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## NDLS Update 01/1999

Notre Dame Law School

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# NDLS Update

News from the Notre Dame Law School

*Vol. VIII, No. 5*  
*January, 1999*

*TEX DUTILE*  
*EDITOR*

## Contents:

- [BROTHER TOM AND CORINNE KARLIN RETIRE](#)
- [NDLS COMPUTER AND AUDIO-VISUAL SERVICES MERGE](#)
- [LISA BOLANZ WEDS DAVID PATTERSON](#)
- [FLORIDA GOVERNOR-ELECT APPOINTS NDLS ALUM TO HEAD FAMILY AGENCY](#)
- [ALUM MIKE BARNES HONORED](#)
- [TWO NDLS ALUMS APPOINTED TO PROSECUTOR'S STAFF](#)
- [NEW ASSIGNMENT CUTS SHORT JUDGE JOURDAN'S RETIREMENT](#)
- [BILL KLATT, NDLS ALUM, APPOINTED CHIEF COUNSEL TO OHIO GOVERNOR-ELECT](#)
- [NEWS FROM THE FACULTY](#)
- [NEWS FROM THE STAFF](#)
- [NEWS FROM THE ALUMNI](#)
- [MISCELLANY](#)

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BROTHER TOM AND  
CORINNE KARLIN RETIRE

NDLS will sorely miss from its regular ranks Brother Tom Balaz, C.S.C., and Corinne Karlin, both of whom retired at the end of the Fall semester. These retirements were noted at the Law School's Christmas Party at St. Joseph's Hall. All of us owe both of them a deep debt for their excellent, dedicated, and cheerful contributions to the Law School. Fortunately for us, they continue on as good friends. Best wishes to them both.

\* \* \*

**NDLS COMPUTER AND  
AUDIO-VISUAL  
SERVICES MERGE**

On January 4, the Law School's computer and audio-visual services merged into a new technology department under the direction of Dan Manier. This action brings the Law School in line with the evolution of classroom-display technology. In announcing the move, Roger Jacobs, Director of the Law Library, commented: "With the development of Power Point and Presentations, Lexis' Exchange and Westlaw's TWEN, distance learning as exemplified by the Lawyer's Communication Network, and the potential for even greater real-time use of Internet data, the interface between computer technology and classroom display is becoming even more apparent."

The posting to the law school of Dan Manier, who has collaborated in the past with the leaders of both computing and educational media, gives the Law School the capacity to move in the same direction. Staffing the new unit, Janet Rose, Jeff Morgan, and Susan Good promise to enhance the delivery of technology services to the Law School community, Dean Jacobs added.

\* \* \*

**LISA BOLANZ  
WEDS DAVID PATTERSON**

On December 12, at the Sacred Heart Parish Center, in Notre Dame, Indiana, Lisa Bolanz, Director of the Law School's Career Services Office, married David Patterson. Lisa's father, Dieter W. Bolanz, escorted his daughter down the aisle of the lake-side chapel. Eileen M. Bolanz served as Maid of Honor, while Wayne McNaught served as Best Man.

Father Ted Hesburgh, the celebrant, also delivered the homily. A wonderful reception, including a delicious meal and dancing to a variety of musical styles, followed in St. Joseph's Hall. After a brief stopover in Boston, Lisa and David flew to London for their honeymoon.

\* \* \*

**FLORIDA GOVERNOR-ELECT APPOINTS NDLS  
ALUM TO HEAD  
FAMILY AGENCY**

Florida Governor-elect Jeb Bush has appointed Judge Kathleen Kearney, NDLS '80, and a member of the Law School's Advisory Council, as Secretary of the State's Department of Children and Families. Although Judge Kearney must be confirmed by the Florida Senate, that chamber currently carries a 25-15 Republican majority.

\* \* \*

**ALUM MIKE BARNES****HONORED**

On December 11, at the Morris Inn, the University of Notre Dame and Notre Dame Law School co-sponsored a luncheon celebrating the prosecutorial career of Michael P. Barnes, NDLS '73. Mr. Barnes is completing a twenty-year stint as Prosecuting Attorney of St. Joseph County. Congressman Tim Roemer and Tex Dutile were guest speakers at the lunch. Jim Roemer, Director of Community Relations at Notre Dame, served as Master of Ceremonies.

