

5-1-2002

NDLS Update 05/2002-06/2002

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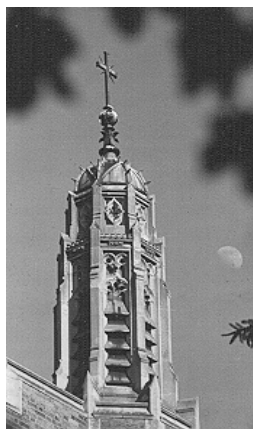


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Recommended Citation

Notre Dame Law School, "NDLS Update 05/2002-06/2002" (2002). *NDLS Updates*. Paper 49.
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NDLS Update

News from the Notre Dame Law School

Vol. XI, No. 10
May-June, 2002

CATHY PIERONEK, EDITOR
KELLEY COLLINS, DESIGNER

Congratulations, Graduates!

Congratulations to the 200 NDLS graduates who received their degrees at the University's 157th commencement exercises on May 19, 2002. The University conferred one J.S.D. degree and 14 LL.M. degrees to graduates of the Center for Civil and Human Rights program in international human rights, 12 LL.M. degrees to graduates of the London LL.M. program in international and comparative law, and 173 J.D. degrees. Stephanie Harting of Dayton, Ohio, received the Hoynes Award, the Law School's highest honor, while Lee DeJulius of Davenport, Iowa, received the O'Meara Award and Julie Hoffman of LaOtto, Indiana, received the Farabaugh Prize. Seven J.D. students graduated *summa cum laude*, 19 graduated *magna cum laude* and 34 graduated *cum laude*. Of the LL.M. students, two earned *summa cum laude* honors, six earned *magna cum laude* honors and five earned *cum laude* honors.

Natural Law Institute Hosts Annual Lecture Series

On April 11 and 12, scholars gathered in the Notre Dame Law School courtroom for the annual Natural Law Lecture and conference hosted by NDLS's Natural Law Institute and AMERICAN JOURNAL OF JURISPRUDENCE, with the generous support of the Olin Foundation.

James Gordley, Shannon Cecil Turner Professor of Jurisprudence at the University of California Berkeley School of Law, delivered the keynote address on Thursday, April 11, on "The Moral Foundations of Private Law." Friday featured lectures by other scholars addressing the topic of the moral foundations of law in various disciplines: A.J. Bellia, assistant professor of law at NDLS, spoke on "Promises, Trust and Contract Law"; James Murphy, professor at Dartmouth College, spoke on "Equality in Exchange"; Henry Mather, professor at the University of South Carolina School of Law, spoke on "Searching for the Moral Foundations of Contract Law"; and Scott Fitzgibbon, professor at Boston College Law

School, spoke on "Marriage and the Good of Obligation."

Matt Barrett Promoted to Full Professor

At the end-of-the year faculty dinner on May 22, Dean O'Hara announced that Matt Barrett '82, '85J.D. had been promoted from associate to full professor. Matt has been a member of the NDLS faculty since 1990, and teaches business-related courses such as business associations, federal taxation and accounting for lawyers. He earned both his B.B.A. and his J.D., *summa cum laude*, from Notre Dame in 1982 and 1985, respectively, graduating at the top of his law school class. A member of the Ohio bar since 1985, he clerked for the Honorable Cornelia G. Kennedy in the U.S. Court of Appeals for the Sixth Circuit (1985-86), and worked as an associate at the Columbus, Ohio, law firm of Vorys, Sater, Seymour & Pease (1986-90).

Also a Certified Public Accountant, Matt co-authored ACCOUNTING FOR LAWYERS with Harvard Law Professor David Herwitz, a casebook that has been adopted in more than half of the ABA-accredited law schools that teach a course on the topic. He serves on numerous University and Law School committees, as well as with various professional organizations.

Congratulations, Matt!

Tom Broden Honored

Tom Broden '49J.D., professor emeritus of law, has been honored by the United Religious Community of St. Joseph County with a "Hearts Afire" award during the URC's 30-year anniversary celebration in May. Tom co-founded the organization in 1972 and served on its homelessness task force, out of which the South Bend Center for the Homeless originated. The interfaith organization has served as a forum through which all religious groups that perform similar work in the community could combine their efforts to achieve the same goals. Tom has long been a champion of causes to help the disadvantaged, both locally and nationally.

Additionally, the SOUTH BEND TRIBUNE recognized him as one of its "Heroes Among Us" in an article titled *Grassroots Efforts Cultivate Homeless Shelter* on May 12, 2002. The article focuses on Tom's work in the community, particularly his role in founding the South Bend Center for the Homeless.

Roger Jacobs Recognized for Service

Roger Jacobs was recognized as a "Hero Among Us" by the SOUTH BEND TRIBUNE in an article titled *St. Vincent de Paul Volunteer Humble* in the paper's May 6, 2002, edition. A member of the Notre Dame Law School faculty and director of the Kresge Law Library for 17 years, Roger has served the St. Vincent de Paul Society for more than a decade as the local conference (neighborhood) president, although he and his wife Alice have spent many more years in the ranks of tireless volunteers who help the needy in the South Bend area.



Gender Issues & the Law Promotes Gender and Multicultural Awareness

Members of Terry Phelps's Gender Issues and the Law course organized a performance of "Womyn With Wings" by J.H. Chapmyn on April 15, 2002. The play featured skits and dances promoting multicultural awareness, and was sponsored by NDLS; several NDLS organizations including the Black Law Students of Notre Dame, the Native American Law Students Association and the Women's Legal Forum; several dormitories including Alumni Hall, Cavanaugh Hall, Farley Hall and Pangborn Hall; and the University's Gender Studies Program and Office of Multicultural Student Programs and Services.

NITA Receives Family Values Award



The National Institute for Trial Advocacy (NITA) has received the Family Values in Business Award in the not-for-profit category from the Samaritan Counseling Center in recognition of its family-friendly work environment. Samaritan created the award to bring the importance of family-friendly work environments to the attention of employers in St. Joseph County, Indiana, and to honor those who provide such environments.

