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NDLS Update 11/2000

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NDLS Update
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NDLS Update

News from the Notre Dame Law School

Election 2000 Results

Consumed as we have been with the never-ending saga of the presidential election, some final results of Election 2000 may have escaped notice. NDLS alumni who successfully won election, re-election or reconfirmation bids included:

- Joseph P. Albright Jr. '60, '62J.D., elected to the West Virginia Supreme Court;
- John W. Dell '62J.D., reconfirmed as a judge in Florida's 4th Judicial District (Palm Beach County);
- John J. Frese '75J.D., reconfirmed as a judge in St. Joseph County (Indiana) Superior Court;
- Peter T. King '68J.D., re-elected to the U.S. House of Representatives to represent the Long Island area of New York;
- Jenny Pitts Manier '82, '85J.D., reconfirmed as a judge in St. Joseph County (Indiana) Superior Court;
- Peter J. Visclosky '73J.D., re-elected to the U.S. House of Representatives to represent northwest Indiana; and
- Mark Warpinski '73J.D., elected in April to the circuit court in Brown County, Wisconsin.

In addition, Hon. Sanford M. Brook, former adjunct associate professor of law in the trial advocacy program at NDLS, was reconfirmed to the Indiana Court of Appeals.

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NDLS Professors Weigh in on Election 2000

Faculty opinions on Elections 2000 are as varied as the members of the faculty themselves. Here is a sampling of recent comments in the media across the country.

John Nagle has serious reservations about any judicial efforts to force a new vote for president in Palm Beach County, Florida. "The fact that the voters in Palm Beach County apparently were confused by the ballot and voted for Buchanan instead of Gore, or accidentally voted twice for president and had their ballots disqualified, troubles me," he said. "I am even more concerned, though, about trying to do something about it."

John says he is unaware of any previous judicial decisions that accepted a voter's or a candidate's post-election complaint about the format of a ballot. "In fact, the only case I know of is from Florida in the 1970s when an appeals court rejected a Republican complaint about the format," he says. "Surely such questions have arisen many, many times before in our history, yet there is no evidence that I have found that the courts intervened in this kind of situation."

He added, "Elections must be governed by rules. Like rules of civil procedure and statutes of limitation, the rules can provide difficult results when

applied to individual circumstances. But the alternative to having clear, fixed rules is too terrible to contemplate. Once we allow voters to petition some administrative official to allow them to change or add their vote because the voter made some kind of mistake, the possibilities for voting fraud increase dramatically."

* * * * *

In a November 15th article in the TIMES-PICAYUNE (New Orleans, Louisiana), Charles E. Rice succinctly answered the question of what the Constitution advises in such circumstances in his classic style: "Damned if I know." He then addressed whether or not Congress could postpone the December 18th vote of Electors in the event the Florida recount takes longer than that. "The way this is going, the lawyers have taken over the whole thing, and it's going to the court," he said. "What do we do if this does grind on and on? Anybody who tells you he's got all the answers is blowing smoke. We don't know. If you do find out, let me know."

* * *

Rick and Nicole Garnett are among the attorneys who advised the Bush campaign on legal and criminal matters throughout the campaign. Rick also wrote an op-ed piece that appeared on

NATIONAL REVIEW ONLINE and was picked up by the Los Angeles Times Syndicate on vice-presidential candidate Senator Joe Lieberman's recent speech on family values at Notre Dame in October. The article can be found in the Sunday, October 29, 2000, on line edition at www.latimes.com/news/comment/20001029/t000103339.html

* * *

Those watching television closely recently might have noticed a somewhat younger looking Dean Emeritus David T. Link '58 '61 J.D. hand-inspecting ballots in file footage of the 1986 election for Indiana's 3rd Congressional District. News reports covering the happenings in Florida – including November 15th interviews on ABC-TV's "Good Morning America" and National Public Radio's "Talk of the Nation" with Indiana's former Secretary of State and Governor, and now U.S. Senator, Evan Bayh – have looked at that election, in which the difference was a mere 47 votes, for guidance on how to proceed in any hand recount. Senator Bayh mentioned that he asked Dean Link, "a widely-respected, independent figure," to help him make some of the decisions in running the recount. Senator Bayh further commented that Florida's Secretary of State might seek such help to fend off concerns that partisan politics influenced her decisions regarding the recounts.