Earlier this month, the Indiana Prosecuting Attorneys Council gave Barnes its prestigious Eugene "Shine" Feller Award. This honor, the highest bestowed by the Council, goes to a person who, in the view of past Council presidents, "has made a significant contribution to law enforcement and prosecution." The award is named after a former county prosecutor celebrated for his dedication to the public interest.

Barnes has joined the litigation department of the South Bend office of Barnes & Thornburg, where he will serve "of counsel." He will devote his time to civil litigation and to work with the firm's white-collar crime group.

\* \* \*

**TWO NDLS ALUMS****APPOINTED TO****PROSECUTOR'S STAFF**

Newly elected St. Joseph County Prosecuting Attorney Chris Toth, NDLS '93, has appointed two other NDLS alums to his staff. John M. Maciejczyk, NDLS '84, will serve as chief deputy prosecutor. James O'Brien, NDLS '93, will head the child-support division of the prosecutor's office.

After completing high school in Pittsburgh, Maciejczyk was graduated from the Naval Academy. Following practice in employment law and litigation for several years at a large Houston firm, he returned to Indiana to supervise marketing and advertising for the National Institute for Trial Advocacy. He joined the Elkhart office of Barnes & Thornburg in 1996.

O'Brien placed first in his law-school graduating class. He came to the Law School after he had earned his accounting degree at Notre Dame and worked two years as a certified public accountant. Barnes & Thornburg has been his professional home since 1993.

\* \* \*

**NEW ASSIGNMENT****CUTS SHORT JUDGE****JOURDAN'S RETIREMENT**

Judge Jeanne M. Jourdan, NDLS '75, who in June retired following seventeen years as a judge, has accepted a position as deputy prosecutor in St. Joseph County. Judge Jourdan will thus join the staff of incoming Prosecuting Attorney Christopher Toth, NDLS '93. Judge Jourdan's assignment includes an aggressive training program for prosecutorial staff and the trial of major felony and homicide cases. Observed Toth: "She was an outstanding trial judge. It's great for us. I

am extremely proud and honored to have a person of such high integrity." Although demanding, the part-time position provides Judge Jourdan the flexibility she seeks in balancing the assignment with other responsibilities and interests.

\* \* \*

**BILL KLATT,  
NDLS ALUM, APPOINTED  
CHIEF COUNSEL TO  
OHIO GOVERNOR-ELECT**

William A. Klatt, NDLS '81, has been appointed chief legal counsel to Ohio Governor-elect Bob Taft. Klatt had been first assistant to Attorney General Betty Montgomery, in whose office he managed 400 lawyers. Prior to his work for the State, he had been a partner at Squire, Sanders & Dempsey. Klatt, who did his undergraduate work at Miami University, lives in Columbus, Ohio, with his wife, Maryanna, and their three children.

\* \* \*

**NEWS FROM THE  
FACULTY**

On December 14 the Second Circuit dismissed by a vote of two-to-one the Government's appeal of Judge John Sprizzo's not-guilty verdict for criminal contempt. Judge Sprizzo had found Bishop George Lynch and Brother Christopher Moscinski not guilty of criminally violating an order not to demonstrate by prayer before the Women's Medical Pavilion, an abortion clinic in Dobbs Ferry, New York. Despite the double-jeopardy clause, the Government appealed. Bob Blakey argued the appeal on September 10, 1998. Bob also helped out on the brief, which was primarily written by Gabriel P. Kralik (NDLS '89). The matter is not ended yet, as the Government seeks a rehearing before the full court.

\* \* \*

Barbara Fick wrote *Does a Conspiracy to Terminate At-Will Employment Constitute an Injury to Property? An Analysis of Haddle v. Garrison*, published in Preview of United States Supreme Court Cases.

\* \* \*

Jimmy Gurulé published *The 1998 U.N. Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances—A Ten Year Perspective: Is International Cooperation Merely Illusory?*, in the Fordham International Law Journal.

\* \* \*

On December 7 Dean Link spoke at a dinner, sponsored by the University of St. Thomas, in St. Paul, Minnesota. At the dinner, he outlined his recommendations concerning that University's possible reopening of its law school. Said Dean Link: "[R]eopening a national Catholic law school is certainly worth considering. Write a good mission statement. Build it. They will come."