Samaritan selected NITA for the honor primarily because of NITA's commitment to flex-time for all employees and because of the easy working relationship between upper- and lower-level management. Innovative management practices include allowing employees to bring their children to work on school holidays and other special occasions.

Faculty-Student Softball Tourney Highlights Spring Semester

The annual faculty-student softball tournament was held Saturday, April 20, at Stepan Field. As reported by Rick Garnett, the faculty team was "crippled by injuries and (excused) absences of such stalwarts as Joe Bauer, John Nagle, Lucy Payne, Dwight King, Warren Rees and, of course, John Finnis." Nevertheless, "the faculty team managed to avoid humiliation in the opening game, losing to the first-year team 11-2." In his opinion, the final score makes the game sound worse than it was, and even characterized it as a "moral victory."

The faculty team came through in the second game against the 2L team, however. As Rick reports, "Mike 'The Taxman' Kirsch teamed up with fellow audit-meister Matt 'The Bat' Barrett to lead the faculty team to a 6-5 win over the second years. Granted, the game was shortened for various reasons, and we did have one student, Eric Kniffin, on the roster, but a win is a win. In one inning, Mike single-handedly made every put-out, and generally put on what can only be described as a fielding clinic."

"As usual, we received rock-solid performances from Patti Ogden, Roger Jacobs and Dan Manier. Lefty Brian 'Spouse of Lisa' Casey was flawless at second base, notwithstanding the lack of a left-handed glove. And Julian 'Shades' Velasco joined his fellow newbie Mike with some impressive offensive production."



Greg Nielsen, the SBA's athletic commissioner, provided the balance of the event reporting. "As a 2L, I would love to be able to tell a tale of glory about our team, but unfortunately, that wasn't the case," as the 2Ls lost to both the 3Ls and the faculty team. Ultimately, the 3Ls prevailed as champions for 2002 by beating the 1Ls in the second round.

Faculty Notes

Joe Bauer participated in a panel discussion on "What do We Mean by Harm to Competition" at the Second Annual Midwest Antitrust Colloquium sponsored by the Institute for Consumer Antitrust Studies at the Loyola University Chicago School of Law, April 5, 2002. He presented "The 'Antitrust Injury' Doctrine: Adding Insult to 'Injury'?" at the 50th annual spring meeting of the ABA's Section of Antitrust Law, April 24-26, 2002, in Washington, D.C. He presented "A Primer on Antitrust" at a program titled "Research Workshop and Conference on Marketing Competitive Conduct and Antitrust Policy" sponsored by the University's Mendoza College of Business, the American Antitrust Institute and the JOURNAL OF PUBLIC POLICY AND MARKETING, held at Notre Dame, May 2-4, 2002.

Geoffrey Bennett published *Criminal Procedure and Sentencing* in ALL ENGLAND LAW REPORTS ANNUAL REVIEW 2001.

Bob Blakey was back in the news, in an article titled *U.S. Wants Clamps of Ryan Fund Cash*, which appeared in the April 10, 2002, edition of the CHICAGO TRIBUNE. The article discusses pending racketeering charges against Illinois Governor George Ryan's campaign fund. Bob has been hired as co-counsel in the case, which has a scheduled trial date in late October.

On April 24, he participated in a discussion on NPR's "Talk of the Nation" regarding the recent crisis of sexual abuse in the Catholic Church. His comments concerned the difference between crime and sin and how the responds to allegations of abuse in those various contexts. He also commented on the situation in two separate articles in the DALLAS MORNING NEWS: *Criminal Guilt or Just Bad Decisions?* on April 27, 2002, and *Criminal Wrongdoing of Bishops Would be Difficult to Prove, Experts Say* on May 2, 2002; in an article titled *Church's Legal Move* in the May 7, 2002, edition of USA TODAY; and in an article titled *RICO A Long Shot in Catholic Church Sex Abuse Case* in the April 2, 2002, editions of the BROWARD (FLORIDA) DAILY BUSINESS REVIEW, the MIAMI (FLORIDA) DAILY BUSINESS REVIEW and the LEGAL INTELLIGENCER, and the May 13, 2002, edition of the PALM BEACH (FLORIDA) DAILY BUSINESS REVIEW.

Earlier that same day, NPR's "Morning Edition" featured his comments on the propriety of using RICO against protestors at abortion clinics. The U.S. Supreme Court decided in mid-April to hear the case, brought in 1986 by the National Organization for Women against Joseph Scheidler and others, to decide whether the law had been applied correctly to the facts of the case, and whether the RICO statutes should allow judges to grant injunctions against protestors, forbidding them from further similar actions. His commentary on the subject has been picked up in the May 20, 2002, edition of NATIONAL REVIEW, in its "The Week" section.

Bob commented on the use of RICO to prosecute street gangs in an article titled *RICO Being Used to Fight LI Gangs* in the May 8, 2002, edition of NEWSDAY, and on the Supreme Court's decision to hear a case on sex-offender registries in an article titled *Court to Eye Sex Offender Registration* in the May 21, 2002, edition of THE INDIANAPOLIS STAR.

Paolo Carozza commented on tort litigation issues surrounding the current abuse crisis in the Catholic Church in an article titled *Scandals in the Church: The Liability* in the April 23, 2002, edition of THE NEW YORK TIMES.

Rick Garnett published *Common Schools and the Common Good: Reflections on the School-Choice Debate* in volume 75 of ST. JOHN'S LAW REVIEW, and *Sectarian Reflections on Lawyers' Ethics and Death Row Volunteers* in volume 77 of the NOTRE DAME LAW REVIEW. He delivered a talk on "Law and the Humanity of the Death Row Inmate" at the Third Annual Collegiate Youth Conference, hosted by Notre Dame and sponsored by Notre Dame Right to Life, April 12, 2002.

A death-penalty case in which he has been involved for over 10 years, beginning as a law student, has been resolved favorably in that his client, William Herrera Jr., has been re-sentenced by the Arizona courts to life in prison with the possibility of parole.

Jimmy Gurulé published *United States Opposition to the 1998 Rome Statute Establishing an International Criminal Court: Is the Court's Jurisdiction Truly Complementary to National Criminal Jurisdictions?* in volume 35 of the CORNELL INTERNATIONAL LAW JOURNAL.

