. BURKE, M.A. AND J.D. '01**, joined Roetzel & Andress as an associate attorney in the firm's Akron, Ohio office. His practice focuses on defending manufacturers in product liability litigation, with an emphasis on coordinating discovery in complex, multi-jurisdictional matters.

**NICOLAS ROESSLER, LL.M. '01**, was promoted to partnership at Mayer Brown in Frankfurt, Germany.

**TIMOTHY E. HORTON, J.D. '02**, was elected partner in the Litigation Department of Ungaretti & Harris LLP.

**MATT KOWALSKY, B.A. '95, J.D. '02**, is assistant general counsel for Lantheus Medical Imaging in Massachusetts.

**ANDREW MALAHOWSKI, B.A. '99, J.D. '02**, and his wife, Erin (Evans) Malahowski ('99, MSA '00) recently welcomed their first child, Sonia Marie.



**RYAN L. VAN DEN ELZEN, J.D. '02**, of Quarles & Brady was selected as a 2009 Wisconsin Rising Star.

**BRENDAN LOWREY, J.D. '03**, of Thompson & Knight LLP in Dallas, was named a 2009 Texas Rising Star.

**DR. BARBARA KRUPA WOODWARD, LL.M. '03**, earned a Ph.D. in public international law from Queen Mary University of London for her dissertation entitled "Global Governance, Global Civil Society and International Lawmaking: Contemporary Issues." She is currently a Visiting Fellow at The British Institute of International and Comparative Law in London and involved in a project on non-State actors in international law.



**ANGELA COLMENERO, J.D. '04**, married Jeff Moles in Napa, California on

November 13, 2009. Bridesmaids included NDLS alumnae Katie Wharton '04 and Katy Runyan '04.

**RAUL ESCAMILLA, LL.M. '04**, is an attorney at Baker & McKenzie's offices in Tijuana, Mexico.

**KATY RUNYAN '04**, married Ken Wingert at the Notre Dame Basilica on August 7, 2009. Bridesmaids included NDLS alumnae Katie Wharton '04 and Angela Colmenero '04.

**JULIE GUNNIGLE, J.D. '06**, was recently sworn in as an Assistant Cook County State's Attorney in Chicago.



**WENDY KOSEK, B.A. '04, J.D. '07**, is recovering in San Antonio from wounds sustained during her six-month deployment to Baghdad to prosecute Iraqi detainees. She hopes to travel back to Notre Dame this spring to attend her brother Joe's graduation from the Executive MBA Program. Joe is an Army major and an assistant professor of Army Science for Notre Dame's ROTC Program.

**PATRICK A. SALVI II, J.D. '07** won a \$1.28 million verdict for young girl who broke her knee and leg in a car accident, becoming one of the

youngest lawyers in Illinois history to achieve a million dollar verdict as lead attorney.



**MATTHEW R. MCGOWEN, B.A. '04, J.D. '08**, is practicing with the law firm MacElree Harvey in West Chester, Pennsylvania.

**NICOLE KLEIN, J.D. '09**, was sworn in as an Assistant Cook County State's Attorney in Chicago.



**SEAN D. LYTTLE, J.D. '09**, joined the law firm of Brownstein Hyatt Farber Schreck in Las Vegas as an associate in its litigation group.

**MICAH D. TROTTI, J.D. '09**, is practicing in the Kansas City, Missouri office of Polsinelli Shughart.

**KIRSTEN M. WALKER, J.D. '09**, is practicing in the St. Louis, Missouri office of Polsinelli Shughart.

# IN MEMORIAM

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**THE HON. JOHN W. "JACK" COOLEY, J.D. '73** passed away on July 21, 2009, after succumbing to Multiple Myeloma, a cancer of the bone marrow.

A graduate of the United States Military Academy at West Point, Jack fought in the Vietnam War and was awarded the Bronze Star (1967).

Throughout his distinguished career, Jack was a pioneer in the practice of Conflict Resolution and devoted his life to educating others about the benefits of alternative dispute resolution (ADR).

After graduating from NDLS, Jack became a litigation partner in the Chicago law firm, Stone McGuire & Benjamin. He then became the Senior Staff Attorney for the U.S. Court of Appeals for the Seventh Circuit, went on to serve as Assistant U.S. Attorney, and rose to the position of United States Magistrate Judge. Jack was a former Chair of the Mediation Committee of the ABA Section of Dispute Resolution. He was also active in the Chicago Center for Conflict Resolution.

