

12-1-1995

NDLS Update 12/1995

Notre Dame Law School

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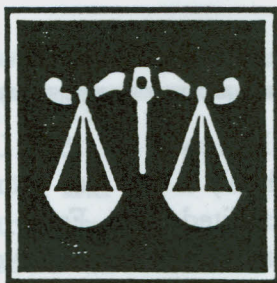


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Recommended Citation

Notre Dame Law School, "NDLS Update 12/1995" (1995). *NDLS Updates*. Paper 92.
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NDLS Update

News from the Notre Dame Law School

Vol. V, No. 5
December, 1995

TEX DUTILE
EDITOR

FATHER LEWERS RECEIVES PUBLIC SERVICE AWARD

William M. Lewers, C.S.C., has been awarded the Father John J. Cavanaugh Award for distinguished public service. The Alumni Association of the University of Notre Dame bestows the Award. Father Bill, Director of Notre Dame's Center for Civil and Human Rights, received both his undergraduate and law degrees from the University of Illinois. He received an honorary degree from Notre Dame in 1979.

Following his work as a graduate fellow at Yale, Father Bill joined the Holy Cross Fathers. He came to Notre Dame as an Assistant Professor in 1965. He served as Provincial Superior of the Holy Cross Fathers of the Indiana Province from 1973 to 1979. From 1983 to 1988, he directed the Office of International Justice and Peace of the U.S. Catholic Conference in Washington.

As Director of the Center for Civil and Human Rights at Notre Dame, he has been central in the development of its many

programs, including those for both master's degrees and doctorates. Under his tutelage, the Center has garnered many grants and accolades. Congratulation, Bill, on this fine achievement. You make us proud!

ALUM WINS COMMUNITY SERVICE AWARD

John E. Tyler III, NDLS '89 and an associate at Lathrop & Norquist in Kansas City, has received the prestigious Tom Cochran Community Service Award. The award is presented annually by the Young Lawyer's Section of the Missouri Bar to a lawyer whose "service and professionalism have significantly enhanced (the) community."

John received both his bachelor's and law degrees from Notre Dame. While at NDLS, he served as articles editor and contributing author to the JOURNAL OF COLLEGE AND UNIVERSITY LAW.

He has served on the board of

directors of the Genesis School in Kansas City since 1990. The Genesis School, a nationally recognized and accredited alternative inner-city high school, provides educational, counseling, pre-vocational and job-placement services. It is the only alternative school to achieve the status of a Blue Ribbon School of Excellence as recognized by President Bush. John, who had served terms as vice-president of administration and secretary, was recently elected president of the twenty-five member board.

John also serves on the board of directors of Archbishop O'Hara High School and is a past president of that board. He founded the O'Hara alumni association and served as its chairman from 1990 through 1994.

Since 1993 he has been general counsel and a member of the board of Missourians for Students at Risk, a statewide organization dedicated to addressing issues related to alternative education. John has also been a member of the board of directors of the Center for Management Assistance, a non-profit organization providing consulting services to facilitate the success of other non-profits. All of us at NDLS send hearty congratulations to John on this wonderful achievement.

* * *

NDLS ALUM ELECTED TO CHICAGO BUSINESS HALL OF FAME

John F. Sandner, NDLS '68, a member of N.D.'s Board of Trustees and chairman of the board of the Chicago Mercantile Exchange, has been selected as a

1995 Laureate of the Chicago Business Hall of Fame. The Chicago Business Hall of Fame was established in 1983 by the Board of Directors of Junior Achievement of Chicago to honor the champions of free enterprise and to present business role models to youth. A committee of the Chicagoland Chamber of Commerce nominates the laureates. The tribute to Jack Sandner stated: "[H]e has garnered for the Merc the distinctions of the world's largest financial exchange, the world's best futures exchange and the pacesetter of the financial industry."

Jack grew up on Chicago's South side and overcame many challenges to become high-school valedictorian. At NDLS, he won the moot-court championship and received the Dean's Award. He purchased an exchange seat while a practicing attorney who also represented the indigent *pro bono* before the Seventh Circuit. In 1980, at age thirty-eight, he was elected the youngest chairman of the Merc's 2,725 individuals and 90 firms.

A spokesman for the futures industry, he has testified often before U.S. Senate and House committees. He was the industry's sole representative at President Clinton's 1992 Little Rock economic summit. His blueprint for streamlining federal financial regulation has sparked interest with federal agencies and on Capitol Hill.

The father of seven adopted children, he sits on the boards of sixteen business, civic and educational groups. He has received a number of top awards from organizations such as the American Jewish Committee and the Juvenile Diabetes Foundation.

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LONG-TIME NDLS ADJUNCT DIES

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Charles M. Boynton, NDLS '44 and an adjunct professor who for twenty-seven years taught Real Estate Transactions at NDLS, died December 4, at the age of 77. Chuck Boynton, a partner with Boynton, Kamm, Esmont and Zawalich since 1945, did his undergraduate work at the University of Michigan. He was past president of the St. Joseph County Bar Association and was designated a Paul Harris Fellow by Rotary International. He served on many boards in the South Bend community.