He gave the commencement address at the spring graduation of his *alma mater*, the University of Utah, May 26, 2002.

James D. Hall, adjunct associate professor of law, spoke on "Intellectual Property Practice in Real Life" at a meeting sponsored by the Intellectual Property Law Society April 10, 2002.

Cathy Kaveny commented on the moral issues surrounding the current abuse scandal in the Catholic Church in a number of recent articles including: *For the Faithful, Trying to Reconcile Morality and Scandal* in the March 28, 2002, edition of THE NEW YORK TIMES; *James Burnett Looks at How the Catholic Church Might Salvage Its Tainted Reputation* in the April 22, 2002, edition of PR WEEK; and *Bishop Says Mistakes Made Handling Cases* in the May 19, 2002, edition of the HOUSTON CHRONICLE.

Don Kommers published *Die freie Meinungsäußerung in der Rechtsprechung des Bundesverfassungsgerichts und des Supreme Court* in TRADITION UND WELTOFFENHEIT DES RECHTS: FESTSCHRIFT FÜR HELMUT STEINBERGER, edited by Hans-Joachim Cremer (Springer 2002). He spoke at the celebration in honor of Helmut Steinberger, professor emeritus of law at Heidelberg University and former Justice of Germany's Federal Constitutional Court, January 26, 2002, in Heidelberg, Germany.

John Nagle presented two lectures at the East China University of Politics and Law, formerly St. John's University, in Shanghai. For his lecture on "President Bush's Alternative to the Kyoto Protocol," the title was apparently so provocative that the university allowed students to attend only if they had already been taught the Chinese perspective on global warming and the Kyoto Protocol. John reports that the audience was certainly well versed in

the issues. After his one-hour lecture, he spent a second hour answering questions that he describes as "insightful and critical of the American position on global warming."

Terry Phelps has been elected chair of the University's Committee on Women Faculty and Students.

Charlie Rice spoke at a meeting of the Michiana Second Amendment Advocates on May 15 in South Bend, where he discussed a recent case in Texas in which a court ruled that the right to bear arms, as protected by the Second Amendment, is an individual right and not a collective right.

Honorable Kenneth F. Ripple presided at the Final Argument of the Annual Orison S. Marden Moot Court Competition at New York University School of Law, April 16, 2002.

He was featured in an article titled *7th Circuit Making Its Mark on Law* in the April 27, 2002, edition of the CHICAGO DAILY LAW BULLETIN, which discussed the strong intellectual nature of the circuit owing, in part, to the fact that he and several other judges remain involved in academia as professors in law schools in the circuit.

Thomas L. Shaffer has published *Review Essay on John Howard Yoder* in volume 16 of the JOURNAL OF LAW AND RELIGION. The article reviews Stanley Hauerwas *et al.*, *THE WISDOM OF THE CROSS* (Eerdmans 1999) and John Howard Yoder, *FOR THE NATIONS* (Eerdmans 1997). Tom also published *The Irony of Lawyers: Justice in America* in volume 70 of the FORDHAM LAW REVIEW.

Steven D. Smith has announced that he will leave NDLS at the end of this academic year to accept a chaired position at the University of San Diego Law School.

Eric Smithburn delivered a lecture and paper titled "Probation Conditions and Constitutional Rights: Where is the Line?" at the National Council of Juvenile and Family Court Judges (NCJFCJ) conference on "Dispositional Alternatives and Juvenile Probation" in Tucson, Arizona, in May. The NCJFCJ has also published on interactive compact disk Eric's monograph on evidentiary issues in cases involving termination of parental rights. The CD has been sent to several thousand judges in the U.S. and abroad, as well as to law schools for use in evidence, family-law and juvenile-law courses.

Jay Tidmarsh commented on class-action issues in a suit filed against MasterCard International and Visa U.S.A. in an article titled *Credit Card Giants Charge Class Action in High Court* in the April 15, 2002, edition of the NATIONAL LAW JOURNAL. The case is currently before the U.S. Supreme Court to resolve a conflict among the federal appellate courts on the standards for class certification.

* * *

We extend sincere condolences to Javier Mariezcurrena, Director of the Transitional Justice Project in the Center for Civil and Human Rights, on the death of his mother, May 9, 2002, in Argentina. Condolences may be sent to Javier in care of the center, or by e-mail at mariezcurrana.1@nd.edu.

We also send condolences and prayers to Jeff Morgan, Law School Computer Coordinator, on the sudden death of his wife Georgeanne, May 23, 2002. Funeral services were held May 28 and 29 in Niles, Michigan. Condolences may be sent to Jeff in care of the Kresge Law Library, or by e-mail at morgan.5@nd.edu.



News from the Kresge Law Library

Roger Jacobs has announced that Laurel Cochrane has joined the Kresge Law Library's Technical Services Department as a visiting associate librarian. Laurel is filling a newly-created position, Human Rights Librarian, and will be devoting much of her time to organizing and making accessible materials acquired and generated by the Center for Civil and Human Rights Transitional Justice Project. Working under the direction of the Head of Technical Services Joe Thomas, and in close liaison with Project Manager Javier

Mariezcurrena, Laurel will integrate the project's materials into existing library holdings in human rights. She will also participate in other cataloging activities to increase the effectiveness of LINK, the library's online catalog.

Laurel earned her B.A. in English at Indiana University, where she was named Outstanding English Student of the Year in 1979. She earned her masters degree in Library Science from I.U. in 1988. She has had a long and distinguished career as a cataloging librarian, primarily at the St. Joseph County Public Library here in South Bend. She brings expertise in the use of the law library's integrated library system, Innopac, and is a member of national library and cataloging organizations.

* * *

Patti Ogden will participate in Collegium's 2002 Annual Colloquy in mid-June at Fairfield University in Fairfield, Connecticut.

The Collegium summer institute developed in response to the long-standing concern among educators and church leaders for the future prospects of the religious identity of the many Catholic colleges and universities in the United States and Canada. Some Catholic institutions have found it increasingly difficult to uphold their faith-based mission statements and identify, recruit and develop new faculty who can both articulate and expand the vision of the Catholic intellectual tradition.