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**M. JAMES (JIM) TERMONDT, J.D. '52**, died at Central DuPage Hospital in Illinois on December 19, 2009.

As a member of the Illinois Bar Association, Jim joined Continental Illinois Bank and Trust Company (now Bank of America) in the Trust Department. He retired in 1999 as a Senior Vice President after a career of 47 years.

Jim was long active in community affairs. At the time of his death he was President of the Lloyd A. Fry Foundation and the Walter E. Heller Foundation, and a Director of the A. C. Buehler Foundation, the Millennium Trust Company, the Todd Wehr Foundation, as well as the Chicago Music and Dance Theatre.

He was the retired Chairman of Central DuPage Health System, Dominican University, and President of the Wheaton Library.

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**JOHN DAWSON, J.D. '71**, passed away on November 28, 2009.

John was a bankruptcy and commercial litigation attorney at Quarles & Brady in Phoenix, and was the National Chairman of the firm's bankruptcy and distress practice group for many years.

John was a leader in the Arizona business community, and he contributed his time, talents, and financial support to many worthy charitable causes, including the Catholic Church, Capitol Elementary School, St. Vincent de Paul, UMOM New Day Centers, The Wellness Community, the United Way, and Siena College. John also loved sports, particularly baseball and the New York Yankees, the Notre Dame Fighting Irish, the Arizona Sun Devils, and his beloved Siena Saints.

Quarles & Brady LLP is establishing a scholarship in John's name at the Sandra Day O'Connor College of Law at Arizona State University. Contributions in John's name to the scholarship fund should be made to "ASU Foundation" at P.O. Box 877906, Tempe, Arizona 85287.

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**MARK HINCKLEY, J.D. '88** of Germantown, Maryland, passed away on December 7, 2009. He had battled colon cancer for five and a half years. He was a retired contracting officer with the U.S. Mint.

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**PAUL PATRICK POTH, J.D. '94** died on the morning of August 22, 2009. After graduation from Notre Dame, Paul moved to Boston and served as an Assistant District Attorney at the Suffolk County District Attorney's office under Ralph C. Martin, II. Most recently, he was Of Counsel at Mintz-Levin in Boston.

Paul served on the Board of the Victim Rights Law Center of Boston, volunteered for Project Hope, and mentored city youth through hockey leagues and the Boston Public Schools Mock Trial program.

In 2000 Paul received citations and numerous recognitions from the Mayor of Boston and Massachusetts House of Representatives for establishing the law enforcement initiative known as Operation Galadriel to eliminate teenage prostitution. In 2009, Paul created TargetCancer, Inc., to promote research and treatment protocols for underfunded and rare cancers. Donations may be made to TargetCancer at: TargetCancer, c/o Charles Cheever, Choate Hall & Stewart, 2 International Place, Boston, MA 02110, or online at [www.targetcancer.info](http://www.targetcancer.info).

# FACULTY SCHOLARSHIP



**AMY BARRETT** published *Substantive Canons and Faithful Agency*, 90 **BOSTON UNIVERSITY LAW REVIEW** 109 (2010).

**MATT BARRETT** published the 2009 supplement to the unabridged and concise fourth editions of the casebook, **MATERIALS ON ACCOUNTING FOR LAWYERS** (2006), co-authored with David R. Herwitz, now Professor Emeritus, Harvard Law School.

**JOSEPH P. BAUER** published annual supplements to volumes 1-11 in **KINTNER'S FEDERAL ANTITRUST LAW** (LexisNexis, 2009) with William H. Page and John E. Lopatka.

**ANTHONY J. BELLIA, JR.** published *The Federal Common Law of Nations*, 109 **COLUMBIA LAW REVIEW** 1 (2009) with Bradford R. Clark.

**PATRICIA BELLIA** published *Federalization in Information Privacy Law*, 118 **YALE LAW JOURNAL** 868 (2009).

**GEOFFREY BENNETT** published *Criminal Procedure & Sentencing*, **ALL ENGLAND LAW REPORTS ANNUAL REVIEW OF 2008** 150 (2009).

