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NDLS Update 05/1997

Notre Dame Law School

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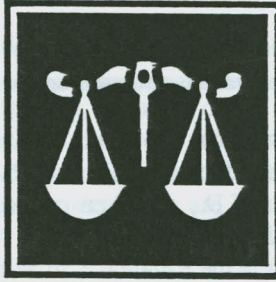


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NDLS Update

News from the Notre Dame Law School

Vol. VI, No. 10
May, 1997

TEX DUTILE
EDITOR

FRANK BOOKER DIES AT 67

Professor Frank Booker, who came to Notre Dame as a Visiting Professor in the fall of 1968, died on May 6. He was 67 years old. Funeral services were held on May 10 at Our Lady of the Lake Catholic Church in Edwardsburg, Michigan. Fr. John Pearson officiated at the funeral Mass. Charlie Rice, delivering a eulogy, spoke of Frank as the "conscience of the Faculty." Interment took place at Cedar Grove Cemetery on Notre Dame Avenue.

Frank received his law degree at Duke in 1954. At Duke, he was an Associate Editor of the *DUKE LAW JOURNAL*. Admitted to the Missouri Bar in 1954, Frank joined the firm of Coburn & Croft in St. Louis. In 1958, he joined Gilmore & McClintock, also in St. Louis. Academic life called in 1960, when Frank joined the Stetson law faculty, quickly climbing the academic ladder to a professorship just four years later.

After visiting at Notre Dame during the 1968-69 academic year, Frank accepted a position here as Professor of Law. Except for a two-year period of service as a partner at Ryan, Taylor, Booker & Law, in North Palm Beach, Florida, from 1970 through 1972, and service as a visiting professor at the University of Innsbruck, Austria, in the Spring of 1991, Frank has been at Notre Dame ever since. He directed Notre Dame's London Law Programme from 1972 to 1975 and again during the fall of 1990. At Notre Dame, his classroom teaching has involved Evidence, Torts, Federal Courts, and the Military Rules of Evidence. He was a member of the Editorial Board of *THE AMERICAN JOURNAL OF JURISPRUDENCE*.

Clinical education always remained dear to his heart; Frank was among the pioneers of our Legal Aid Clinic, serving as its director for several years. He worked as a consultant to the Legal Services Corporation from 1983 to 1989 and as a member of its National Training Task Force in 1986. Despite this list of activities, Frank still found time to be Assistant Dean from 1985 through 1987. During his years at Notre Dame, Frank generously provided, in a quiet but effective manner, counseling and other kinds of help to countless NDLS students. His sense of humor, often expressed through folksy maxims, enlivened conversations and faculty meetings alike.

Frank is survived by his wife, Barbara, and six children. The family has asked that memorial contributions be made to the Legal Aid Clinic. Please keep Frank, Barbara, the rest of the family, and his many friends in your thoughts and prayers.

MATT BARRETT PROMOTED TO TENURE

At the Annual President's Dinner on May 20, it was announced that Matt Barrett had been promoted to tenure. Matt did both his undergraduate work and his law work at Notre Dame, receiving his J.D. in 1985. Admitted to the Ohio Bar in 1985, he clerked for Judge Cornelia G. Kennedy of the Sixth Circuit. He served as an Associate at Vorys, Sater, Seymour and Pease, in Columbus, from 1986 through 1991. He has been at Notre Dame since 1990.

Matt's areas of interest include accounting for lawyers; agency and partnership; business planning; corporations; and federal taxation. He is married to Kate Barrett, Director of Religious Education at Campus Ministry. They have two children, Kevin and Wilson.

Congratulations, Matt!
Well done!

JOHN ROBINSON: "TEACHER OF THE YEAR"

On May 12, at the Senior Dinner, John Robinson was announced as "Teacher of the Year" for the 1996-97 academic year. He spoke both at the Dinner, held at the South Bend Marriott, and at the Law School Diploma Ceremony on May 18. John, who directs the White Center, holds a joint appointment spanning the Law School and the Philosophy Department. He did his

undergraduate work at Boston College, added an M.A. and Ph.D. from N.D., and then capped these off with a Berkeley J.D. A member of the Rhode Island Bar, John has been at NDLS since 1981. He is married to Deborah Deery; they have 2 children. Congratulations, John!

