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NDLS Update 01/1995

Notre Dame Law School

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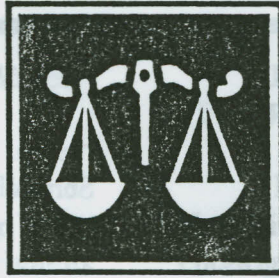


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NDLS Update

News from the Notre Dame Law School

Vol. IV, No. 4
JANUARY 1995

TEX DUTILE
EDITOR

BRODEN TO RECEIVE CAVANAUGH AWARD

Thomas Broden, NDLS '49 and Professor Emeritus of the Law School, will be honored at Reunion '95 next June with the Cavanaugh Award, conferred on a graduate who has performed outstanding service in government, public service or politics. He was involved in the founding of both the Civil Rights Commission and the Legal Services Corporation.

LEGAL AID CLINIC RECEIVES GRANT FROM RETIREMENT FOUNDATION

The Legal Aid Clinic at NDLS has received a grant for \$100,000 to create a Legal Advocacy Clinic for the Elderly. About fifteen percent of the case load of the Law School's Legal Aid Clinic involves clients older than 55. This new arm of the Clinic will enable interning law students to offer more help in cases involving, among

other things, Medicaid, Medicare, Social Security, and wills and trusts.

KMIEC TO OCCUPY VISITING CHAIR AT PEPPERDINE

Professor Kmiec has been given a leave by the University in order to accept the Dorothy and Leonard Straus Distinguished Chair in Law at Pepperdine University in Malibu, California, for academic year 1995-96. The Chair, Pepperdine's highest faculty honor, has been occupied in previous academic terms by Chief Justice William H. Rehnquist, Associate Justice Antonin Scalia, U.S. Solicitor General Kenneth Starr and law professors from Texas, UCLA, Michigan, Hastings, and Vanderbilt. Professor Kmiec will teach courses in constitutional law and in law and religion.

CCHR ANNOUNCES VISITING PROFESSOR FOR SPRING 1995

Fr. William Lewers, C.S.C., Director of the Center for Civil and Human Rights at NDLS, has announced that Professor Etienne Mureinik of the University of the Witwatersrand, in Johannesburg, will be sponsored by the Center as a Visiting Professor during the Spring Term. Professor Mureinik helped develop the new South African Constitution. In the Law School, Professor Mureinik will teach a course entitled "Constitutionalism in a New Democracy."

MCMNAMARA SCHOLARSHIP FUND ESTABLISHED IN LAW SCHOOL

Chicagoan Mary Frances McNamara, who died last year at the age of 99, has left \$1.2 million to establish the McNamara Scholarship Fund at NDLS. In her will, she wrote: "Through my lifelong devotion to Mary our Mother, I have been blessed with a long, productive and happy life. . . . [I]n thanksgiving, I bequeath all of the rest, residue and remainder of my estate . . . to her University, the University of Notre Dame . . . for the purpose of establishing one or more funded scholarships in the Law School." This gift is especially appreciated in light of the fact that financial aid for students places first among the Law School's priorities.

WILLIE PARKER RETIRES

Willie Parker retired from the Law School at the end of December, after ten years of service. She was honored at our annual Christmas Open House, sponsored by the Third Floor Secretaries. Dean Link presented her with a framed picture of the Law School, and she was given a Notre Dame rocking chair and a gift certificate.

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TAX NOTES REPORTS ON TAX AND ESTATE PLANNING INSTITUTE AT NDLS

In its October 17 issue, TAX NOTES carried an extensive story on Notre Dame's Tax and Estate Planning Institute. The 1994 edition of the Institute had its greatest success ever, attracting more than 860 registrants. Indeed, several registrants were turned away for lack of space. The Institute is directed by Professor Regis W. Campfield, currently of Southern Methodist School of Law and formerly of NDLS.

NEWS FROM THE LAW LIBRARY

Joseph S. Rosenfeld joined the library faculty as an Associate Librarian on January 3. Joe serves as director of Law School computing. In this role he assumes overall responsibility for programmatic and technical development and maintenance of Law School computing. He will work with all elements of the Law School -- faculty, staff, administration and library -- to support and

enhance the use of computing technologies.

In the months ahead he will meet with faculty and staff to discuss needs and aspirations in computing. Working with faculty and staff and with senior Law School administrators, he will develop a technological plan that responds to the priorities thus established.

Joe received his B.A. (*magna cum laude*) and his M.L.S. from SUNY at Buffalo. After two years of technical-services work at the Nova Law School Library, he joined the staff of the Law Library at Cleveland State University. At Cleveland State he took on increasingly important roles in applying technology to the library. As his knowledge of computing grew, both the Law School and the University drew on his expertise to direct and manage important technology projects. Introducing networked communications, managing PC labs, developing training initiatives for faculty, students and staff, and finding alternative sources for funding gravitated to his charge. In his "spare time" he went to law school, receiving a J.D. from Cleveland State in 1991. Welcome, Joe!