Professor Rodes Honored

On October 24, 2000, Bob Rodes celebrated his inauguration as the Paul J. Schierl / Fort Howard Paper Corporation Professor of Legal Ethics with a lecture, mass and dinner with his friends and colleagues.

In the Law School courtroom, he lectured on "Forming an Agenda: Ethics and Legal Ethics," which discussed the role that the lawyer's ethics and the client's ethics play in forming an agenda for the lawyer's representation of the client. Honorable John T. Noonan Jr., the Judge James J. Clynes Jr. Visiting Professor of Law, and Thomas L. Shaffer '61J.D., the Robert and Marion Short Professor Emeritus of Law, provided commentary after the lecture, which was attended by faculty, students and friends of Professor Rodes and his wife Jeanne.

After the lecture, Reverend Dexter S. Brewer, S.J., '82J.D. celebrated mass in the Alumni Hall Chapel. The evening concluded with a dinner in the Faculty Dining Room of South Dining Hall attended by over 80 guests, including the Rodes's son and daughter-in-law, David and Jane Rodes of Pittsburgh, Pennsylvania, and Susan R. Schierl Sullivan '89J.D., daughter of Mr. & Mrs. Paul J. Schierl '57, '61J.D., of Green Bay, Wisconsin.

You can access the text of his inaugural address on line at www.nd.edu/~ndlaw/news/rodes.html

Olin Foundation Renews Support for Natural Law Institute

The Natural Law Institute, co-directed by Gerry Bradley and John Finnis, has received a \$225,000 grant from the John M. Olin Foundation to support the publication of the AMERICAN JOURNAL OF JURISPRUDENCE. The journal, which was published from 1956 until 1970 as the NATURAL LAW FORUM, is a unique periodical devoted to the scholarly investigation of all aspects of natural law, including its relevance to the solution of contemporary problems.

In announcing the award, University President Reverend Edward A. Malloy, C.S.C., noted, "The Olin Foundation's renewal of its generous support assures that one of Notre Dame's finest publications will continue to flourish while maintaining the highest intellectual standards." Father Malloy further commented that the journal "is steadfast in its advocacy of the principles of natural law and crucial to the moral vision of the University. It is gratifying to know that the Olin Foundation shares our convictions."

The Olin Foundation has supported a number of the institute's programs, including its annual spring natural law lecture series. The foundation supports individuals and institutions working to strengthen the free-enterprise system and the American heritage of constitutional government. The foundation seeks

to promote a general understanding of these institutions by encouraging the thoughtful study of the connections between economic and political freedoms and the cultural heritage that sustains them. The foundation awards grants in a variety of scholarly areas including public-policy research, strategic and international studies, law and the legal system, and business and economics.

Service Anniversaries

Congratulations to the following NDLS faculty, administrators and staff who recently celebrated university service anniversaries:

- ▼ Carol Mooney '77J.D., associate provost and professor of law, 20 years in September;
- ▼ Linda Harrington, Office Services Supervisor in the Notre Dame Legal Aid Clinic, 20 years in October;
- ▼ Nancy Catanzarite, faculty secretary, 10 years in October;
- ▼ Tina Jankowski, Office Services Supervisor in the Law School, 10 years in November; and
- ▼ Janet Rose, Audio-Visual Technician in the Kresge Law Library, 10 years in November.

Faculty Colloquium Series Features Noted Scholars

The Faculty Colloquium Series for the fall semester so far has featured noted scholars from within NDLS as well as from other law schools. NDLS speakers in September, October and November included G. Robert Blakey and Paolo Carozza. Visiting lecturers included Marci Hamilton of the Benjamin N. Cardozo School of Law in New York, and Peter Schuck of the Yale Law School.

Upcoming Faculty Colloquium speakers include:

December 1	Inga Markovits University of Texas School of Law
January 19	Ronald Mann University of Michigan School of Law
February 1	John Robinson NDLS
February 9	Brian Simpson University of Michigan School of Law
March 29	Rick Garnett NDLS
April 11	Eugene Volokh UCLA School of Law
April 20	Matt Barrett NDLS

The Faculty Colloquium Series provides an opportunity for interaction between NDLS faculty and other law faculty, and allows presenters to discuss their scholarship and research in a collegial atmosphere.