FATHER MALLOY SAYS MEMORIAL MASS FOR JOE CIRAOLLO

On May 6, at Sacred Heart, Father Malloy presided at a Memorial Mass for the late Joe Ciruolo, a third-year law student who died suddenly on campus on April 30. Joe's parents, Mr. & Mrs. Russell Ciruolo, and Joe's brother, Russ, attended the service. A reception followed in the Student Lounge of the Law School. The Ciruolos also attended Commencement Exercises on May 18. Russ Ciruolo accepted his brother's law degree.

CENTER FOR CIVIL & HUMAN RIGHTS RECEIVES MACARTHUR GRANT

The Center for Civil & Human Rights has received a \$150,000 grant from the John D. & Catherine T. MacArthur foundation to enable the Center to continue providing law clerks for the Prosecutor's Office of the International Criminal Tribunal for the Former Yugoslavia (ICTY). Five recent law-school

graduates from Notre Dame have joined seven from other schools in assisting the process of preparing indictments resulting from the Tribunal's investigations of war crimes during the war in the former Yugoslavia. The U.N. Security Council established the Tribunal in 1993.

Notre Dame provides matching funds and administers the clerkship program through the Center for Civil and Human Rights. Other institutions whose graduates participate in the program are Harvard, Oxford and Tufts Universities, the London School of Economics and Political Science, and the Universities of Essex and Paris.

AJJ GETS OLIN GRANT

THE AMERICAN JOURNAL OF JURISPRUDENCE, based in the Notre Dame Law School, has received a \$100,000 grant from the John M. Olin Foundation to fund an associate editor for two years, and a lecture series and conference. Created in 1956 by the Law School's Natural Law Institute, the JOURNAL promotes discussion and investigation of natural law in all its aspects and encourages the search for universal standards to solve contemporary problems. It was known as the NATURAL LAW FORUM until 1970.

The JOURNAL's two editors-in-chief are Biolchini Professor of Law John Finniss and Professor Gerard Bradley.

STUDENT-FUNDED FELLOWSHIPS ANNOUNCED FOR 1997

The following students have been awarded Student-Funded Fellowship Grants for the summer of 1997: Maribelle Estrella (Los Angeles County Public Defender's Office); Jennifer Keegan (U.S. Dept. of Justice Environment & Natural Resources Div.); Julie Lasso (U.S. Dept. of Justice Special Constitutional Issues Dept.); Jennifer Lucarelli (Office of Cook County, Illinois, Public Guardian, Juvenile Division); Susan McGarvey (Bronx County, New York, Legal Aid Society, Criminal Defense Division); Cynthia Morgan (U.S. Attorney's Office); Kristina Oven (Legal Services for Seniors in Pacific Grove, California); Jean Seidler (Office of the General Counsel at the U.S. Catholic Conference); Stacy Soper (State of Michigan Dept. of Attorney General) and Justin Terry (Capital Defender Office in New York).

Congratulations and best wishes to all!

ANDREW LEYDEN PUBLISHES BOOK ON GULF WAR

NDLS third-year student Andrew Leyden has published a book entitled GULF WAR; DEBRIEFING BOOK. Put out by Hellgate Press, the book represents the author's endeavor "to compile as many facts on Operation Desert Storm as I could fit into this book....

Hopefully, by laying out as many facts as I can . . . a solid base for decision-making will exist before future conclusions are reached."

Andrew, a former defense advisor to two Representatives in the U.S. Congress, offered briefings, gave advice, and did research on various weapons programs and force structure of the U.S. military. He worked as a news reporter for four years before beginning his detailed compendium of the Persian Gulf War. What started as a briefing package for his boss became "an authoritative reference on the Gulf War." His Internet version of the book garnered more than 95,000 hits in less than a year. The American War Library labeled his work the Top Military Site on the Internet. On May 7, Barnes & Noble in Mishawaka held a "book signing." Andrew did his B.A. in political science at the University of Illinois.

NDLS ALUM ELECTED PRESIDENT OF INTERNATIONAL ACADEMY OF TRIAL LAWYERS

George N. Tompkins, Jr., NDLS '86 and a partner at Tompkins, Harakas, Elsasser & Tompkins, in White Plains, New York, has been elected President of the International Academy of Trial Lawyers. Membership in the academy is limited to 500 trial lawyers from the United States. One hundred members from thirty-nine other countries round out the Academy.

