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NDLS Update 05/1996

Notre Dame Law School

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NDLS Update

News from the Notre Dame Law School

Vol. V, No. 10
May, 1996

TEX DUTILE
EDITOR

CAROL MOONEY NAMED VICE PRESIDENT AND ASSOCIATE PROVOST

On May 3, the University's Board of Trustees elected Carol Mooney Vice President and Associate Provost. Her appointment becomes effective on July 1, when Nathan Hatch becomes Provost. Carol's responsibilities in the Provost's office will include tenure-and-promotion matters; strategies for faculty recruitment--in particular, recruitment of Catholics, women, and people of color; and issues related to professional education.

A member of the law-school faculty since 1980, Carol teaches courses on trust and estates, estate planning, and the federal-court system. In 1983, the students designated her the law school's "Teacher of the Year." She serves on the Provost's Advisory Committee, among other committees, and has been a member of the Academic Council and the Editorial Board of the University of Notre Dame Press.

A native of Norwich, New York, Carol was graduated from St. Mary's College in 1972 and received her Juris Doctor degree from Notre Dame in 1977, earning the Colonel William J. Hoynes award for the highest cumulative grade-point-average in her class. Following her graduation, she joined the firm of Jones, Day, Reavis & Pogue in its Washington office.

Carol has co-authored two books and numerous articles. In 1988, she was elected a member of the American Law Institute and since 1985 has been the reporter to the United States Judicial Conference Advisory Committee on Federal Rules of Appellate Procedure.

Carol is active in a number of community-service organizations. She is past president of the Logan Center Protective Services Board, a corporate guardianship program for profoundly mentally retarded adults. She and her husband, George Efta, have four daughters--Elizabeth, Christine, Caitlin and Valerie.

Dean Link, reflecting "mixed emotions," noted that the appointment was a great one for the University. Nonetheless, he recognized the significant disadvantage to the Law School occasioned by the loss of Carol's teaching and scholarship. The law-school community warmly congratulates Carol on this great honor and challenge, and wishes her, in her new position, all the success that has characterized her career to date.

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NDLS FACULTY HONORED AT PRESIDENT'S DINNER

Several NDLS faculty members were honored at this year's President's Dinner, held May 21. All of them make us proud, indeed!

Father Bill Lewers received the 1996 Reinhold Niebuhr Award. The citation read: "A native of Kansas City, Missouri, [this] young lawyer began the long march for justice together with Martin Luther King on the streets of Selma and Birmingham. The same streets eventually would lead him to Santiago, Chile, to teach his trade and to stand in solidarity with victims of Pinochet's brutal dictatorship. Whether directing the efforts of the U.S. Catholic Conference on matters of international justice and peace, or founding the Center for Civil and Human Rights at Notre Dame, he has never strayed from the path of justice. At home in Wrigley Field as well as in Notre Dame's Law School, this restless teacher-scholar brings wisdom, humor, holiness and a passion for justice to all who share this journey with him."

Carol Mooney, Vice President and Associate Provost Designate, received the 1996 Faculty Award. The citation read: "Baccalaureate degree in hand, the winner of our 1996 Faculty Award left South Bend to spend a brief time in Washington's corridors of power before returning here to work on a government research project. Her resulting success launched the distinguished academic career that we celebrate. Over the past 16 years, this faculty member has served as teacher, scholar, administrator, and participant in special projects ranging from

the Colloquy for the Year 2000 to the Catholic Worker House. Despite these strenuous involvements, without missing a beat she has maintained a warm and hospitable home for husband, daughters and friends. Her unassuming elegance, balanced approach and easy style assure us we encounter the same person whatever the hat she wears. We honor tonight an exceptional woman, as capable of advising the federal judiciary as of setting up a wilderness camp with her family."

Joseph P. Bauer received the 1996 Special Presidential Award. The citation read: "Respected scholar, valued colleague and conscientious mentor--these are only three of the terms that describe this remarkable member of the Notre Dame Community. A transplanted New Yorker, he has influenced policy at the highest levels of this nation's government by his scholarship. His colleagues count on his counsel at every level. Working regularly with a cadre of students, he encourages their development and hones the growth of their research skills. And those who dare meet him on the squash court learn of his enthusiasm and aggression in yet another form! Twice selected Teacher of the Year and twice a director in London, this multi-faceted professor enlivens the campus with his sharp wit and laughing eyes as much as with the bright blue MG he sports in the summer sun. We salute a true 'man for all seasons.'"