Services took place on December 7, in the Cathedral of St. James Episcopal. He is survived by his wife Eileen, two daughters, a son and six grandchildren.

* * *

CCHR RECEIVES FORD GRANT

The Ford Foundation has granted the Center for Civil and Human Rights at NDLS \$280,000 over a three-year period to support the establishment of a teaching-and-research program in international human-rights law. An LL.M. program in international human-rights law began in August 1991 in the Law School and has enrolled lawyers from Armenia, Australia, Bangladesh, Belgium, Brazil, Chile, China, the Republic of Georgia, Ghana, Guatemala, India, Indonesia, Peru, Nigeria, Palestine, Romania, South Africa, the United States and Zimbabwe. More recently, a doctoral program (J.S.D.) in international human-rights law was instituted, and last academic year a lawyer from Zimbabwe and one from Estonia received the program's first degrees.

**NOTRE DAME MOCK TRIAL
TEAM SELECTED**

This year's NDLS Mock Trial Team has now been selected in what Judge Jeanne Jourdan called a "most delightful and difficult process." On the "blue" team are: Philip Mohr and Lindsay Wilson. On the "gold" team are: Sheila Buckman, Carie Holder and Paul Noonan. Jennifer Girard, Sean Elliott and Katherine Singer will serve as alternates. Congratulations to all involved!

* * *

NEWS FROM THE LAW LIBRARY

Congratulations to Barb Ritty, Laura Ping and Mary Cowser, all of whom have just completed a supervisory development course.

* * *

Priscilla Stultz has completed the course requirements for the Master of Library Science Degree from the University of Indiana. Congratulations!

* * *

**NEWS FROM THE
LEGAL AID CLINIC**

In September, representatives of our Immigration Clinic appeared before Judge Vinikoor in Chicago in a deportation hearing for an eighteen-year-old client. That client had been forcibly conscripted into the

Honduran Army, was mistreated and was forced to flee. The judge refused to grant asylum.

The Clinic had secured asylum for his brother one year before; the brother had been so brutalized by the army that he had lost a leg and a good portion of his back. The brother, only 25 years old, died in March of a brain tumor.

In an October asylum hearing, the Clinic represented two Tutsi lawyers, husband and wife, from Burundi. The wife has a master's in law and her husband, besides being a lawyer, is a minister who preached ethnic harmony between the Hutus and Tutsis. His church was burned and he became a target. His three brothers, their wives and their children were all killed by extremist Hutus. Father Patrick Gaffney, of our Anthropology Department, played an important role in the hearing by corroborating the husband's story of conditions in Burundi. In this case, asylum was granted, and the clients expressed deep gratitude to the Notre Dame Law School and the students who put their case together.

December may bring yet another asylum hearing, this time for a Rwandan client. That client, a medical doctor, fled Rwanda with his family the day of the coup.

Eileen Doran and John Whelan, a third-year NDLS student, sued two state agencies, Healthwin Hospital and two individuals to secure a restraining order against moving the last patient remaining in the hospital's thirty-two bed, acute-care unit. Judge Jerome Frese set a hearing for December 8. Judge Chamblee issued the temporary restraining order.

The Clinic's immigration practice has burgeoned under the supervision of Barbara Gasperetti. The Clinic had 217 client contacts in 1993 involving immigration; 678 in 1994; and 611 in the first ten months of 1995. In addition to the immigration cases, the Clinic opened 361 new cases in 1995.

NEWS FROM THE FACULTY

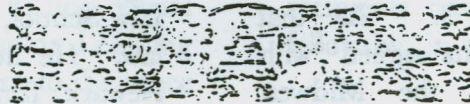
Joe Bauer's daughter, Deborah, and Ken Ripple's son, Chris, attended the 19th Annual Lugar Symposium for Young Leaders on the campus of the University of Indianapolis on December 2. Two juniors are chosen from each high school in the state; Deborah was selected from Adams High School, and Chris from St. Joseph's. Senator Lugar delivered a speech, which was followed by a question-and-answer period. Three hour-long discussion sessions, on various topics, ensued.

The Center for German & European studies at the University of California, Berkeley, held a conference, from November 30 through December 2, on "The Post-War Transformation of Germany: Democracy, Prosperity and Nationhood." At that Conference, Don Kommers presented a paper entitled, "Building Democracy: Judicial Review and the German Rechtsstaat."

[continued on Page 6]

A PAGE FROM OUR PAST: *THE 1925 DOME*
(The University Yearbook)

University



Administration

The College of Law

7



HERETOFORE we have drifted. From now on, may we sail a definite course. Our law school presents an organized and comprehensive program. The beginning of 1925 augurs well for the Notre Dame Law School. We have recently been admitted to the Association of American Law Schools, an association of the great law schools of the country whose purpose is to raise the standard of legal education. Beginning this year two years of college work are required for entrance. This alone is a decided step in raising our standard.