NDLS Faculty Speak at "Culture of Death" Conference

In mid-October, the Notre Dame Center for Ethics and Culture hosted an academic conference titled "A Culture of Death," concerning Pope John Paul II's claim that a pervasive "culture of death" threatens the sanctity and dignity of human life in contemporary society. The conference was the first of a triennial series of interdisciplinary conferences on life issues planned by the center. It addressed a wide variety of topics, including war, totalitarianism, abortion, mass communication and the media, physician-assisted suicide, the oppression of women, technology and human flourishing, racism, human dignity and human rights, the arts, the plight of the world's children, the responsibilities of business, and the exploitation of the developing world.

NDLS faculty who spoke at the conference included Judge John T. Noonan Jr., the Judge James J. Clynes Visiting Professor of Law, Associate Professor of Law Cathy Kaveny and Assistant Professor of Law Rick Garnett.

Home Football Weekends Feature Distinguished Alumni Speakers

On the Thursday before the ND-Stanford home-football game, NDLS hosted Hannah Callaghan '75J.D. and Robert C. Weaver '72, '75J.D., who sponsored the Notre Dame Law Association's summer service project in Portland, Oregon. They spoke on working in the public-interest sector. That same day, Thomas R. Curtin '68J.D., NDLA

president, and Charles A. Weiss '68J.D., NDLA president-elect, spoke to members of the Business Law Forum on their business-law practices.

On the Friday before the ND-Boston College home-football game, NDLS hosted a number of distinguished speakers including:

- ▼ John Roda '82, '85J.D., counsel for Auntie Anne's Pretzels, Inc., who spoke on international franchising to members of the Business Law Forum;
- ▼ Hon. Peter T. King '68J.D., U.S. Congressman from New York, who spoke on his involvement in the Irish peace process at a lecture sponsored by the Irish Law Society;
- ▼ Cynthia Morgan '99J.D., who spoke to members of the Public Interest Law Forum on issues relevant to practicing in the public-interest sector including "Is a Fellowship Right for You?" and "The Nuts & Bolts of Finding a Public Interest Position for Your First Summer."
- ▼ ND undergrads Bethany Thomas '95B.A., an associate with Linklaters in New York, and Andrew McGuire '95B.A., an associate with Seyfarth, Shaw, Fairweather & Geraldson in Chicago, joined John Roda for a discussion on large law firm practice sponsored by the Career Services Office.

News from the Center for Civil & Human Rights

Center Personnel Participate in International Law Conference

A number of the center's faculty members and alumni participated in a conference on "International Law in the 21st Century: The United Nations and Other International Entities," sponsored by the American branch of the International Law Association in New York, New York, in October 2000.

Dr. Kelly Askin, formerly a visiting scholar at the center, served as chair of the program committee and participated in a panel discussion on "Genocide in the Past, Present & Future: Legal Developments and Moral Dilemmas." Mary Margaret Penrose '99LL.M., J.S.D. candidate, served on the program committee and participated in a panel discussion on "Smart Sanctions and Effective Remedies: Addressing Gross Violations of Human Rights." Center director Juan Méndez participated in a panel discussion on "The Convergence and Overlap of International Humanitarian Law, International Criminal Law and International Human Rights Law," while Garth Meintjes '91LL.M., associate director of the center, participated in a panel discussion on "Towards Achieving Justice: Truth Commissions, Trials and Amnesties." Justice: Truth Commissions, Trials and Amnesties."

Center Faculty Activities

In October, Juan Méndez spoke about the Inter-American system of protection in a series of lectures sponsored by the Human Rights Center of Columbia University School of Law in New York. In November, he attended a seminar at the Wye Conference Center in Maryland, organized by the Aspen Institute, on International Truth and Justice. The seminar was coordinated by Alex Boraine, former vice-chair of South Africa's Truth and Reconciliation Commission.

* * *

Dinah Shelton spoke on "Conceptual Development of International Environmental Law" to the Commission on Environmental Law of the World Conservation Union at its Second World Conservation Congress in Amman, Jordan, in October. With Alexandre Kiss, she drafted a resolution, which the congress unanimously adopted, recommending that states use an international minimum standard for environmental protection in the absence of precise legal rules on a particular issue.