Collegium, a national organization of 50 Catholic colleges and universities including Notre Dame, was founded in 1992 to respond to these challenges. The annual Collegium summer seminars provide a collegial environment in which participants from diverse backgrounds, faiths and disciplines can discuss the sources and implications of a Christian academic vocation.

Notes on Former NDLS Colleagues

Congratulations to Janis Johnston, associate director of the Kresge Law Library from 1987 to 1999 and currently director of the law library at the University of Illinois at Urbana-Champaign. She recently learned that she will receive the Renee D. Chapman Memorial Award, the highest honor given to technical-service librarians by the Technical Services Special Interest Section of the American Association of Law Libraries, in July. The award recognizes individuals or groups for special achievement in the area of technical services, services to the association or outstanding contributions to professional literature. Janis was recognized for her contributions to law librarianship through her leadership positions in the national and local law library associations and her publications in professional journals, which have inspired law technical services librarians and have raised the visibility of the profession.

Also in May, Janis was elected vice president and president-elect of the American Association of Law Libraries at its spring meeting. She will assume the duties of president of the AALL at the conclusion of the association's annual meeting in 2003.

* * *

Former NDLS Professor Doug Kmiec, now dean at Catholic University of America School of Law, had plenty of nice things to say about Notre Dame Law School and his former colleagues in a recent interview contained in the winter 2002 edition of CUA's alumni magazine, *CUA Lawyer*.

In response to a question, "What past experiences have helped you the most in doing your work as dean?" he responded, in part, "I've . . . spent 25 years in academia, and I've been fortunate enough to be taught by people who really love God and their neighbor through their teaching and administrative work – like Father Ted Hesburgh, the long-time president of Notre Dame. There are more people than I can name, but I think also of my fellow Notre Dame colleague, and now dean, Patricia O'Hara, who is a model of prudence and sound judgment, law professor Charles Rice, a leader of the pro-life movement, and Edward Murphy, who before his untimely death, was a master teacher and illustrated that to teach well we need to build and practice habits of virtue. A truly great friend (and the Godfather to my daughter Kolleen), Notre Dame law professor Tex Dutilleul, a former CUA law professor who now oversees the Notre Dame athletic program. Tex taught me that if you had to make a choice between being smart or friendly, it's better to be friendly. He's both."

In response to another question about his vision for CUA's Law School, Doug commented, in part, "Only

two well-established law schools – Catholic University and Notre Dame – seem to genuinely wish to maintain the relationship between professional study and an understanding of the faith. I greatly admire Notre Dame's tradition (and secretly envy their Division I football and basketball program and the revenues and goodwill those sports generate)."

Law School Briefs

The St. Thomas More Society sponsored a lecture by Reverend William Wack, C.S.C., of the University's Office of Campus Ministry, on "The Gift of Celibacy: The Meaning and Importance of Celibacy for the Catholic Church," April 10, 2002.

The Irish Law Society presented "Brick by Brick: The Struggle to Cement Relations between Northern Ireland's Catholic and Protestant Communities," a talk by Liam Maskey, on April 11, 2002. Mr. Maskey is a former political prisoner who founded and directs INTERCOMM, a peace initiative group that works to bring the people of north Belfast out of a violent past.

The International Human Rights Society hosted a lunchtime discussion on military commissions from the perspective of international law with Juan Méndez, April 17, 2002.

The Women's Legal Forum sponsored a showing of "Beyond Killing Us Softly . . .", a film about the impact of degrading media images on women and girls, April 18, 2002.

The St. Thomas More Society and the Social Justice Forum co-sponsored the April 18, 2002, talk by Fr. Gustavo Gutiérrez, author of *A THEOLOGY OF LIBERATION* and one of the founders of the liberation theology movement, who is currently visiting in the University's Department of Theology, on social justice themes, particularly the preferential option for the poor.

The Center for Civil & Human Rights hosted a colloquium with Douglass Cassel, a visiting scholar in the center and associate professor of law at Northwestern University Law School, on "Why Transitional Justice Erodes – and Should Erode – State Sovereignty," April 18, 2002.

The Environmental Law Society presented a lecture by visiting professor of law Alexandre Timoshenko titled "World Summit on Sustainable Development - a Legal Agenda," April 24, 2002. The talk covered what can be expected from the world summit in terms of improving the legal foundations of sustainable development. The summit should prove to be extremely important in guiding the progress of the international community with regard to environmental issues in the coming years.

Administrator & Staff Notes

Gail Peshel, Director of Career Services, presented "Internal Marketing: How to Make the Case for Career Services" at the National Association for Law Placement's (NALP) 2002 Annual Educational Conference on April 10, 2002. She also co-authored an article titled *What Makes Employer Web Sites Work?*, published in the May 2002 edition of NALP's BULLETIN.

Congratulations to Marilyn Imus, assistant program manager in the Center for Civil & Human Rights, and to Deb Fox, acquisitions assistant in the Kresge Law Library, who celebrated 15 years of service to Notre Dame in May 2002.

Congratulations to Law School Registrar Anne Hamilton, who received the Dean McLean Award from the Class of 2002. The award honors one member of the faculty, administration or staff and one student who has done the

most to improve the lives of law students over the course of the year. Anne shared this year's honor with 3L Tamona Bright of Kileen, Texas.



Alumni Notes

New Additions

Maura Doherty '91J.D. and her husband Steve Delano, welcomed Cori Ruth on October 29, 2001. Cori joins her big sister Casey, age 3, and big brother Jimmy, age 18 months, at home in Quincy, Massachusetts. Maura, formerly vice president and senior counsel at The Boston Company, the investment arm of Mellon Financial Corporation, has been with Market Metrics, Inc., for over a year. Her new company is a market research and consulting firm that advises the financial services and life insurance industries.