\* \* \*

Garth Meintjes presented a workshop entitled "Control Unit Prisons," at the Stand Together for Human Rights Conference celebrating fifty years of human-rights work in the Midwest. The conference took place at the University of Chicago on December 4-5 and was sponsored by the Midwest Coalition for Human Rights, the Children & Family Justice Center of the Northwestern University Law School, Amnesty International, the City of Chicago Commission on Human Relations, and The Stanley Foundation.

\* \* \*

On December 21 John Nagle, visiting associate prof at NDLS, published a "letter to the editor" in The Washington Post. His topic: "On The Authority of Lame Ducks." In the December 22 issue of the Topeka Capital Journal, John was quoted to the same effect, namely that "a lame-duck House can pass articles of impeachment to be tried by the Senate in a succeeding Congress."

\* \* \*

Jack Pratt delivered a lecture entitled "The Historical Context of *Marbury v. Madison*," to the Law Department at the National University of Ireland, in Galway, November 11.

\* \* \*

John Robinson delivered a talk entitled "What We Should Have Learned From The Right to Die Cases Of The Past Ten Years," at the University of Osteopathic Medicine and Health Sciences, in Des Moines, Iowa, on January 7. The lecture took place in the Olsen Medical Education Center.

\* \* \*

On November 9 Dinah Shelton participated in a round-table discussion with five representatives of the Center for Russian Environmental Policy, based in Moscow. The Center formulates objectives and priorities for new Russian laws and policies in the field of environmental protection.

Also in November, Dinah took her human-rights class from the London Programme to Geneva for a one-day briefing by members of the United Nations' Office of the High Commissioner for Human Rights. The students visited the Palais des Nations and attended a session of the U.N. Committee Against Torture.

Dinah spoke on December 4 at a conference organized by the British Institute of International and Comparative Law and

the International Law Association. The Conference, held at the Institute's headquarters on Russell Square in London, addressed "Redress for Victims of Human Rights Violations." Dinah delivered the opening address, "The U.S. Experience with the Alien Tort Claim Act."

As a member of the Board of Trustees of Redress, a British-based non-governmental human-rights organization, Dinah has participated in the Pinochet litigation before the House of Lords.

\* \* \*

On December 10 Jay Tidmarsh was elected to membership in the American Law Institute. Other members among us: Dave Link (*ex officio*), John Garvey, Carol Mooney, and Adjunct Prof Dan Murray.

At the January 1999 Annual Meeting of the AALS, Jay Tidmarsh was elected to the Executive Committee of the AALS Section on Civil Procedure.

\* \* \*

#### NEWS FROM THE STAFF

On January 11 Gloria Krull joined the Law School staff. She takes the position recently vacated by Corinne Karlin, who announced her retirement, effective December of 1998. Gloria comes to us from the First Year of Studies Program.

\* \* \*

Wendy Noecker joined the Admissions Office staff on January 4. Wendy comes to us from Keybank/Society National Bank, where for six years she processed electronic debits and credits and oversaw customer service. Welcome, Wendy!

\* \* \*

#### NEWS FROM THE ALUMNI

Anthony J. Bellia, Jr., NDLS '94 and former law clerk to Associate Justice Antonin Scalia, has become associated with the firm of Miller, Cassidy, Larroca & Lewin, in Washington, D.C. (This firm currently enjoys the services of NDLS prof-to-be Rick Garnett.)

\* \* \*

Patricia T. Bergeson, NDLS '76, has become Associate General Counsel at the University of Chicago. Since 1994, she had been Deputy Corporation Counsel for the City of Chicago, in which capacity she headed the Torts Division. Last year, Mayor Richard Daley asked her to serve as Acting Corporation Counsel, overseeing the 250-lawyer office. Prior to her City service, Patricia was a litigation partner at Pope & Ballard, in Chicago.

\* \* \*

Michael L. Coticchia, NDLS '88, has been appointed Vice President for Human Resources at Applied Industrial Technologies. Formerly Director of Human Resources and Risk Management at the company, he did his undergraduate work at Oberlin College. The company distributes bearings, linear technologies, and mechanical and electrical drive systems.

\* \* \*

On December 18 Jeamine Davis, NDLS '80, was elected Senior Vice President, General Counsel and Secretary of CTS Corporation. In this capacity she oversees the following areas of corporate activity: legal, environmental, health-and-safety, intellectual-property and corporate-facilities. Stated Joseph P. Walker, Chairman and CEO: "CTS is fortunate to have an executive of her caliber and management skills in this key position." Ms. Davis did her undergraduate work at UCLA, focusing on economics and history. She and her husband, Cole, reside in Elkhart, Indiana.