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Priscilla Stultz joined the library staff on December 12. Priscilla is a Library Assistant in the Access Services Department. Priscilla was graduated *cum laude* from Western Michigan University in 1984, earning a Bachelor's degree in Political Science. She is a Master's candidate in Library Science at IUSB.

Welcome, Priscilla, to NDLS!

NEWS FROM THE CENTER FOR CIVIL AND HUMAN RIGHTS

Ronalth Ochaeta, Director of the Human Rights Office of the Archdiocese of Guatemala, was recently named by TIME MAGAZINE as one of the 100 young leaders for the coming millennium. He received his LL.M. degree in International Human Rights Law from Notre Dame in May 1994.

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The Center for Civil and Human Rights has entered into an arrangement with the International Criminal Court for the former Yugoslavia, at The Hague, to sponsor interns to work with the Court and with the Prosecutor's Office. Rodney Dixon of South Africa, who recently completed his work for the LL.M. degree in International Human Rights Law, has begun work at The Hague as the first person to hold an internship under this program.

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Garth Meintjes, Associate Director of the Center, was an invited participant in a conference on International Criminal Justice, held in Italy in mid-December.

NEWS FROM THE FACULTY

Matt Barrett published "Reducing Liability Risks of Members in a Multi-State Limited Liability Company," in JOURNAL OF LIMITED LIABILITY COMPANIES.

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The University's Academic Council has elected Tex Dutile to the Provost Search Committee. That committee comprises, in addition to its chair, University President Father Malloy, five faculty members and one student. The Committee is charged with recommending possible successors to Professor Timothy O'Meara, who will retire as Provost in 1996.

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Barbara Fick published "Law and the Workplace," in the American Bar Association's edition of FAMILY LEGAL GUIDE. Barbara also published "If I Knew Then What I Know Now: The Role of After-Acquired Evidence in Employment Discrimination Cases," in PREVIEW OF UNITED STATES SUPREME COURT CASES.

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John Garvey published, with T. Aleinikoff, the third edition of MODERN CONSTITUTIONAL THEORY: A READER.

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Doug Kmiec published "Rethinking Federal Race-Conscious Preferences--are they still benign?" in PREVIEW OF UNITED STATES SUPREME COURT CASES.

Doug also published "Are our race-conscious preferences still legally benign?" in the CHICAGO TRIBUNE on January 12.

Doug's writing on the Supreme Court and, in particular, race-conscious preferences, school desegregation, and voting rights constituted part of a front-page profile

of the Court's term, which appeared January 8 in the WASHINGTON POST. Doug has also been interviewed regarding these topics by the NATIONAL LAW JOURNAL and live on WOL talk radio in Washington, D.C.

On January 16, Doug was interviewed on Public Radio's "Marketplace," which is broadcast nationally from the campus of his alma mater, USC. The subject of the "headline" interview was whether the Supreme Court, in *Adarand Constructors v. Pena*, was likely to press for a "color-blind" interpretation of the equal-protection clause.

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Don Kommers published a review of THE BIRTH OF JUDICIAL POLITICS IN FRANCE: THE CONSTITUTIONAL COUNCIL IN COMPARATIVE PERSPECTIVE, by A. Stone, in the AMERICAN POLITICAL SCIENCE REVIEW.

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Trai Le has been appointed to the University Committee involved in the search to fill the position of assistant provost for international studies. Dr. Isabel Charles, who currently holds that position, has announced her retirement.

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Jim Seckinger was featured in a British Broadcasting Corporation documentary on American Trial Lawyers, to be aired on British Television in February. Jim recently served as program director and faculty member for NITA programs in Chicago; in London; at Parliament House in

Edinburgh; in Toronto; in New York; and in Washington, D.C.

In late October, at its meeting in Greensboro, North Carolina, the NITA Board of Trustees presented Jim with an award for service to the legal profession and the public in the development of advocacy skills to enhance the administration of justice throughout the English-speaking common-law world.

Jim published, with Anthony Bocchino, Donald Holmes and Bruce Tarr, *PLAYS WITH TOYS V. CLEANER THAN CLEAN*, ADVANCED TRIAL ADVOCACY CASE FILE; with Robert Burns and Steven Lubet, Volume I of PROBLEMS AND MATERIALS IN EVIDENCE AND TRIAL ADVOCACY; with Kenneth Broun, Volumes I and II, PROBLEMS AND CASES IN TRIAL ADVOCACY (Law School Edition); and, also with Kenneth Broun, TEACHER'S MANUAL FOR PROBLEMS AND CASES IN TRIAL ADVOCACY (Law School Edition).

Tom Shaffer published, with Robert Cochran, Jr., "The Counselor-At-Law in a Post Modern World," in the Winter 1994 issue of QUARTERLY.