* * *

NDLS CLASS OF 1996 ANNOUNCES AWARDS

Professor Edward J. Murphy has been honored posthumously with the Distinguished Teaching Award by this year's Notre Dame Law School graduates.

A member of the faculty from 1957 until his death in 1995, Professor Murphy taught more students than any professor in the 127-year history of the law school. This year's law graduates were the last to have studied contract law under him.

Professor Murphy's widow, Mary Ann, and their son Patrick accepted the 1995-96 teaching award May 15 at a banquet held on campus.

This year's law school graduates also recognized Tang Thi Thanh Trai Lê, professor of law, and Carol Mooney, associate dean and professor of law, with Faculty Recognition Awards, and Patricia O'Hara, vice president for student affairs and professor of law, with the Captain William O. McLean Community Citizenship Award.

* * *

JIM SECKINGER WINS EDUCATION AWARD

The ALI-ABA Committee on Continuing Professional Education has given Jim Seckinger the 1996 Francis Rawle Award. The Award honors contributions to the field of post-admission legal education. In conferring the award on Jim, the Committee recognized his outstanding role as Director of the National Institute for Trial Advocacy from 1979 to 1994. Presentation

of the Award will take place at the ABA Annual Meeting in August. Congratulations to Jim on this well deserved and prestigious honor.

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NDLS RANKED SEVENTH IN STUDENT SATISFACTION

Notre Dame Law School ranked seventh in the NATIONAL JURIST's survey of American law students. The information derives from the Princeton Review's polling of more than 28,000 law students at 170 schools during the last two years. The data gathered in the surveys resulted in scores in three categories: faculty, facilities and quality of life. Those scores were combined to reflect an overall score for each of the 170 schools.

The faculty category, worth 36% of the overall score, reflected student opinion on the quality of teaching; the level of faculty-student relations; the diversity of faculty; and the intellectual challenge. The facilities category, worth 30% of the overall score, assessed student perspectives on research resources, library staff, and facilities generally. Finally, the quality-of-life category, worth 34% of the overall score, related to the degree of competitiveness among students; the sense of community; and the treatment of female and minority students by peers and faculty.

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NDLS FACULTY SELECTED FOR UNIVERSITY COMMITTEES

As a result of recent appointments and elections, Dean David Link will serve on the Academic and Faculty Affairs Committee of the University's Board of Trustees; Joe Bauer will continue to represent the Law School on the Provost's Advisory Committee; Bob Blakey will represent the Law School on the Faculty Senate; Barbara Fick will serve on the newly constituted Committee on Women Faculty and Students; and Jim Seckinger will join the University Patents Committee.

* * *

1996 SFF WINNERS ANNOUNCED

The winners of 1996 Student-Funded Fellowships have been announced. Ana Marie Bena and Elizabeth Medigan will work with the Lawyers Committee for Human Rights; Timothy Church will assist the New York State Office of Mental Retardation and Developmental Disabilities; David Decker will spend the summer with the Chicago Volunteer Legal Services; Bob Elmer will work for the Legal Aid Bureau of Buffalo; Peter Morgan will intern with the Chicago Resource Center; and Toni Turner will assist the American Family Association Law Center. Congratulations and best wishes to all!

* * *

NEW AWARD ANNOUNCED BY HISPANIC LAW STUDENT ASSOCIATION

The Hispanic Law Student Association has initiated an award, the Graciela Olivarez Award, to be bestowed annually upon an attorney "who has demonstrated an exceptional commitment to the legal and Hispanic communities." Grace Olivarez met Father Hesburgh while he chaired the United States Commission on Civil Rights in the 1960s. She had never completed high school; however, Father Hesburgh challenged her to attend law school. In 1970, she became the first woman to receive a law degree from the Notre Dame Law School. Ms. Olivarez had a great impact on civil rights and poverty programs through her work as assistant secretary of the Department of Health and Human Services in the Carter Administration. The University recognized her achievement in 1978 by awarding her an Honorary Doctor of Laws Degree.

Ricardo M. Urbina of the United States District Court for the District of Columbia became the Award's first recipient on April 12. Dean Link presented Judge Urbina with the Graciela Olivarez Award in the Law School Courtroom.

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PROMINENT CINCINNATI ALUM DIES

Lawrence A. Kane, Jr., NDLS '57 and a partner at Dinsmore & Shohl in Cincinnati for more than twenty-five years, died April 20 at the age of sixty-six.