The resolution is modeled on the "Marten's Clause" in the laws of war, which provides that, until a complete code of conduct is adopted, states and individuals must act according to the "laws of humanity and the dictates of the public conscience."

Later in October, she delivered an address titled "The Impact of Technology on Human Rights" at a conference on "Technology and International Law" sponsored by the national International Law Students Association at Santa Clara University.

She also delivered a lecture on the United Nations Human Rights Commission at the Boalt Hall School of Law in Berkeley. She served on the planning committee and spoke at the AALS "Workshop on Human Rights: Teaching and Scholarship, New Issues, New Approaches." Her book, REMEDIES IN HUMAN RIGHTS LAW, was used extensively in developing the Report on Damages under the Human Rights Act 1998, prepared by the British Law Commission, chaired by Honorable Mr. Justice Carnwath. The report analyzes the potential for courts in the United Kingdom to award damages under the new law.

More from the Center ...

At the end of October, she participated in a tribute to Thomas Buergenthal, judge of the International Court of Justice, held as part of the celebration of the 20th anniversary of the Inter-American Institute of Human Rights in San Jose, Costa Rica. She spoke at the ceremony, along with dignitaries including Pedro Nikken, former judge of the Inter-American Court of Human Rights, Roberto Cuellar, Executive Director of the Inter-American Institute, and the current president of Costa Rica.

She has also edited a new book on international law titled *COMMITMENT AND COMPLIANCE: THE ROLE OF NON-BINDING NORMS IN THE INTERNATIONAL LEGAL SYSTEM*. Published by Oxford University Press, the book examines the nature of international law and the various ways in which it is constituted throughout the world. It is the first book to focus on how international norms adopted in forms that are not legally binding – so-called “soft law” – affect the behavior of national governments.

* * *

Amnesty International selected Garth Meintjes '91LL.M. as a delegate to visit Israel, the Occupied Territories and the Palestinian Authority from November 18 to 26, 2000, to carry out research into human-rights concerns under AI's mandate.

Dinah Shelton Safe After Airline Scare

Dinah Shelton was among 227 passengers on a United Airlines flight from San Francisco to Osaka, Japan, on Wednesday, November 15th, which made an emergency landing at Seattle's Sea-Tac Airport after the pilots reported smoke in the cabin. She was quoted in the article as saying that the flight attendants told the passengers to “eat fast” because they were coming back through to collect meal trays in preparation for the emergency landing. After mechanics checked the aircraft on the ground in Seattle, the flight continued, uneventfully, to Japan.

CCHR Alumni Notes

Vincent Nmehielle '96LL.M., completed his doctoral studies at the George Washington University Law School and has earned an S.J.D. in international and comparative law. He defended his dissertation, “The African Human Rights Mechanism and Effective Human Rights Dispute Resolution in Africa,” in May. Included on his dissertation committee were Professors Louis B. Sohn, Thomas Buergenthal and Ralph G. Steinhardt. Professor Buergenthal has since been elected to the International Court of Justice at the Hague.

While he was working on his S. J.D., Vincent's wife, Nkechi C. Obisie Nmehielle, gave birth to two children – Shalom Chimen Obisie-Orlu, born July 4, 1998, and Immanuel Chinaza Obisie-Orlu, born March 15, 2000 – who join big brother Vincent and big sister Sharon.



Student Notes



Sean O'Brien '95, a member of the NDLS Class of 2001, received a Foreign Language and Area Studies Fellowship for the current academic year. The fellowship is awarded through the University's Helen Kellogg Institute for International Studies as a result of a Title VI National Resource Center grant given to the institute by the U.S. Department of Education for the institute's Consortium in Latin American Studies. Sean reports that he will use the fellowship to master his command of the Spanish language, which he hopes to use after graduation for the benefit of clients and organizations in the Inter-American human-rights protection system.



News from the Legal Aid Clinic

Sister Deborah M. Cerullo, S.S. N.D., published an article titled “The Virtues of the Vows” in the October 7, 2000, edition of *AMERICA*. The essay discusses the role of vows in her life as a member of a religious community.

