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NDLS Update 03/1994

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NDLS Update

News from the Notre Dame Law School

Vol. III, No. 8
March, 1994

TEX DUTILE
EDITOR

NDLS PUBLICATIONS ELECT EDITORS FOR 1994-95

Thomas A. Clare has been elected Editor-in-Chief for Volume 70 of the *Notre Dame Law Review*. Catherine Pieronek has been elected Student Editor of *The Journal of College and University Law*. Jeffrey Senkeleski has been elected Editor-in-Chief of the *Journal of Law, Ethics and Public Policy*, and the *Journal of Legislation* has chosen Michael Paese as its Editor-in-Chief.

WILLIAM R. KENNEDY, NDLS ALUM, HONORED

The Hennepin County Bar Association, of Minneapolis, Minnesota, has selected William R. Kennedy, NDLS '61, as the recipient of its 1994 Award for Excellence by a Public Sector Attorney. Bill has been the Chief Public Defender in Hennepin County for twenty-three years.

He currently oversees a public-defender office that has more than eighty lawyers and an annual caseload of more than 27,000 cases. Recognized for having built one of the nation's best public-defender offices, he has been described by the *Minneapolis Star* as "one of the finest trial lawyers in the country". Believing that all people, poor or rich, deserve good legal services, he has often been the center of controversy for his office's involvement in the defense of unpopular individuals in highly publicized cases. In private practice, Kennedy has dealt mainly with homicide cases.

He serves as an adjunct professor at the William Mitchell College of Law and lectures often about Hennepin County's public-defender system. The Award recognizes his dedication to pro-bono activities, including his great willingness to work and speak on behalf of the disadvantaged. Congratulations, Bill!

NDLS ALUM TO SEEK JUDGESHIP

Kym Worthy, NDLS '84, currently working for the Wayne County, Michigan, Prosecutor's Office, has announced her candidacy for a Recorder's Court judgeship this Fall. Kym achieved national prominence when she prosecuted former Detroit Police Officers Larry Nevers and Walter Budzin in the beating death of Malice Green. Both Nevers and Budzin were convicted of second-degree murder.

Kym's next big trial begins in May, when she prosecutes Toni Cato Riggs for the 1991 murder of her husband, a Gulf War veteran. Investigators claim that Riggs planned the murder in order to secure \$100,000 in life-insurance benefits.

NDLS GRAD TO HEAD NEW RELIGIOUS PUBLIC-INTEREST FIRM

Kevin J. Hasson, NDLS '85 (and son-in-law of Charlie Rice), is leaving Washington's Williams & Connolly to become President and General Counsel of the Becket Fund. The Becket Fund, a public-interest law firm designed to defend religious liberty, includes among its directors and advisors such prominent Catholics as Cardinal John J. O'Connor of New York; Carl A. Anderson, a member of the United States Commission on Civil Rights and Vice-President for Public Policy of the Knights of Columbus; and Sargent and Eunice Kennedy Shriver. Also involved are Mormon Senator Orrin G. Hatch of Utah; Evangelical Christian Michael McConnell, a University of Chicago law professor; and J. P. Lefkowitz, former

White House Director of Cabinet Affairs, who is Jewish.

NOTED LEGAL PHILOSOPHER LECTURES AT NDLS

On February 25, in the NDLS Courtroom, John M. Finnis, Professor of Law and Legal Philosophy and Stowell Civil Law Fellow at Oxford University, delivered an address entitled, "Law, Morality and Sexual Orientation." Professor Finnis is an internationally known scholar. A Rhodes Scholar, he is a Fellow of the British Academy; a member of the Pontifical Council for Justice and Peace; and one of the first two lay members appointed by the Pope to the International Theological Commission. Among his publications are: *NATURAL LAW AND NATURAL RIGHTS* (1980); *FUNDAMENTALS OF ETHICS* (1983); and *MORAL ABSOLUTES* (1991). The *Notre Dame Law Review* hosted the event.

SENATOR COATS SPEAKS AT NDLS

On March 14, in the Barry Courtroom, Senator Dan Coats of Indiana spoke on "Health Care Reform and the American Family." The lecture marked the last in a series of talks sponsored by the *Notre Dame Law Review* to mark the 125th Anniversary of the Law School. Previous lecturers in the anniversary series included Russell Kirk, the noted writer and historian of Western civilization; and John Finnis, the internationally renowned natural-law scholar from Oxford University. All lectures in the series will be published in a special anniversary issue of the *Notre Dame Law Review*.