Mr. Kane did his undergraduate work at Xavier University. He served as a special prosecutor in connection with the 1985 collapse of Cincinnati-based Home State Savings Bank. He was instrumental in the expansion of the Public Library of Cincinnati and Hamilton County. He was actively involved in the protection of the legal rights of the disabled. He served as chairman of Resident Home in Westwood, a facility for developmentally disabled children. Under his twenty-five-year leadership, the facility grew from two rooms to five group homes, providing assistance in supportive living services.

Mr. Kane is survived by his wife, Barbara, three sons, three daughters and five grandchildren. Memorials can be made to the Resident Home, 3030 West Fork Road, Cincinnati 45211.

NDLS ALUM, FORMER SENATE SERGEANT-AT-ARMS, DIES

F. Nordy Hoffmann, who was graduated from the Law School more than 60 years ago, died in early April. In 1967, Senator Edmund Muskie appointed him Chair of the Democratic Senatorial Campaign Committee. Mr. Hoffmann was named sergeant-at-arms of the U.S. Senate

in January 1976 and held that post until the Republicans regained the Senate in 1980. As sergeant-at-arms, he supervised more than 1,400 employees.

He founded the firm of F. Nordy Hoffmann & Associates in 1981. The firm, located in Washington, provided political consulting. Mr. Hoffmann retired from the firm in October 1995 due to ill health.

Mr. Hoffmann did his undergraduate work at Notre Dame, where he played right guard on Knute Rockne's Fighting Irish team of 1929. Mr. Hoffmann has served on the Notre Dame alumni and trustees boards. During World War II, he served with the Navy in the Mediterranean. That service included duty aboard a ship supplying ammunition to embattled Allied troops on the Anzio beachhead in Italy. He leaves his wife, Joanne, three daughters, and eleven grandchildren.

NEWS FROM THE LAW LIBRARY

Lucy Payne has been promoted to the rank of Librarian. Congratulations!

Lucy's daughter, Joni, a high-school junior, recently secured a private meeting with Justice Anthony Kennedy of the U.S. Supreme Court. In Washington recently with a school group, Joni remembered that the Justice, when visiting NDLS four years ago, had said to her: "Come visit when you are in Washington." Joni called Justice Kennedy's office and recounted the invitation; Justice Kennedy met with her the next day! It was the "highlight" of her trip.

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NEWS FROM THE LEGAL AID CLINIC

The Clinic's summer program began May 21 with orientation for seven new interns: Katharine DiSalle, Abbie Fellrath, Allison McCarthy, Colin Reilly, Margaret Rosenast, Katherine Singer, and Thomas Steinke. They will be joined by four interns who are returning or continuing in the Clinic: Alfonso Castillo, Pat Hannon, Doug Himes, and David Lee.

The summer interns will study ethics in a clinical-ethics seminar, offered within the Clinic, and each intern will do a stint on the volunteer staff of the Advocacy Center. Mostly, though, the interns will represent clients in 300-plus open Clinic cases and will begin, about June 1, taking new cases.

In the fall semester, the Clinic's enrollment, conforming to recent amendments to the Indiana Student Practice Rule, will be limited to third-year students--only twenty in the fall, due to reductions in the clinical faculty. Second-year students will be able to join the Clinic, as spaces open up, in the spring semester.

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NEWS FROM THE FACULTY

Gerry Bradley, Doug Kmiec and Charlie Rice will be among the speakers at a campus institute entitled "Basics of Catholicism." The University's Jacques Maritain Center will sponsor the event, set for May 24 - June 1.

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Kate and Matt Barrett have welcomed into the world their second son, Wilson Patrick, born April 29 and weighing eight pounds, twelve ounces. Congratulations!

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Tex and Brigid Dutile traveled to Chicago for the May 18 wedding of their son Dan to Peggy Kelly of Glenview, Illinois.

Tex recently completed twenty-five years of service--all right, would you accept "employment"?--at the University.

Tex will be a Senior Research Fellow in the Department of Law at the University of Aberdeen during the Summer of 1996.

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Jimmy Gurulé has been promoted to Professor. Congratulations!

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On April 22, Doug Kmiec testified before the Subcommittee on the Constitution of the Committee of the Judiciary of the U.S. House of Representatives. The Oversight Hearing on "The Origins and Scope of *Roe v. Wade*" took place in the Rayburn House Office Building. Other witnesses included Mary Ann Glendon of the Harvard Law School and Mark Tushnet of the Georgetown University Law Center.