The Academy is dedicated to the preservation of the jury system in the United States, to the enhancement of the skills of advocacy, and to the promotion and preservation of individual rights through the rule of law. For the past three years, the Academy has been actively involved in a program to educate judges, lawyers, and government officials from China on the laws of the United States in the commercial, civil and criminal-law fields, with the objective of assisting China in modernizing its own laws in these areas. Academy members annually host "interns" from China for a two- or three-week period as part of that program. Mr. Tompkins, who did his undergraduate work at the University of Ottawa, is a member of the New York Bar. He will serve as President of the Academy for one year.

NDLS ALUM TO JOIN WHITEWATER TEAM

Mark Barrett, NDLS '82 and an Assistant U.S. Attorney in Denver, will join Special Prosecutor Kenneth Starr on the Whitewater team in Little Rock, Arkansas. Mark has developed great expertise in white-collar cases. A Philadelphia native who was graduated from Thomas Aquinas College in California, Mark has served with the U.S. Department of Justice since 1985. He joined the U.S. Attorney's Office in Colorado in June of 1991.

NDLS ALUM REPRESENTS JOHN E. du PONT

Taras M. Wochok, NDLS '65, has been thrust into prominence recently as both attorney and friend of John E. du Pont; Mr. Wochok has maintained both relationships for twenty-two years. The two became casual friends as a result of their mutual interests in sports, politics, and law enforcement. Wochok became du Pont's personal attorney in 1975. Wochok, on behalf of du Pont, has faced a variety of legal proceedings, both actual and potential.

Du Pont was convicted in February of killing Olympic wrestler Dave Schultz. After the shooting resulting in du Pont's conviction, Wochok helped police negotiate with du Pont. After du Pont was taken into custody, Wochok hired prominent attorneys to handle the bulk of the courtroom duties, helping nonetheless from his background position. Du Pont was found "guilty of third-degree murder but mentally ill."

NEWS FROM THE LAW LIBRARY

Roger Jacobs continues to serve as a member of the ABA's Accreditation of Law Schools Project Team; he recently participated in an evaluation visit to Columbia University. Roger returns to the U.S. on July 1.

Joe Thomas has been named Vice Chair/Chair-Elect of the Technical Services Special Interests Section of the American Association of Law Libraries. Congratulations, Joe, on this grand honor.

NEWS FROM THE LEGAL AID CLINIC

Fifty-three members of the class of 1997 served as interns in the Legal Aid Clinic.

NEWS FROM LONDON

On May 15, the London Law Programme held its annual dinner for LL.M. students and their spouses. The event took place at the Oxford and Cambridge Club.

NEWS FROM THE FACULTY

Matt Barrett served as program chair and moderator for a program titled "Business Valuation: What Every Business Lawyer Should Know," presented by the Committee on Law and Accounting at the spring meeting of the American Bar Association's Section of Business Law in Boston on April 3.

Deborah Bauer, daughter of Joe and Marzy Bauer, and Liz Efta, daughter of

Carol Mooney and George Efta, were both featured in a special section of the SOUTH BEND TRIBUNE dedicated to "bright, talented seniors." Memorial Hospital of South Bend sponsored the section.

Deborah, graduating with a 4.02 average, heads for Yale University, where she will major in international studies. Deborah is 1997 co-valedictorian of Adams High School, a USA TODAY Academic Team nominee, and a South Bend "Distinguished Student Scholar." Deborah won first place in German and French at a language fair last year. She prizes her experiences on the soccer and tennis teams—she earned five awards and was named senior captain of the tennis team.

Liz Efta will dash off to Italy this summer for a fifth year of high school. Notre Dame will welcome her upon her return from Italy. Like her parents, she has been heavily involved in various service projects, from Habitat for Humanity to serving meals at Broadway Christian Parish in South Bend.

On May 1, Bob Blakey talked on "RICO and Organized Crime" at the annual convention of the Law Enforcement Intelligence Unit, a national organization of police intelligence officers, in Los Angeles.