**G. ROBERT BLAKEY** published *History of Organized Crime and the Success or Failure of Public Measures to Control It* in **PROCEEDINGS OF THE FIRST SESSION OF THE INTERNATIONAL FORUM ON CRIME AND CRIMINAL LAW IN THE GLOBAL ERA** (with others).



**MARGARET F. BRINIG** published *Children's Beliefs and Family Law*, 58 **EMORY LAW JOURNAL** 55 (2008), and *The One-Size-Fits-All Family*, 49 **SANTA CLARA LAW REVIEW** 137 (2009) with Steven L. Nock.

**ALEJANDRO CAMACHO** published *Adapting Governance to Climate Change: Learning to Manage Uncertainty*, 59 **EMORY LAW JOURNAL** 1 (2009).

**PAOLO CAROZZA** published *I diritti umani, l'«arte» della democrazia e il «gusto per la libertà locale»*, in **LA SOSTENIBILITÀ DELLA DEMOCRAZIA NEL XXI SECOLO** (Marta Cartabia and Andrea Simoncini eds., Il Mulino, 2009).

**LISA CASEY** published *Class Action Criminality*, 34 **JOURNAL OF CORPORATION LAW** 153 (2008); and *Twenty-Eight Words: Enforcing Corporate Fiduciary Duties Through Criminal Prosecution of Honest Services Fraud*, 35 **DELAWARE JOURNAL OF CORPORATE LAW** 1 (2010).

**DOUGLASS CASSEL** published *International Human Rights Law and Security Detention*, 40 **CASE WESTERN RESERVE JOURNAL OF INTERNATIONAL LAW** 383 (2009); *Empresas Multinacionales y Complicidad en Violaciones de los Derechos Humanos: Confusión Judicial Estadounidense* ("Multinational Enterprises and Complicity in Human Rights Violations: U.S. Judicial Confusion"), 63 **DERECHO PONTIFICIA UNIVERSIDAD CATÓLICA DEL PERÚ** 255 (2009); and *Honduras: Coup d'état in Constitutional Clothing?*, **ASIL INSIGHT**, American Society of International Law, July 29, 2009 (accessible at [www.asil.org](http://www.asil.org)).

**REV. JOHN J. COUGHLIN, O.F.M.** published *The Foundation of Human Rights and Canon Law*, Lawrence S. Cunningham, ed.,

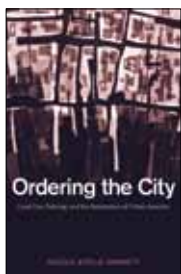
**INTRACTABLE DISPUTES ABOUT THE NATURAL LAW: ALASDAIR MACINTYRE AND HIS CRITICS** (University of Notre Dame Press 2009), 251-272; and a book review of **A SIP FROM THE WELL OF GRACE: MEDIEVAL TEXTS FROM THE APOSTOLIC PENITENTIARY** in 102 **ARCHIVUM FRANCISCANUM HISTORICUM** 56 (2010).

**ED EDMONDS** published *A Most Interesting Part of Baseball's Monetary Structure—Salary Arbitration in Its Thirty-Fifth Year*, 20 **MARQUETTE SPORTS LAW REVIEW** 1 (2009).

**JOHN FINNIS** published *Review Essay: [Anscombe's Essays]*, 9 **NATIONAL CATHOLIC BIOETHICS QUARTERLY** 199 (2009).

**RICHARD W. GARNETT** published *A Hands-Off Approach to Religious Doctrine: What Are We Talking About?*, 8 **NOTRE DAME LAW REVIEW** 837 (2009); *Religious Freedom, Church Autonomy, and Constitutionalism*, 57 **DRAKE LAW REVIEW** 901 (2009); *Judicial Review, Local Values, and Pluralism*, in *The People & The Courts: The 27th Annual National Federalist Society Student Symposium on Law and Public Policy*, 32 **HARVARD JOURNAL OF LAW AND PUBLIC POLICY** 5 (2009); and *Standing, Spending, and Separation: How the No-Establishment Rule Does (and Does Not) Protect Conscience*, 54 **VILLANOVA LAW REVIEW** 655 (2009). Garnett is also working on a book to be published by Cambridge University Press, on church-state relations and religious freedom.