Mike Schrenk '87, '95J.D. and his wife Danielle announce the birth of Ryan Edward, April 22, 2002, in Seattle, Washington. Ryan joins older sister Delaney. Mike, formerly a partner with Cozen & O'Connor in Seattle, has joined St. Paul Insurance Company in Baltimore, Maryland, as in-house counsel.



Steve Hieatt '96J.D. and Jennifer Fraley Hieatt '96J.D. announce the birth of John Paul, April 2, 2002, in Cincinnati, Ohio. John Paul joins his older sisters Mary Kate, age 3, and Emily, age 2.

Marriages

Erin Elizabeth Stewart '91, '94J.D. married Mark Alan Verano on June 1, 2002, in New Cumberland, Pennsylvania. Erin is an assistant counsel with the Pennsylvania Governor's Office of General Counsel and is assigned to the Department of State in Harrisburg, while Mark is a self-employed accountant and music director at a local Catholic parish.

Mike Gleason '91, '97J.D. married Kathy Seggers on '91 on April 6, 2002, in Crescent Springs, Kentucky. Mike and Kathy live in Denver, Colorado, where Mike works for the Environmental Protection Agency.

Krissie Kubiszyn '99J.D. married Frederick Wendell Allen of Huntsville, Alabama, on May 18, 2002, in Holy Spirit Catholic Church in Tuscaloosa, Alabama. Krissie is working part-time at Balch & Bingham in Birmingham, Alabama, while completing her teaching degree.

Darrin Fowler '97J.D. announces his engagement to Sarah Zelenka of St. John's, Michigan. The wedding will take place at the Alumni Chapel at Michigan State University on December 28th. Darrin is currently an assistant attorney general for the State of Michigan, and works in Lansing. He recently argued and won a case before the Michigan Supreme Court, *Bruns v. Lapeer Circuit Judges*, reported at 640 N.W.2d 567.



In Memoriam

We received belated notice of the death of Lieutenant Colonel (Ret.) Charles J. O'Brien '40J.D. on October 14, 2001. Condolences may be sent to his daughter, Maryanne Shaw, at 5117 Summitview Circle Northwest, Canton, OH 44708.

John J. Haugh '66J.D. died on April 1, 2002, at the age of 60 in Rugby, England, while on vacation. Born in Lebanon, Missouri, Mr. Haugh earned his undergraduate degree from Benedictine College in Atchison, Kansas, in 1963, and his law degree from NDLS in 1966. He practiced law in Portland, Oregon, for many years, retiring in 1994 to a writing career in telecommunication and computer-system security.

He is survived by daughters Kelly R. Lee '92, Bryn Marie and Rachel '92, son John '87, three brothers and four grandchildren. A memorial Mass was held April 19, 2002, at St. Thomas More Catholic Church in Portland, and Mr. Haugh was interred in Prior Lake, Minnesota. Condolences may be sent to the family in care of his home address, 1612 Southeast 158th Avenue, Vancouver, WA 98683.

William A. Loy '54, '58J.D. passed away on April 12, 2002, in Peru, Indiana. Condolences may be sent to his widow, Anne, at 1991 South Farview Lane, Peru, IN 46970.

John S. Montedonico '35, '37J.D. died on April 21, 2002, at the age of 89 in Killen, Alabama. After graduating from Christian Brothers High School in Memphis, Tennessee, and attending Notre Dame, where he earned both his bachelors and law degrees, Mr. Montedonico joined the U.S. Navy, where he saw action in World War II. He practiced law with Glankler Brown in Memphis until his retirement. He belonged to the board of the National Bank of Commerce and served as the bank's general counsel.

He is survived by his wife, Vivienne Taylor Montedonico, two daughters and six grandchildren. The family has requested that gifts in his memory be directed to a charity of the donor's choice. Condolences may be sent to Mrs. Montedonico at 59 Six Pence Point, Killeen, AL 35645.

We have a correction to an earlier notice regarding the death of James F. McVay '42, '44J.D. His wife, Helen McVay, did not survive him. Condolences may, however, be sent to the family in care of his brother, William P. McVay Sr. '39 '41J.D., c/o William P. McVay Jr., 400 Trinity Street, Mission, TX 78572.

* * *

1930s

Thomas P. Foy Sr. '38, '39J.D., a member in Foy, Foy & Castillo, P.C., in Silver City, New Mexico, was quoted in an article titled *4,100 March in Tribute* in the April 15, 2002, edition of the LAS CRUCES SUN NEWS on the Bataan Memorial Death March, held in early April at White Sands Missile Range, New Mexico. Mr. Foy is one of the few who survived the 26.2-mile march and subsequent internment in a Japanese prison camp in the Philippines in 1942.

1960s

David H. Kelsey '61J.D., founding partner of Atkinson & Kelsey in Albuquerque, New Mexico, was profiled in an article titled *Law Firm Shapes Family Practice* in the April 15, 2002, edition of the ALBUQUERQUE JOURNAL. Mr. Kelsey's 10-attorney firm is the oldest and largest family law firm in New Mexico and is tied for fifth-largest among family law firms in the United States.

Congressman Pete King '68J.D. has penned a new novel, *DELIVER US FROM EVIL*, which, like his first novel, *TERRIBLE BEAUTY*, deals with the peace process in Northern Ireland. The historical elements of the book are grounded in fact, but the events beyond today are fictional and based on his knowledge of the peace process and the situation in Northern Ireland. The book features a cameo appearance by NDLS Professor Emeritus Charlie Rice in Chapter 3, which is set entirely at Notre Dame, and uses as characters' names some of his NDLS classmates. The Associated Press released a review of the book on April 10, 2002.

Paul Meyer, CEO of Clear Channel Outdoor, Inc., in Phoenix, Arizona, and member of the Notre Dame Law Association board of directors, was honored by his undergraduate *alma mater*, Saint Mary's University of Minnesota, April 23, 2002. He received an honorary doctorate in ethical leadership and gave a talk titled "Be Ethical and Be Successful" as part of the fourth convocation of the Hendrickson Institute for Ethical Leadership at Saint Mary's.