On May 2, he spoke on "RICO and Sophisticated Prosecutions" to the Criminal Division of the United States

Attorney's Office in Los Angeles. The head of the Division is David Schepper, NDLS '85. His wife Barbara, also NDLS '85, is an award-winning trial attorney in the section, specializing in sophisticated securities frauds. Special Agent Luis G. Flores of the Federal Bureau of Investigation, a 1987 ND grad, attended the talk.

Gerry Bradley published *Catholic Faith and Legal Scholarship*, in the JOURNAL OF LEGAL EDUCATION.

The School of Law at Campbell University has issued a "Special Edition" of THE CAMPBELL LAWYER, dedicated to the memory of Professor John J. "Chief" Broderick.

On April 22, Paolo Carozza and his wife Susan welcomed a new daughter, Sofia, into their family. Sofia was baptized at St. Joseph's Church, South Bend, on April 27.

Paolo spoke on "Private Law Theory and Comparative Law" at a conference on "New Approaches to International Law," at Harvard Law School, on May 11.

John Garvey published *The Real Reason for Religious Freedom*, in FIRST THINGS.

Father John Pearson published *The Law of Easements: Rights in the Property of Another, and Real Covenants: Promises Concerning the Use of Land*, in THOMPSON ON REAL PROPERTY, 1996 CUMULATIVE SUPPLEMENT, edited by D. A. Thomas.

On behalf of the Coors Brewing Company, Sheila Block, wife of Jim Seckinger, recently won the liability phase of the company's legal disputes with Molson Breweries of Canada. The case settled for \$100 million (Canadian) prior to the damages phase.

Eric Smithburn published his latest book, FAMILY LAW: PROBLEMS AND DOCUMENTS, together with INSTRUCTOR'S MANUAL.

As a member of the Advisory Committee of the Indiana Court Improvement Project, Eric also contributed to writing the 142-page report that will assist Indiana Courts in improving the administration of justice to children and families.

Bruce Wells spoke to the congregation of The First Presbyterian Church, Napanee, Indiana, on April 27. The topic: "How to Deal with Anger."

Bruce gave a presentation called "Resolving

Conflict Through Mediation" to the Adult Education Forum at the Sunnyside Presbyterian Church, South Bend, on May 11.

On May 13, Bruce gave a presentation, called "Applying Mediation Techniques to Church Conflict," to pastors from across Northern Indiana who gathered in LaGrange, Indiana, for the Indiana North Assembly of the Church of God. As part of this presentation Bruce put on a "role play" involving two of the pastors and showing how mediation can be used to resolve a dispute between two church members.

NEWS FROM THE ALUMNI

Stacy Augustine, NDLS '91, just celebrated the signing of the Credit Union Modernization Act. Augustine wrote the bill and lobbied it before the Washington State Legislature. She is now taking a long-overdue vacation.

Katherine P. Blakey, NDLS '96, married Michael Cox, ND '93, in Sacred Heart Church on May 10. Katy serves as law clerk to Judge Suzanne B. Conlon of the United States District Court. Katy and Michael will live in Chicago.

Dina (Lallo) Brantman, NDLS '92, and her husband Rob, NDLS '91, announce the birth of their son, Sean Michael, on February 20. Sean made his appearance at six pounds, ten ounces.

Joseph P. Clary, NDLS '89, has become Legislative Program Manager for Public and Government Relations at the Department of Social Services in Connecticut.

Mary Ann Boulac, NDLS '83, has been named to the Board of Directors of Goodwill Industries of Michiana.

John M. Dunn, NDLS '93, and his wife Nadine announce the birth of a son, Mark Joseph, on January 7. Mark joins an older sister, Katherine. The Dunns make their home in Modesto, California.

Jim Gillece, Jr., NDLS '69 and a Principal at Miles & Stockbridge, in Baltimore, recovered a verdict of over five million dollars for his client, Baltimore attorney H. Morton Rosen. In the action, alleging violations of the Wire Tapping and Electronic Surveillance Act and invasion of privacy, the plaintiff claimed that a former employee had faked a recording

that implied that the plaintiff had had sex with a client.

Teresa Ereon Giltner, NDLS '86, has joined Cox & Smith, in San Antonio, as Senior Attorney.

David Guin, NDLS '89, has been made a partner at Ross & Hardies, in Chicago. David did his undergraduate work, as well, at Notre Dame. He is a member of the Illinois Bar.