NEWS FROM THE STAFF

Rosemary Reiter, for many years the Administrative Assistant to Dean Link, and her husband John celebrated their fortieth wedding anniversary with a reception-dinner December 29 at the Arizona Country Club

in Phoenix. They were married May 15, 1954, in St. Patrick's Catholic Church. Rosemary retired from the Law School in 1993;

NEWS FROM THE ALUMNI

The following alumni were successful on the New York Bar Examination: Anthony Bellia, Christopher Benischek, John Blakey, Thomas Burke, Lawrence Festa III, James Garcia, Daniel Keegan, Kelly Krak, Brian Neilinger, Craig Olivo, Frank Pimentel, Paul Poth, John Rita, Patrick Yu, and Elaine Zacharakis (who also passed the New Jersey Bar Examination). Congratulations to all of them.

James D. Donathen, NDLS '78, has been made a partner in the Employment and Labor Practice Group of Phillips, Lytle, Hitchcock, Blaine and Huber, in Buffalo. James earned his Bachelor's degree in English too from Notre Dame.

Joseph L. Falvey, Jr., NDLS '87, has been named Assistant Professor of Law at the University of Detroit Mercy Law School. At NDLS, Joe served as Student Editor of the JOURNAL OF COLLEGE AND UNIVERSITY LAW, received several student awards, and was graduated *cum laude*. He became a certified judge advocate in July of 1987 after attending Naval Justice School. In 1991, he received an LL.M. with honors from the Judge Advocate General's School,

where he specialized in criminal law. His undergraduate degree in Economics also issued from Notre Dame. Joe will teach Criminal Law and Contracts.

Art Hoover, NDLS '65, and his wife Sue have welcomed into their family Patrick Peterson, a seventeen-year-old high-school senior. Patrick's parents, who were close friends of the Hoovers, have both died. The Hoovers raised three children into adulthood. Writes Art: "It took a while to get used to the empty refrigerator and empty gas tank again, but it has been a rewarding experience." Art practices law in Rochester, New Hampshire.

Elizabeth J. Keenan, NDLS '93, has joined the firm of Stinson, Mag & Fizzell in Kansas City. Elizabeth will be part of the firm's Tax and Employee Benefits Section.

Peter T. King, NDLS '68 and United States Congressman for New York's Third District, has appeared regularly in the media recently with regard to his role as a party to the "Contract with America."

Bill Lawless, formerly Dean at NDLS, has joined the panel of Real Estate Arbitration and Mediation Services in Newport Beach, California. He will continue to direct Judge-Net, a national network of retired trial judges he founded.

Patrick F. McCartan, NDLS '59, Managing Partner of Jones, Day, Reavis and Pogue, and member of the Board of Trustees of the University of Notre Dame, was named one of the fourteen best trial lawyers in the country in Donald E. Vinson's book, *AMERICA'S TOP TRIAL LAWYERS*.

Judy McMorrow, NDLS '80 and Associate Dean for Academic Affairs at Boston College Law School, was featured in the Fall issue of that School's Alumni magazine. In the piece, Judy commented on the School's ambitious plans for new facilities. Judy also participated in a symposium on theology and legal ethics, held recently at Boston College Law School.

Paul Moses, NDLS '94, published in the Fall issue of *BARRISTER*, the ABA's publication for the Young Lawyers Division, a review of Robert Hamilton's *MONEY MANAGEMENT FOR LAWYERS AND CLIENTS: ESSENTIAL CONCEPTS AND APPLICATIONS*. Paul specializes in litigation, business planning, and corporate law at Honigman, Miller, Schwartz and Cohn in Orlando.

The Law School has received word of the death of Maurice J. O'Brien, NDLS '66, of Annandale, Virginia. In lieu of flowers, his wife asked that contributions be sent to the Notre Dame Law School. Our thoughts and prayers are with him and his family.

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Frederic R. Scott, NDLS '92, has become associated with Baker, Meekison, and Dublikar, in Canton, Ohio.

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Michelle Shakour, NDLS '90, has been promoted to Director of Planned Giving at Notre Dame's Development Department.

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Michael Shumaker, NDLS '87 and an Associate at Jones, Day, Reavis & Pogue, in Washington, was featured in an article in the WASHINGTON LAWYER. The article discussed the Law Firm Pro Bono Clinic, the "healthy new off-spring" of the D.C. Bar's Public Service Activities Corporation.

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Richard W. Slawson, NDLS '70 and a partner at Slawson & Glick in North Palm Beach, Florida, has been named 1994-95 President-Elect of the Academy of Florida Trial Lawyers. Richard has been heavily involved in programs aimed at preventing child abuse and drownings, including preparation of a twenty-minute video on water and pool safety.

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Theodore F. Smith, Jr., NDLS '76 and a partner at Smith & Farrell in Anderson, Indiana, served as Seminar Co-Chair for "Trial Series 1995," produced by the Indiana Continuing Legal Education Forum.

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Jim Smyth, NDLS '79, recently passed the Indiana Bar Examination.

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Todd Stenerson, NDLS '94, has joined the firm of Howard & Howard, which has offices in Michigan and Illinois. Todd will concentrate his practice in Commercial Litigation. He is a member of the State Bar of Michigan and the Oakland County Bar Association, Young Lawyers Section. He is also admitted to practice in the United States District Court for the Eastern District of Michigan.

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