Doug recently participated in National Public Radio's "All Things Considered." The program was hosted by Nina Totenberg. Other guests included Governor Lawton Chiles of Florida and Professor Lawrence Tribe of the Harvard Law School.

Father John Pearson, C.S.C., has been promoted to Associate Professor. Congratulations!

Patrick Schiltz published "Keeping the Faith," in the May 7 edition of the CHICAGO TRIBUNE.

On May 10, Father Reginald Whitt, O.P., successfully defended his dissertation entitled, "The Personal Particular Church from the Antepreparatory Stage of the Second Vatican Council to Canon 372.2 in the 1983 Code of Canon Law and Its Application to American Roman Catholics of African Ancestry." His defense ("with distinction") earned him the degree of Doctor of Canon Law (J.C.D.). The degree will be awarded in October. Congratulations and a hearty "well done!" from the entire NDLS community!

NEWS FROM THE STAFF

Linda Harrington recently completed fifteen years of service at the University. Congratulations and thanks!

NEWS FROM THE ALUMNI

Tim Carey, NDLS '80, has joined the Chicago office of Chapman & Cutler as a partner in the Corporate and Securities Group. Tim did his undergraduate work at Notre Dame and earned his M.B.A. from Bryant College in Rhode Island. He is a member of both the Illinois and Georgia Bars. Besides his work in financial-markets litigation, Tim also acts as an arbitrator for the National Futures Association and the Chicago Mercantile Exchange.

James S. Casey, NDLS '61 and Kalamazoo County (Michigan) Probate Judge, announced that he will not seek re-election but will step down from the bench when his term expires January 1. Judge Casey, 62, has served as probate judge since 1976. He began in the juvenile division and moved to the estates division in 1986. Judge Casey formerly taught business at Western Michigan University, where he did his undergraduate work. Possible plans include teaching, serving as a visiting judge, and entering private practice.

David J. Dreyer, NDLS '80, a self-employed attorney in Indianapolis and an Adjunct Professor of Law at Indiana University, declared his candidacy for the Superior Court. David is married and has one daughter.

Michael Fantozzi, NDLS '88, has joined the firm of Mintz, Levin, Cohn,

Ferris, Glovsky & Popeo in Boston. Michael earned his undergraduate degree at Boston College.

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Debbie Ganter Kunselman has taken a position with McMillen, Urick, Tocci & Fouse in Beaver County, Pennsylvania. She will work for the firm even as she begins her own practice.

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Mary Angela Lasagna, NDLS '83, has joined the firm of Wallace, Saunders, Austin, Brown & Enochs of Kansas City. She did her undergraduate work at the University of Detroit.

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Dennis Owens, NDLS '75 and "of counsel" at Brown & James, in Kansas City, Missouri, recently donated 800 books worth more than \$25,000 to Rockhurst College's Greenlease Library. The label inside each book notes that the gift memorializes George Mandler, a Jewish doctor who survived a Nazi concentration camp in Czechoslovakia, migrated to America, and built a life as a country doctor. An article in the April 21 issue of the KANSAS CITY STAR describes how Dennis and Cathy came to be good friends of Dr. Mandler and his wife, Erika. The article also recounts the Mandlers' dramatic story.

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Michael Rechtin, NDLS '92 and an associate of Meyer, Brown & Platt in Chicago, will wed Elena Hanoian in June.

* * *

U.S. District Judge Ann C. Williams, NDLS '75, in a talk at the Union League Club of Chicago on April 16, addressed the challenges facing the legal profession. The Notre Dame Club of Chicago sponsored the luncheon as part of its Hesburgh Forum Lecture Series.

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MISCELLANY

NDLS was well represented on Channel 22's recent call-in show, "Ask The Lawyers." Participating were Barbara Gasperetti and Eileen Doran, as well as several recent alums and former Clinic interns, including Liz Baird, NDLS '95, Rochelle Meyers, NDLS '95, Chris Toth, NDLS '93, and Diane Tillman-Reed, NDLS '94.

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FROM THE "YOU'VE GOT TO LOVE ENGLAND!" DEPARTMENT

The LONDON TIMES reported on April 15 that thirty-two young offenders had been selected for a sentence of military discipline, including "square-bashing" (whatever that is!), at the Colchester Military Corrective Training Centre. The article included the day's "regime," which began with Reveille at 6:00 A.M. The entry for 4:45 P.M.? You guessed it: "Tea."

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