Anne Hoge, NDLS '97 will wed Michael Milliken on August 16 in San Diego. Anne did her undergraduate work at Stanford. The couple met while attending Stanford. They plan to live in Washington, D.C.

Salvatore J. LaMendola, NDLS '94, has joined Cox, Hodgman & Giarmarco in Troy, Michigan, as an associate. LaMendola practices with the estate and business-planning group. He earned his law degree from Notre Dame Law School.

Frank James Loprest, Jr., NDLS '89, married Theresa Moser on May 10. The ceremony took place at St. Andrew's Roman Catholic Church on Block Island, R.I. James is Special Assistant in the Immigration and Deportation

Unit of the United States Attorney's Office for the Southern District of New York. Ms. Moser serves on the central legal-research staff of the New York State Court of Appeals in Albany.

Pamela Jamie Lyons, NDLS '92, married Jonathan Morris McLean on May 17. Pam is an associate at Meltzer Purtill & Stelle, in Schaumburg, Illinois. She did her undergraduate work at the University of Virginia.

Stephen J. Safranek, NDLS '88 and professor of law at the University of Detroit-Mercy, published, with Ronald D. Rotunda, an article entitled *An Essay on Term Limits and a Call For A Constitutional Convention*, in THE MARQUETTE LAW REVIEW.

Richard Siller, NDLS '96, passed the Texas Bar in February.

Claire Corson Skinner, NDLS '81 and formerly Vice-Chairman of Coachmen Industries, in Elkhart, will succeed her father, Thomas H. Corson, as head of that company on August 1. Both Claire and her dad are members of the NDLS Advisory Council. Coachmen Industries had sales

of over \$606 million last year. It employs 2,600 people in Michiana and 3,900 nationwide.

Claire did her undergraduate work at Southern Methodist University in Dallas. She worked for an advertising agency in Dallas and practiced law in Chicago briefly before joining Coachmen in 1983. Since 1987, in addition to serving as Vice-Chairman of Coachmen, she has been president of the company's largest division, the Middlebury-based Coachmen R.V.

U. S. District Judge Ann C. Williams, NDLS '75, will receive the Chicago Bar Association's Earl B. Dickerson Award on June 3. President-elect of the Federal Judges Association, Ann received an honorary degree from Notre Dame in May.

The Indiana Bar Association's Liaison With Law Schools Committee recently traveled to the four Indiana law schools to inform students of what to expect in their summer clerkships. On April 8, as part of that program, NDLS students

enjoyed a complimentary pizza and soda lunch while two lawyers outlined the keys to success in a summer clerkship. On the program were Tom Brunner, Jr., NDLS '66 and a partner at Baker & Daniels, and Tom Nuttle, NDLS '94 and a member of the firm of Talmadge & Nuttle of Elkhart. Patricia McKinnon, NDLS '94, moderated the session. Lisa Bolanz, Assistant Director of the NDLS Career Office Services, helped organize the program.

MISCELLANY

Tuition in the Law School for the 1997-98 academic year will be \$20,390.

Kudos to John Garvey for his three birdies *in a row* at the Notre Dame Golf Course recently. John completed holes 5, 6 and 7 in a *total* of nine strokes. (It took your Editor only one hole to amass the *nine* strokes!)

Jean Mbuyu, a lawyer from Lubumbashi and now a candidate for a master's degree

in international human-rights law at NDLS, was among those whose stories of torture appeared in an article entitled *Victims Describe Mobutu's Long Reign of Torture; As His Power Ebbs, Some Zairians Fear Last Gasp of Cruelty*. The article appeared in the April 29 edition of the CHICAGO TRIBUNE and was written by Tribune staff writer Hugh Dellios.

Michael Murphy and Steve Murphy, sons of the late NDLS prof Ed Murphy, have joined with Bob Russo to form a new business named after Ed. Saint Edward's Crossing, a "business incubator," offers the traditional professional office atmosphere without the high costs and overhead. The business is located at the intersection of Bittersweet Road and Lincolnway East.

Patrick Brennan, a second-year NDLS student, successfully underwent brain surgery for the removal of a small tumor on May 5. The operation took place at the Greater Baltimore Medical Center in Baltimore, Maryland.

Have a Great Summer!