NDLS TEAM COMPETES IN JESSUP INTERNATIONAL MOOT COURT COMPETITION

On February 12, the NDLS International Moot Court Team competed in the Regional Competition of the Jessup International Moot Court competition held at the University of Illinois -- Champaign/Urbana. The Team was composed of Miwa Arai, Mike Chiang, Kathleen Carroll and Brian Coffey. Although the team did not advance to the semi-finals, Brian Coffey was named Fourth Oralist in the competition and Kathleen Carroll Fifth Oralist.

NEWS FROM THE FACULTY

Matt Barrett published "Can the Government Change Tax Laws Retroactively?", in the *Preview of United States Supreme Court Cases*.

Gerry Bradley, with South Bend attorney John Firth, assisted a Notre Dame undergraduate trial team as it prepared for the Intercollegiate Mock Trial Tournament at Drake University in Des Moines. This year's case involves elements of free speech, hate crimes and charges of aiding and abetting in the first degree.

In February, Tex Dutile delivered an invited talk, entitled "The U.S. Supreme Court's 1993 Decisions Relating to the Law of Higher Education," at the National Conference on Law and Higher Education, in Clearwater Beach, Florida.

In late February, Tex attended a meeting of the Board of Directors of the Indiana Continuing Legal Education Forum,

in Indianapolis. He also attended a meeting of that Board's Subcommittee on Strategic Planning.

Tex will spend the Fall 1994 Term in the NDLS London Programme. Terry Phelps will succeed him, staying with the Programme for the Winter and Spring Terms.

On February 2, Sabrina McCarthy spoke to the International Law Society at Valparaiso University. The topic: her current research directed toward a model law for the protection of Native American burial grounds. Today, the general rule makes the property owner who discovers the burial ground the owner of the remains and artifacts. The model law would mandate that the remains, if they are recovered at all, be removed by a Pan-Native American Organization with a view to determining the tribe involved and providing for a proper burial elsewhere.

On February 24-25, Jim Seckinger was Program Coordinator and a faculty member for the NITA/Skadden Arps Slate Meagher & Flom Deposition Program in New York. Jim also lectured at a faculty training session.

NEWS FROM THE LIBRARY

Elsie King, daughter of Dwight King, recently was honored for her design of the basketball ticket for the Notre Dame-Cal State Northridge game. The design included Monty Williams, the Ross twins and two other players, with the "Golden Dome" as background. Congratulations, Elsie!

On January 24, Lucy Payne made a presentation to Matt Barrett's Business Planning class. On January 27, she lectured on sources of the law for the undergraduate course in Employment Relations taught by Professor Bill Leahy. On January 30, she presented "Lamaze for the Legal Aspects of Divorce," for a Divorce Recovery Seminar, in Berrien Springs, Michigan. On January 31, she attended a seminar on Ethics and the Christian Lawyer sponsored by the Robert and Marion Short chair.

NEWS FROM LEGAL AID

On March 25, the Legal Aid Clinic held an Open House for all law students.

NEWS FROM THE ALUMNI

On March 2, in the Courtroom, Gene Assaf, NDLS '89, and Karen DeSantis, NDLS '86, both of Kirkland and Ellis, spoke to NDLS first-year students about the hiring process in large firms. Following the talk, the two speakers hosted a reception at the Morris Inn.

Thomas J. Antonini, NDLS '88, has become a partner at Robison, Curphey & O'Connell. The firm has offices in both Toledo, Ohio, and Blissfield, Michigan.

David Barry, NDLS '86, has become a member of the firm of Pierce, Atwood, Scribner, Allen, Smith & Lancaster in Portland, Maine. David maintains a general civil-litigation practice, representing either plaintiffs or defendants in business litigation and in matters including personal injury, product safety and insurance coverage.

Mark A. Brand, NDLS '79 and formerly a partner at Pope & John, has announced the formation of a new firm, Brand & Novak, in Chicago.

Hank Ciocca, NDLS '71 and formerly the Executive Vice-President and General Counsel for Thomson Information/Publishing Group, has been named President of the Thomson Corporation's United States Real Estate Company, Markborough Development, in Stamford, Connecticut.

Joseph L. Falvey, Jr., NDLS '87, will leave the Marine Corps to join the Faculty at the Law School of the University of Detroit Mercy. Others at Detroit Mercy with NDLS connections: Dean Bernard Dobranski, a member of the NDLS faculty from 1977 through 1983; Laura Hirschfeld, NDLS '86; Mollie Murphy, NDLS '85; Rich Myers, NDLS '80; and Steve Safranek, NDLS '88.

On January 9, Jerry Genova, NDLS '92, was featured in a *Chicago Sun-Times* article entitled, "15 People to Watch in '94." Jerry is the youngest mayor in the history of Calumet City, Illinois. He makes no secret of his ultimate objective: service in Washington, perhaps in the United States Congress. Meanwhile, says the article, "in his boyhood home of Calumet City, he is making a mark, bringing a dose of creativity to a town that can use it."