News from the Kresge Law Library

Research Librarian Lucy Salsbury Payne '88J.D. spoke to the League of Women Voters of Elkhart County in September on the topic "Understanding the Fourth Amendment."

She also presented a two-hour continuing legal education program on "Legal Research on the Internet" to the judges and clerks of the Indiana Court of Appeals and to clerks on the Indiana Supreme Court and Indiana Tax Court.

* * *

Joe Thomas, Head of Technical Services, published *Instant Gratification! The Z39.50 Gateway to Searching, Cataloging, and ILL*, and *The Text Encoding Initiative and Electronic Legal Texts* in the September 2000 issue of SPECTRUM, the magazine of the American Association of Law Libraries.

In that same issue, Research Librarian Warren Rees published *A New Legal Citation Manual: What Will It Mean for Law Librarians?* discussing a new citation manual produced by the Association of Legal Writing Directors, which will compete with the BLUEBOOK as the legal-citation authority.

* * *

A number of personnel changes have occurred recently in the library including:

▼ Tim Gritten, formerly lead accounting coordinator in the library, has

become a technical support assistant in the Technical Services;

- ▼ Barb Neufer, formerly a collection maintenance assistant, has replaced Tim as lead accounting coordinator;
- ▼ Michael Butler, formerly a cataloging assistant, has been promoted to serials supervisor in Technical Services, a position vacated when Doug Mappin left at the start of the academic year to return to teaching; and
- ▼ Amy Wiseman, formerly with the University's Building Services Department, has joined the library staff as collection update assistant.

Please Pray for Our Recently Deceased Alumni

Thomas J. McDonough '67J.D., passed away on October 12, 2000, in Chicago, Illinois, after a battle with Alzheimer's disease. He was a former Cook County State's Attorney, Precinct Captain for the 19th Ward, and President of the Southwest Bar Association. He is survived by his wife Rita, his daughter Megan (Jason) Wenaas, sons Thomas and Michael, and granddaughter Bridget Eileen. The funeral mass took place at Christ the King Church in Oak Lawn, Illinois, on Saturday October 14. Memorial contributions may be made to Vitas Hospice or the Alzheimer's Association.

Meijer Attorney Named Outstanding Young Lawyer

Bridget Gleason Sweeney '93J.D., an in-house attorney for Meijer Stores, based in Grand Rapids, Michigan, has been honored with the State Bar of Michigan's Regeana Myrick Outstanding Young Lawyer Award for her service to the public and to the profession.

Ms. Sweeney, who did her undergraduate work at the University of Michigan, has volunteered countless hours to several local nonprofit organizations such as Heartside Ministry, Inc., an organization that serves the inner-city in Grand Rapids, and Big Brothers/Big Sisters Program of West Michigan. She has been an active member of the Grand Rapids Bar Association Young Lawyers Section, which sponsors many educational and charitable programs. Her bar-related activities include serving as public relations officer and board member of the Young Lawyers Section as well as having responsibilities on the Diversity Committee and with the Minority Clerkship program.

Congratulations!



Sports News

Terry Madden '73, '76J.D., became the CEO of the new U.S. Anti-Doping Agency (USADA) in April after serving as chief of staff to United States Olympic Committee President Bill Hybl. In his new position, Mr. Madden works with USADA chair Frank Shorter and other members of the agency's board of directors to strengthen the position of the United States as the leader in the fight against prohibited substances in international sport.

Mr. Madden has served as a USOC staff liaison to the Select Task Force on Drug Externalization, and has worked closely with the staff of General Barry McCaffery, director of the White House Office of National Drug Control Policy, as chief of staff to Mr. Hybl. He has also worked extensively on issues related to Paralympic athletes and disabled sports organizations.

As director of USA Badminton from 1997 to 1998, Mr. Madden reorganized the management structure of the national governing body and implemented a streamlined system for financial management, budgeting and auditing.