1970s

Reverend E. William Beauchamp, C.S.C. '75J.D., formerly executive vice president emeritus at the University of Notre Dame, has been named senior vice president at the University of Portland in Oregon. His areas of responsibility at the university, which is run by the Congregation of Holy Cross, will include the division of university relations and the department of athletics. He will also serve as the university's investment officer and, in that role, will assist the investment committee of Portland's board of trustees. He will also oversee the university's legal affairs and coordinate university planning.

Joseph J. Jankowski '67, 70J.D. has been elected to the management committee of Wilentz, Goldman & Spitzer, a

140-attorney firm headquartered in Woodbridge, New Jersey. Joe also co-chairs the firm's Real Estate, Land Use, Environmental and Leasing Department.

Christopher Larmoyeux '79J.D., a partner at Larmoyeux & Bone in West Palm Beach, Florida, has been appointed to the Florida Arts Council by Florida's Secretary of State Katherine Harris. He is president of the Palm Beach County Cultural Council and a member of the Academy of Trial Lawyer of America.

Patrick A. Salvi '78J.D., founder of Salvi, Schostok & Pritchard, P.C., has been inducted as a fellow of the International Academy of Trial Lawyers. Membership in the academy is by invitation only, is limited to 500 trial lawyers from the United States, and has members in over 30 countries around the world. He recently secured a \$2.55 million settlement in a medical malpractice case involving the wrongful death of an 18-year-old who received inappropriate treatment for atrial flutter.

Lawrence Schwarz '74J.D., assistant district attorney in Nassau County, New York, and a colonel in the U.S. Army Reserves JAG Corps, has been called up for a six-month assignment in the counsel's office for the chair of the Joint Chiefs of Staff in Washington, D.C., where he will oversee government contracting, among other responsibilities.

Honorable Michael P. Scopelitis '71J.D., of the St. Joseph (County, Indiana) Superior Court, attended the General Jurisdiction Instructional Program at the National Judicial College, supported by a scholarship awarded by the State Justice Institute.

Eugene E. Smary '75J.D., a partner at Warner Norcross & Judd, L.L.P., in Grand Rapids, Michigan, and a member of the board of directors of the Notre Dame Law Association, has been elected chair-elect of the ABA's Section on Environmental Law.

Chauncey Veatch '75J.D., a teacher at Coachella Valley High School near Palm Springs, California, has been named 2002 National Teacher of the Year in a program sponsored by the Council of Chief State School Officers and Scholastic, Inc., a children's publishing and media company. He received his award from President George W. Bush at a Rose Garden ceremony in Washington, D.C., on April 24, 2002.

1980s

Anne E. Becker '88J.D., Utility Consumer Counselor for the State of Indiana, has been appointed to the Energy Security and Electric Industry Restructuring Forum of the Consumer Energy Council of America.

Daniel J. Buckley '77, '80J.D., a partner in Breidenbach, Buckley, Huchting, Halm & Hamblet in Pasadena, California, has been appointed by California governor Gray Davis to the Los Angeles County Superior Court.

Gregory Evans '89J.D., formerly with McKenna & Cuneo in Los Angeles, California, has joined the Los Angeles office of Orrick, Herrington & Sutcliffe as a partner. His practice focuses on telecommunications litigation and on assisting clients with governmental affairs and public policy.

Nancy J. Gargula '81J.D., formerly a partner in the Indianapolis, Indiana, office of Baker & Daniels, has been appointed by U.S. Attorney General John Ashcroft as U.S. Trustee for Indiana and central and southern Illinois.

Susan J. Link '86J.D. has been elected to the partnership at Maslon Edelman Borman & Brand in Minneapolis, Minnesota. She focuses her practice in the areas of estate planning, probate, trust administration and tax law.

Timothy G. Merker '84J.D., formerly with Landau, Omahana & Kopka, Ltd., in Chicago, has formed Tucker, Bower, Robin & Romanek, L.L.C., also in Chicago, where he is a partner.

1990s

Timothy M. Bliss '99J.D., formerly with Powers Kinder Keeney in Providence, Rhode Island, has joined Tillinghast Licht Perkins Smith & Cohen, L.L.P., also in Providence, where he focuses his practice on labor and employment law.

John Cerone '98J.D., executive director of the War Crimes Research Office at American University's Washington College of Law, has been busy speaking and writing on various aspects of the subject of war crimes. He has published: *Legal Constraints on the International Community's Responses to Gross Violations of Human Rights and Humanitarian Law in Kosovo, East Timor and Chechnya* in volume 2 of HUMAN RIGHTS REVIEW; and *Status of Detainees in International Armed Conflict, and Their Protection in the Course of Criminal Proceedings* in the January 2002 edition of ASIL INSIGHT, a publication of the American Society of International Law.

He presented: an invited lecture, "Innovations in International Criminal Law: The Jurisprudence of the UN Criminal Tribunals and the Legal and Political Foundation of the International Criminal Court," at a conference titled "Verdad, Justicia y Reparación: Corte Penal Internacional" and convened by the vice president of the Republic of Colombia, November 2001; "Unilateral and Multilateral Responses to Genocide: Discerning a Legal Framework" at a conference on "Generations of Genocide" sponsored by the Institute of Contemporary History and Wiener Library in London, United Kingdom, January 2002; "The Legal Framework of Peacekeeping Operations and the Applicability of Human Rights and Humanitarian Law" to a gathering of senior North and South American military officials at the Inter-American Defense College of the Organization of American States in Washington, D.C., February 2002; "From Nuremberg to Kandahar: Shifting Paradigms in International Criminal Adjudication," at a conference on "International Criminal Justice and White-Collar Crime" convened by the Center for International Legal Studies and the ABA in Steamboat Springs, Colorado, February 2002; "Beyond Punishment: Reparations and Judicial Capacity Building in Post-Conflict Environments" as part of the international law panel at a conference on "Public Service and the Law" at University of Virginia School of Law, February 2002; a paper on "Post-9/11 Developments in the *Jus ad Bellum* and *Jus in Bello*" at a symposium on "Killing Enemies, Killing Innocents: Changes in International Humanitarian Law and the Rules of War in Response to September 11, 2001" hosted by the Cornell International Law Journal, February 2002; and "The Role and Limitations of International Criminal Law in Fostering Security in Sierra Leone" at a conference on "Human Security for the Global South" convened by the Center for the Global South at American University in Washington, D.C., March 2002.