Professor Thomas H. Kane
Dean

Now a word to the class of 1925. The question that will face you in the future will not be, "Do you know the law?" but "Are you a man?" No man can be a lawyer who is only a lawyer. Your success in the profession will not be judged by the size of your purse, but by the service you render your fellow man. Lord Brougham once defined a lawyer as, "a legal gentleman who rescues your estate from your enemies and keeps it for himself." Frequently such is the layman's measure of the lawyer. May the class of 1925 belie that measure.

Racial hatred, religious bigotry, social discontents and many of the so-called ills of society are largely due to ignorance of our constitution and laws. No men are better qualified to lead in the solution of these problems than those versed in the law. It devolves upon you to take part in the affairs of government—local, state and national. Are you equal to the occasion not only as a lawyer but as a man? Remember always that the object of the law is the administration of justice. Keep up with the law and its progress. Your school days have just begun. But to know only law is not to know the law. No man can be a law-maker, law-interpreter or a law-administrator who does not keep abreast of the time. There can be no success in the law for those who fail to touch elbows with their fellow-men and who lose sight of man's problems.

Finally, as Notre Dame men you have imbibed the Notre Dame spirit and ideals. As you enter that great profession with a keen intellect, virile body and noble soul, may you add to its luster. As you take your place in the ranks of American citizenship, may you, by your works, example and influence reflect credit upon yourself and upon your Alma Mater.

Forty-Six



Garth Meintjes and Barbara Gasperetti attended a convocation of Midwest Human-Rights Organizations in Chicago on November 3. At that convocation, the participants agreed "with enthusiasm" to establish the Midwest Coalition for Human Rights.

* * *

Patrick Schiltz gave the address at the fall commencement exercises of the College of St. Scholastica, held on November 18 in Duluth, Minnesota. The title of the speech was, "The Death of a Mentor—and of 'Mentoring'." At these exercises, Pat received the College's Presidential Alumni Award. The award recognizes outstanding alumni whose professional and personal lives best exemplify the Benedictine tradition. Congratulations, Pat!

* * *

NEWS FROM THE ALUMNI

Patrick Christmas, NDLS '95, passed the Maryland Bar.

* * *

Susan and Brian Lennon welcomed a new son, "Jack," on December 11.

* * *

As part of the New Jersey Law Journal Lecture Series, Andrew P. Napolitano, NDLS '75, delivered his annual lecture, "Recent Case Law Developments in New Jersey Civil Practice—1995/96." Andy sat for eight years as a Superior Court Trial

Judge in Law & Chancery in New Jersey. He recently received the "Most Outstanding Adjunct Faculty Award" at the Seton Hall Law School, where he teaches constitutional law. He now serves as a partner at the Newark firm of Robinson, St. John & Wayne.

* * *

Alexander Papandreou, NDLS '94, practices maritime law with Royston, Rayzor, Vickery & Williams in Houston. At Royston, he joined James P. Cooney, NDLS '69, a member of the Management Committee of the firm. "Pat" Cooney was recently honored by the Notre Dame Alumni Association of Houston. Pat's wife, Pam, was graduated from St. Mary's and their third daughter, Erin, is a Notre Dame student spending her sophomore year in France.

* * *

Jack Sandner, NDLS '68 and chairman of the Chicago Mercantile Exchange, was recently pictured in PEOPLE MAGAZINE standing alongside Michael Jordan at the latter's birthday party.

* * *

The following alumni passed the California Bar: Maria Andrade, Miwa Arai, John Beanum, Carl Robert Boldt, Betty Chang, Shang-Jen Chiang, Douglas Crowell, Clint Feddersen, Kevin Green, Curt Merschman, Anand Sethuraman, Helen Singmaster and Chris Truax.

* * *

PROFESSIONAL DEVELOPMENT

The newly created AALS Academic Support Section will present its first official program, entitled "Understanding Learning Styles, Cultures, and Context to Enhance Learning," on Friday, January 5, in San Antonio. The program will take place in connection with the Annual Meeting of the AALS.

The University of California, Davis, School of Law announces a Symposium, entitled "Developments in Free Speech Doctrine: Charting the Nexus Between Speech and Religion, Abortion, and Equality," scheduled for February 16, 1996. A brochure has been posted on the bulletin board in the faculty lounge.

The School of Law at Loyola University-Chicago announces a new publication, PUBLIC INTEREST LAW REPORTER. A brochure has been placed in the Faculty Lounge.

POTPOURRI

Eight 1995 Jurist Doctor degree recipients have created a Ronald Reagan fellowship in the Notre Dame Law School.

On December 4, in the Courtroom, Jay Patrick Rooney, chairman of the board of the Golden Rule Insurance Company, gave a talk entitled "How Do We Save Medicare From Bankruptcy?—View From The Inside." The presentation was co-sponsored by NDLS, the Federalist Society, and the Department of Medical Education of St. Joseph's Medical Center.

MERRY CHRISTMAS

and

HAPPY NEW YEAR!