\* \* \*

Sean Finn, NDLS '98, was featured in an article entitled *Lawyer Won't Allow Paralysis To End Dreams*, in the December 22 edition of The Dallas Morning News.

\* \* \*

Yvonne R. Guaderrama, NDLS '79, will be sworn in this month as a Texas District-Court Judge by David C. Guaderrama, also NDLS '79. David was elected to the bench in 1994, "Bonnie" in November of 1998.

\* \* \*

Mark A. Kromkowski, NDLS '98, has joined the Chicago law firm of McBride, Baker & Coles. As a member of the Business & Transactional Department, he will concentrate his practice in securities, tax, and sweepstakes law. A member of the Illinois Bar, Mark did his undergraduate work too at Notre Dame. McBride is a 90-attorney law firm, providing a full range of legal services for businesses and individuals.

\* \* \*

John F. Lake, NDLS '91, will serve as a deputy prosecutor in the LaPorte County (Indiana) Circuit Court.

\* \* \*

Ellen E. McLaughlin, NDLS '81, has been named to head a 200-attorney labor and employment practice group. The



group, spread among Seyfarth, Shaw, Fairweather & Geraldson's 415 lawyers in eight offices in the United States and one in Brussels, now boasts its first female chair. Said Ellen, "It's both an honor and a large responsibility to take on this post." Ms. McLaughlin, whose husband is a solo practitioner, has three children.

\* \* \*

Bob Michaud, NDLS '51 and a member of the Law School Advisory Council, underwent hip-replacement surgery on December 11 at St. Joseph's Medical Center in South Bend. The operation went well, with Bob on his feet by the end of the day!

\* \* \*

Richard A. Nussbaum II, NDLS '77, has received the highest honor bestowed by the Notre Dame Club of St. Joseph Valley (Indiana). The "Award of the Year" goes to one who has demonstrated outstanding service on behalf of that individual's profession, the University or the community. The bestowal of the Award took place at the Club's annual family Christmas Mass.

Nussbaum works as a partner in the law firm of Sopko & Firth, in South Bend, and serves as general counsel to Indiana Lieutenant Governor Joseph Kernan. He had previously served as city attorney for South Bend. Nussbaum did his undergraduate work too at Notre Dame.

\* \* \*

On December 31, Melissa O'Loughlin, NDLS '97, married Richard White, in Seattle, Washington.

\* \* \*

Andrea Roberts, NDLS '94, co-authored *Peer Sexual Harassment: Does Title IX Make Schools Liable For Harassment By Children?*, in *Res Gestae*. Andrea works with Bingham Summers Welsh & Spilman, in Indianapolis.

\* \* \*

Cari Votava, NDLS '85, has left her position as Legal Advisor for Citibank in Prague, the Czech Republic, to work for the World Bank, in Washington, D.C. She will serve in the Division of Europe & Central Asia. In that position, she will deal with the legal aspects of bank restructuring and advise countries in Eastern Europe and in the former Soviet Union concerning ways in which they might amend their financial/banking structures to improve the financial sector.

\* \* \*

#### MISCELLANY

The Military Law Students Association of NDLS conducted a very successful "Toys for Tots" campaign in connection with the 1998 Christmas season. As a result of the generous support generated by the Association, two hundred and fifty toys and three bicycles will be distributed to needy families in the South Bend community. Congratulations to Kathleen Kenney, President of the Association, Captain Bill McLean, Bill Kelley, John Rosenthal and Tom Keough for their support and dedication.

\* \* \*

Bill Hoye, Associate General Counsel for the University and faculty co-editor of the Journal of College and

University Law, co-authored with Bill Hahn, NDLS 3L, *Beyond The Camel's Nose: Institutional Liability for Peer Sexual Harassment on Campus*, in the South Carolina Law Review. The article discusses the challenges facing American higher education with regard to sexual harassment among students.

\* \* \*

James F. Thornburg, Esq., formerly a Senior Partner in the South Bend firm of Thornburg, McGill, Deahl, Harman, Carey & Murray, died on December 28, following a brief hospitalization. Due to a merger, the Thornburg firm became part of Barnes & Thornburg, which Mr. Thornburg served as "of-counsel." A nationally recognized authority on estate planning and taxation, Mr. Thornburg formerly taught in these areas at NDLS as an adjunct prof.

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