John has also been interviewed on a variety of international-law and war-crimes subjects for articles in THE GLOBE AND MAIL (TORONTO, ONTARIO), the ABA JOURNAL and AMNESTY PRESS. He has also been interviewed for live broadcasts by a variety of international outlets including Radio Free Europe, German TV (ARD), the British Broadcasting Corporation television and radio, and Australian News (TUA News).

Kristen Fletcher '96J.D., director of the National Sea Grant Law Center/Mississippi-Alabama Sea grant Legal Program at the University of Mississippi Law School, will give the keynote address, titled "Fix It! Constructing a Recommendation to the Ocean Commission for the Future of Fisheries," at the National Fisheries Law & Policy Symposium at Roger Williams University Ralph R. Papitto School of Law, June 28, 2002.

Marty Foos '92, '95J.D., clerk to Honorable Christopher Neuchterlein in South Bend, received the "Diamond in the Rough" award from the South Bend Center for the Homeless for his work in preparing formerly homeless individuals for their GEDs.

Lester N. Fortney '93J.D. has been elected a director of The Webb Law Firm in Pittsburgh, Pennsylvania.

J. Aloysius Hogan '87, '91J.D. has been promoted to legislative counsel for Senator Jim Inhofe (R-Oklahoma). His responsibilities now include working with the senator on appropriations, commerce, agriculture, energy and natural-resources issues. He has worked on Capitol Hill in various capacities since 1995.

Erik V. Huey '92J.D., formerly with Manatt, Phelps & Phillips in Washington, D.C., has become of counsel in the D.C. office of Venable, where he will be part of the firm's national communications practice.

Michelle Mack '99J.D., '00LL.M. writes that, after only three months in Belgrade, she was transferred on less than one week's notice to the relief team of the International Committee of the Red Cross (ICRC) in Jerusalem. Her work will involve starting up operations to facilitate the ICRC's efforts to bring food and non-food aid to the area.

Judson Montgomery '93J.D., a member of Givens Pursley, L.L.P., in Boise, Idaho, was named one of 40 *Accomplished Business Leaders Under Forty* in the March 18, 2002, edition of THE IDAHO BUSINESS REVIEW.

Adriana Nakis '99J.D., formerly with Stairs Dillenbeck Finley Merle in New York, New York, has joined Vezina, Lawrence & Piscitelli in Tallahassee, Florida, as an associate.

Alex Nakis '99J.D., formerly with Dewey Ballantine in New York, New York, has joined Gray Harris & Robinson in Tallahassee, Florida, as an associate.

Meg Penrose '99LL.M., assistant professor of law at Oklahoma University in Norman has been voted the "Most Outstanding" professor by the school's students. She notes, "In all honesty, I think this is a reflection of the many fine role models I have had throughout my numerous years of education. I am especially grateful to Dinah Shelton and Vince Rogeau." In addition, she received an "Arkansas Traveler" award from the Governor of Arkansas for her work with police officers and school officials in the state, as part of her work with the National Center for Missing and Exploited Children and the U.S. Department of Justice. This summer, she will travel throughout Europe surveying what remains of many of the Holocaust sites in Germany, Austria, France and Holland.

Lt. Col. Ronald R. Ratton '93J.D., U.S. Air Force, formerly stationed in the U.S. Sending State Office for Italy at the U.S. Embassy in Rome, Italy, is now stationed at the Yakota Air Base near Tokyo, Japan.

William K. Sjostrom Jr. '96J.D., currently legal counsel for Genmar Holdings, Inc., in Minneapolis, Minnesota, has accepted a position as a tenure-track professor at the Salmon P. Chase College of Law at Northern Kentucky University in Highland Heights, Kentucky. He will teach contracts, corporations and securities regulation.

Raymond J. Tittman '97J.D., an associate at Paul, Hastings, Janofsky & Walker, L.L.P., in San Francisco, California, has been interviewed by the Bay Area affiliate for Fox News, the OAKLAND TRIBUNE and the CHRISTIAN TIMES regarding Bill Simon's campaign for governor of California.

Tomas Vial '92LL.M. has completed his Ph.D. in Law at University College London and has returned to Chile, where he works for the government.

Kevin Warren '90J.D., general counsel and senior vice president of business operations for the NFL's Detroit Lions, was profiled in an article titled *Detroit Lions Hope Top Lawyer Can Help Bring Championship Mentality to Team* in the May 6, 2002, edition of CRAIN'S DETROIT BUSINESS. Kevin has also become of counsel to the Detroit office of Honigman, Miller, Schwartz and Cohn, L.L.P., as a member of the firm's corporate law department.

2000 and 2001

Peter Breen '00J.D., who is studying for the priesthood at Mundelein Seminary in Illinois, has been selected to study theology in Rome, Italy, for the coming academic year. He will take an intensive, six-week course in Italian this summer in Brooklyn and will leave for Rome at the end of August.

Danny Cevallos '00J.D., formerly with Fish & Neave in New York, New York, has joined Piper Rudnick, L.L.P. His practice focuses on products liability defense and he will be based out of the firm's office in Philadelphia, Pennsylvania, although he will also work out of the firm's New York offices from time to time.

Paul Dean '01J.D. has joined Warrick & Boyn in Elkhart, Indiana, as an associate.

Akram Faizer '00J.D., an associate at Mackenzie Hughes, L.L.P., in Syracuse, New York, has been awarded the President's Pro Bono Service Hanna S. Cohn Young Lawyer Award by the New York State Bar Association.

Roger Mattioli '00J.D. has been promoted to captain in the U.S. Marine Corps. He is a judge advocate stationed at the Marine Corps Air Station in Cherry Point, North Carolina.

Rudy Monterrosa '01J.D. reports that his practice in South Bend is going well. He provides legal services to the Spanish-speaking population of northern Indiana in the areas of criminal, immigration, civil and family law. He is also a part-time deputy public defender for St. Joseph County.