In her new book, **ORDERING THE CITY: LAND USE, POLICING AND THE RESTORATION OF URBAN AMERICA** (Yale University Press, 2009), **NICOLE GARNETT** tackles the often-overlooked connections between urban land use and policing policies. Importantly, Professor Garnett's book explores how the concept of urban disorder shapes urban policy. She does so by examining how cities

construct and maintain order and suppress disorder through both land use and policing policies, by evaluating the effectiveness of property regulation policies and policing techniques in making urban neighborhoods safer and more vital, and by highlighting the risk that too much focus on the problem of "disorder" in cities may drain them of needed energy and vitality.

"The intersections and conflicts between the ideas of 'order' and 'disorder' in urban policy are as many, varied, and complex as the cities where they are played out," says Garnett. "A humble and honest effort to understand them, however, forms the foundation of the kinds of urban policies that I believe can transform our cities into healthy, vibrant, and orderly places to make our lives."

In her book, Garnett provides several case studies, including "the ambitious plan of the Chicago Housing Authority to demolish all of the city's notorious high-rise public housing projects and replace them with low-rise, mixed-income private developments." The example highlights the failure of the order construction model in post-war Chicago—which ultimately led to concentrated disorder and crime—and the move toward "a neighborhood-redevelopment strategy that aims to reorder and renew poor urban neighborhoods by saving them from the ravages of disorder-plagued public housing."

Garnett also published *Private Norms and Public Spaces*, 18 **WILLIAM AND MARY BILL OF RIGHTS JOURNAL** 183 (2009).

**JIMMY GURULÉ** published *The Demise of the U.N. Sanctions Regime to Deprive Terrorists of Funding*, 41 **CASE WESTERN RESERVE JOURNAL OF INTERNATIONAL LAW** 19 (spring 2009); *Does "Proceeds" Really Mean "Net Profits"? The Supreme Court's Efforts to Diminish the Utility of the Federal Money Laundering Statute*, 7 **AVE MARIA LAW REVIEW** 339 (spring 2009); and **CRIMINAL & FORENSIC EVIDENCE** (3d ed.) (LexisNexis, 2009) with Robert J. Goodwin.



**DAN KELLY** published *Pretextual Takings: Of Private Developers, Local Governments, and Impermissible Favoritism*, 17 **SUPREME COURT ECONOMIC REVIEW** 173 (2009); and *The Limitations of Majoritarian Land Assembly*, 122 **HARVARD LAW REVIEW FORUM** 7 (2009).

**MICHAEL KIRSCH** published *The Limits of Administrative Guidance in the Interpretation of Tax Treaties*, 87 **TEXAS LAW REVIEW** 1063 (2009).

**DON KOMMERS** published the 3rd edition of *American Constitutional Law: Essays, Cases, and Comparative Notes* (New York: Rowman

& Littlefield, 2010) with John Finn and Gary Jacobsohn. Kommers is also the author, along with Christian Tomuschat of Humboldt University in Berlin (Germany), of a new official and revised translation of Germany's Constitution, better known as the Basic Law. The translation was carried out at the request of the Language Service Department of the Bundestag, Germany's parliament. Finally, Kommers published *Das Bundesverfassungsgericht: Procedure, Practice and Policy of the German Federal Constitutional Court*, 3 **JOURNAL OF COMPARATIVE LAW** 194 (2008) with Russell Miller.



**MARK P. MCKENNA** published *An Alternate Approach to Channeling?*, 51 **WILLIAM AND MARY LAW REVIEW** 873 (2009) (symposium, *The Boundaries of Intellectual Property*); *Testing Modern Trademark Law's Theory of Harm*, 95 **IOWA LAW REVIEW** 63 (2009); and *Irrelevant Confusion*, 62 **STANFORD LAW REVIEW** 413 (2010) with Mark A. Lemley.

**VINCENT MUNOZ** published **GOD AND THE FOUNDERS: MADISON, WASHINGTON, AND JEFFERSON** (Cambridge University Press, 2009).