Vince Johnson, NDLS '78 and Professor of Law at St. Mary's University Law School, recently delivered, at Catholic University in Lublin, Poland, a series of lectures on the American legal profession.

Ellen Groetch La Berge, NDLS '83, has been named Corporation Counsel for the City of Syracuse, New York. Ellen was graduated from Dartmouth College in 1980 with a Bachelor's degree in English and American Studies. Prior to her appointment as Corporation Counsel, she served as General Counsel and Vice President of Law and Human Resources at the Dairyalea Cooperative, Inc. She and her husband, Robert, have two sons: Christopher, six, and Stephen, two.

James R. Levine, NDLS '88, practices International Law with the firm of Coton, Kilgore & Levine in Orlando, Florida. He was recently profiled in the *Orlando Sentinel*.

Walter McNally, NDLS '42, died February 19 in Atlantic Highlands, New Jersey. Mr. McNally maintained a private law practice in Hoboken until retirement in 1972. Prior to that, he had worked for Bethlehem Steel in Hoboken and for Carton, Nary, Whitt & Arvanitis, a law firm in Asbury Park. He was an Army veteran of World War II and a winner of the Distinguished Service Award. He is survived by his wife, Alice, a daughter, Kitty, a stepson and two grandchildren.

Greg Nasky, NDLS '67 and formerly a partner of Vargas & Bartlett, has become "of counsel" to the firm of Kummer, Kaempfer, Bonner & Renshaw, of Las Vegas, Nevada.

Joseph F. Nigro, NDLS '40 and formerly Public Utilities Commissioner of Colorado, died recently.

The Southwest Phoenix Community Center has established a preventive health-care facility. The facility will be named for Grace Olivarez, the first woman to graduate from the Notre Dame Law School.

Charles Rice ("The Younger"), NDLS '89, and Pat Murphy, a graduate of Indiana University (Indianapolis) School of Law (son of Professor Edward J. Murphy), spoke to students on the "Survival Skills for Practicing Law." Charles is a "solo" practitioner in South Bend and Pat an associate at Jones, Obenchain, also in South Bend.

Stephen M. Ryan, NDLS '80, visited Latvia at the request of the American Bar Association's Central and East European Law Initiative (CEELI) in an effort to help the new government establish a Code of Governmental Conduct and otherwise address problems involving public corruption. President Clinton recently named Stephen to serve as the Inspector General of the United States Department of Defense; Stephen awaits the Senate's review of that nomination.

Stephen R. Ryan, NDLS '87, has been elected to membership in the law firm of Miller, Johnson, Snell & Cummiskey, in Grand Rapids. Steve serves on the Board of Directors for D. A. Blodgett Services; participates in Kent County's Big Brothers Program; and chairs the Channel 35/52 Auction.

Timothy J. Ryan, NDLS '87, has also been elected to membership in the law firm of Miller, Johnson, Snell &

Cummiskey. He serves as Board Member for Alternative Directions, as Project Business Consultant for Junior Achievement, and as Vice President of the Catholic Lawyers Association of Western Michigan.

On March 18, Gene Smary, NDLS '75 and a member of the firm of Warner, Norcross & Judd, discussed "CERCLA and Environmental Compliance." The Environmental Law Society sponsored the event.

MISCELLANY

The Trial Advocacy Program of NDLS was one of three finalists for the Emil Gumpert Award. The Award Committee noted that the NDLS Program constituted the "very top of the line" and that, at the national level, the NITA program was "superb."

In early March NDLS competed in the Midwest Regional Trial Competition of the American Trial Lawyers Association. The students involved: Casey Cubbin,

Paul Poth, NDLS '94, won the drawing among those 150 students who responded to the Law Library's student-Martin Foos, Brian Kopman, Kurt Kjelland, Mark Kirby, Donald Lohman, Peter McCarthy, and Jennifer Slavik.service questionnaire.

Patrick Borchers, a member of the Notre Dame Law Association and Associate Professor of Law at Albany Law School, was featured recently by *The National Jurist*, a popular publication of news and insights for the future lawyer. Pat was cited as one of the nation's leading law professors for his success in teaching and student relations. Patrick was graduated from the University of Notre Dame in 1983 and from the School of Law, University of California at Davis, in 1986.

Granville Cleveland, long-time member of the Law School Library Faculty, is a "CWEP Specialist" for Workforce Development Services of Northern Indiana.

To help the *Update* remain current and thorough, please use this sheet to notify us of any recent news, including your publications, lectures, speeches, travels (outside the county!), awards, honors, appointments, social events, or family news. Please send it to my office or put it in my mailbox.

Thanks.

Tex