Gabe Tsui '00 J.D., formerly an associate at Vedder, Price, Kaufman, Kammholz in Chicago, Illinois, has joined Mayer, Brown, Rowe & Maw, also in Chicago, as an associate. His practice focuses on tax litigation.

Student Notes

Congratulations to the newly elected SBA officers and representatives, and Honor Council representatives for 2002-03:

SBA Officers

President Bryan Wise, Class of 2003
 Vice President Susan Brichler, Class of 2004
 Secretary Larry Ward, Class of 2003
 Treasurer Adam Witmer, Class of 2003

Class of 2003

SBA

Amy Averill
 Casey Dick
 Rebecca McCurdy

Honor Council

Jane Dall
 Kate Meacham
 Mike O'Connor

Class of 2004

SBA

Carah Helwig
 Michael Hom
 LaWanda Spearman

Honor Council

J.J. Gonzales
 Ken Kleppel
 Ben Whipple

Congratulations to 3L Jennifer Byrns, selected by the National Association of Women Lawyers as the outstanding NDLS graduate for 2002. The award is given annually to one student from each ABA-approved law school who best meets the following criteria: contributes to the advancement of women in society; promotes issues and concerns of women in the legal profession; exhibits motivation, tenacity and enthusiasm; demonstrates academic achievement; and earns the respect of the law school community.

In nominating Jennifer for the award, Research Librarian Lucy Payne highlighted Jennifer's leadership in the Native American Law Students Association; her clinic work in domestic violence and other women's issues; her volunteer work at the Center for the Homeless, as well as with pregnant women, teens and children at risk; and her membership on the NOTRE DAME LAW REVIEW staff.

Several NDLS third-year students received honors from the University's Office of Student Affairs for their work as assistant rectors in the undergraduate residence halls. Sean Monterastelli was selected as men's assistant rector of the year for his work in Keenan Hall, Kate Whalen was selected as women's assistant rector of the year for her work in Howard Hall, and Peyton Berg earned a special recognition award for leadership for his work in St. Edward's Hall.

The 9th Annual Women's Legal Forum Auction, held April 12, 2002, at the Alumni/Senior Club on Campus, raised \$6,000 to support YWCA of South Bend and to fund a summer fellowship for a student who will be engaging in public-interest work focused on providing legal assistance to women.

Thanks and congratulations to members of the SBA community service committee and the other law students who participated throughout the year in service to Dismas House, a live-in community through which recently released prisoners are helped to reintegrate into society. Law students cooked dinner for the residents on Tuesday nights

throughout the academic year. On April 11, SBA members, including community service committee chair Myra McKenzie, SBA vice president Nicole Borda, and 1Ls Jim Murray and Brian Josias, represented NDLS at the Dismas House Awards Banquet and accepted the "Loving Spoon Award" on behalf of the NDLS students who participated in the project.



Research Librarian Lucy Payne, who accompanied the students to the event, noted, "I was so proud of our law students, whose volunteerism in the South Bend community enabled the Notre Dame Law School to have a presence at this social justice event. A big thank you to Myra, Nicole, Jim and Brian for their leadership and to all our many law students whose service enriches our community!"

The Intellectual Property Law Society has published the second issue of its new newsletter, *IPLS Standard*, available on line at the IPLS web site, www.nd.edu/~ipls.

PILF's first-ever "dunk tank," held April 29 on the lawn in front of the Law School, raised \$476 to support students engaged in low- or non-paying public service jobs during the summer. Thanks to Research Librarian Lucy Payne – the only faculty member actually to get dunked – and to Rick Garnett and Alexandria Lewis, who provided generous matching contributions to avoid the tank. Students who braved the water – and their classmates' throwing arms – on the cold April afternoon included 1Ls J.J. Gonzales, Jason Linster and Jim Murray, as well as incoming SBA president Bryan Wise.

The RecSports office in the University's Department of Athletics has selected two law students, 3L Peyton Berg and 2L Natalie Wight, as their Grad/Faculty Staff Participants of the Year.

Continuing on a successful run for the Law School in the 2001-02 Grad/Faculty/Staff athletic league, a Law School team comprised mostly of 3Ls defeated last year's softball champs from the Department of Chemistry to bring home the softball crown for 2001-02, to add to the Law School's championships in flag-football and basketball. "Quan" team members included 3Ls Peyton Berg of Kalispell, Montana, and T.C. Couhig of Painesville, Ohio, as co-captains, and 3Ls Pat Dahl of Winnetka, Illinois, David Krupski of Ponce Inlet, Florida, Kevin Lohman of Northridge, California, Fred Marczyk of Egg Harbor City, New Jersey, Ethan McKinney of Mishawaka, Indiana, and Art O'Reilly of Mahopac, New York, along with 2L Carlos Abeyta of Lubbock, Texas, and undergrads Mike Garofola and Nick Sciola.

July-August Combined Issue / Last Issue for Class of 1997

Reminder: The first issue of *NDLS Update* for the 2002-03 academic year is the combined July-August issue, which will be mailed in mid-August. There will be no *NDLS Update* mailings in July.

Also note: This is the last issue of *NDLS Update* to be sent to the members of the Class of 1997, except for those who are members of the Order of St. Thomas More for this year, because the alumni gift that sponsors the newsletter covers mailings to only the last five graduating classes. You may access future issues on line at the Alumni Publications web site: www.nd.edu/~ndlaw/alumni/publications.html.

To Submit Information to *NDLS Update*

Please contact Cathy Pieronek
at the Law School Relations Office:

phone(574) 631-6891
fax(574) 631-9299
e-mail/lawalum@nd.edu

And don't forget to keep up on Law School events
through the NDLS web site, www.law.nd.edu.

Class e-mail Listservs

To join a class e-mail listserv or to request one for your class, please contact the Law School Relations Office at the e-mail address listed above. Currently active listservs include the NDLS Classes of 1958, 1967, 1969, 1972, 1975, 1981, 1983, 1985, 1986, 1987, 1990, 1991, 1993, 1995, 1999 and 2001, as well as alumni from the Center for Civil and Human Rights and the London Programme.