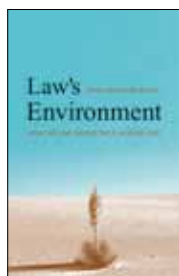


**LLOYD MAYER** published *Breaching the Leaking Dam?: Corporate Money and Elections*, 4 **CHARLESTON LAW REVIEW** 91 (Supreme Court Preview issue, 2009); *Politics at the Pulpit: Tax Benefits, Substantial Burdens, and Institutional Free Exercise*, 89 **BOSTON UNIVERSITY LAW REVIEW** 1137 (2009); *The Pulpit, the Pew, and Politics*, in **BOSTON COLLEGE LAW SCHOOL LAW & RELIGION PROGRAM, ELECTING FAITH: THE INTERSECTION OF LAW AND RELIGION IN POLITICS AROUND THE WORLD** (2009) (symposium publication); and *Serving on a Nonprofit Board: Legal and Ethical Duties in an Age of Accountability*, as an appendix in **JOHN TROPMAN & THOMAS J. HARVEY, NONPROFIT GOVERNANCE: THE WHY, WHAT, AND HOW OF NONPROFIT BOARDSHIP** (Corby Books & University of Scranton Press, 2009).



**JOHN COPELAND NAGLE'S** new book, **LAW'S ENVIRONMENT: HOW THE LAW SHAPES THE PLACES WE LIVE** (Yale University Press, 2010), shows how Americans' reliance on environmental law affects the natural environment through an examination of five diverse places: Alaska's Adak Island;

the Susquehanna River; Colton in California's Inland Empire; Theodore Roosevelt National Park in the badlands of North Dakota; and Alamogordo in New Mexico. Nagle asks why some places are preserved by the law while others are not, and he finds that environmental laws often have unexpected results while other laws have surprising effects on the environment. In the book, Nagle argues that sound environmental policy requires better coordination among the many laws, regulations, and



**MARY ELLEN O'CONNELL** published *Combatants and the Combat Zone*, 43 **UNIVERSITY OF RICHMOND LAW REVIEW** 845 (2009); *Arbitration and the Avoidance of War: The 19th Century American Vision*, in **THE SWORD AND THE SCALES, THE UNITED STATES AND INTERNATIONAL COURTS AND TRIBUNALS** (Cesare C.P. Romano ed., Cambridge University Press, 2009); **THE INTERNATIONAL LEGAL SYSTEM, CASES AND MATERIALS**, (6th ed.) (Foundation Press, 2010) (with Richard Scott and Naomi Roht-Arriaza).

**CHARLES RICE** published **WHAT HAPPENED TO NOTRE DAME?** (St. Augustine's Press, 2009).

social norms that determine the values and uses of our scarce lands and waters.

He also published the following: *The Effectiveness of Biodiversity Law*, 24 **JOURNAL OF LAND USE AND ENVIRONMENTAL LAW** 203 (2009); *Discounting China's CDM Dams*, 7 **LOYOLA UNIVERSITY CHICAGO INTERNATIONAL LAW REVIEW** 9 (2009); *The Idea of Pollution*, 43 **UC DAVIS LAW REVIEW** 1 (2009); and *Cell Phone Towers as Visual Pollution*, 23 **NOTRE DAME JOURNAL OF LAW, ETHICS & PUBLIC POLICY** 537 (2009).

**KENNETH F. RIPPLE** published *Warren E. Burger* in **THE YALE BIOGRAPHICAL DICTIONARY OF LAW** 83 (2009).

**STEPHEN F. SMITH** published *Proportional Mens Rea*, 46 **AMERICAN CRIMINAL LAW REVIEW** 127 (2009).

**J. ERIC SMITHBURN** published **APPELLATE REVIEW OF TRIAL COURT DECISIONS** (Carolina Academic Press 2009).

**O. CARTER SNEAD** published *Public Bioethics and the Bush Presidency*, 32 **HARVARD JOURNAL OF LAW AND PUBLIC POLICY** 867 (2009); *Bioethics and Self-Governance: The Lessons of the Universal Declaration on Bioethics and Human Rights*, 34 **JOURNAL OF MEDICINE AND PHILOSOPHY** 204 (2009); and *Response to Nicholas Boyle's "God, Sex, and America: The Decline of the Common Morality, Power, and the Emergence of a Global Ethical Life,"* 3 **JOURNAL OF LAW, PHILOSOPHY, AND CULTURE** 260 (2009).

**JAY TIDMARSH** published *The Appropriations Power and Sovereign Immunity*, 107 **MICHIGAN LAW REVIEW** 1207 (2009) with Paul F. Figley; *Rethinking Adequacy of Representation*, 87 **TEXAS LAW REVIEW** 1137 (2009); and *Exiting Litigation*, 41 **LOYOLA UNIVERSITY CHICAGO LAW JOURNAL** 263 (2010).

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