* * *

Michael Kelly '83, '87J.D. was featured in an article headlined "Kelly is a perfect fit with Vikings" in the October 5, 2000, edition of the STAR TRIBUNE in Minneapolis, Minnesota. The article noted how, after just seven months as the football franchise's vice president, he has made an impact in a number of areas including the local debate about a new stadium, managing day-to-day operations, maintaining a solid relationship

with coach Dennis Green and responding to the team owner's efforts to increase revenue. The article noted how his cordial disposition has helped him to bring harmony to the front office, and how his business and legal acumen has helped him to work on plans to address the new stadium as well as the Vikings' problems of staying within the salary cap. The article also mentioned his battle with melanoma 20 years ago, and his extracurricular activities that include being a tenor soloist at the Basilica of St. Mary's and performing with the Minnesota Opera.

* * *

Mike Cloonan '95J.D./M.B.A. recently returned from the Sydney Olympics where he was an associate producer for NBC Sports. Mike is president of Global Media, a video production company based in South Bend. His upcoming projects include working on the new XFL football league along with the French Open and Wimbledon. He has also been instrumental in this season's NBC Sports coverage of ND home football. He recently passed the Indiana bar exam, to add to his New York bar admission.

* * *

Coquese Washington '92, '97J.D., now in the off-season from the world-champion WNBA Houston Comets, has returned to the sidelines of Notre Dame women's basketball games as an assistant to head coach Muffet McGraw. The fifth-ranked Lady Irish began their regular season in mid-November.

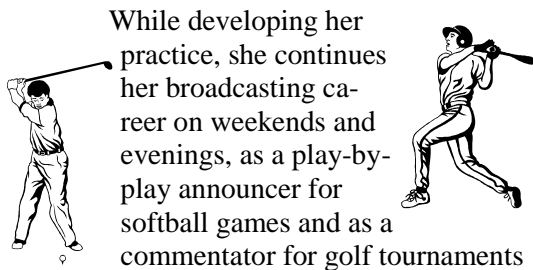
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Tracy Warren '99J.D., an associate practicing in the areas of labor and employment law as well as sports law at McGuire Woods, L.L.P., in Baltimore, Maryland, continues to make use of the broadcasting talents that earned her an Emmy for her sports feature, "Marketing Michael Jordan," when she worked in television at WPHL-TV in Philadelphia, Pennsylvania. This summer, she provided color commentary for NBC's telecast of all 10 U.S. women's softball games, which culminated with a U.S. gold medal victory.

As an undergraduate at Trenton State College, now the College of New Jersey, Ms. Warren played Division III softball. For the three years she played on the team, she started every game at third base and achieved a .345 batting average. Her team won the national title in 1987, her senior year. Two years later, she earned a master's degree in journalism from Temple University in Philadelphia, where she also served briefly as the softball team's assistant coach. After graduation, she worked in broadcasting in both Philadelphia and Grand Rapids, Michigan.

Attending law school was something she had always wanted to do, and welcomed the opportunity to attend NDLS, according to an article in the October 12, 2000, edition of THE DAILY RECORD, a business and legal newspaper in Maryland. She believes that her range of experiences fit together nicely. She describes the combination of women in sports and women in the law, as well as sports and the law, as "a real growth area. It's a whole new segment that went untouched through the '80s and

most of the '90s, providing all kinds of new opportunities for women in sports and the law, and it's exciting to be involved on both sides of it."



Alumni Notes

1970s

Tim Hogan '76J.D. was featured in an article titled "60 Seconds With . . ." in the September 25, 2000, edition of THE ARIZONA REPUBLIC. The article discussed Mr. Hogan's 10 years as head of the Arizona Center for Law in the Public Interest and the work he has done to protect the underprivileged in the Phoenix area.

James A. Masters '74, '78J.D./M.B.A., president of Nemeth, Feeney, Masters, Hosinski & Devetski, P.C., in South Bend, presented oral argument before the Indiana Supreme Court on October 5, 2000, on behalf of City Chapel Evangelical Free Church of South Bend. The case, which is before the state's high court on direct interlocutory appeal, challenges attempts by the City of South Bend to take City Chapel's downtown church by eminent domain. Mr. Masters argued that the taking violated the chapel's right to free assembly for religious worship. The case is one of first impression in the state.

1990s

Donald Bedney '95J.D. was ordained a minister in the Seventh-Day Adventist Church. He has been working as the director of the Department of Trust Services for the Lake Region Conference of Seventh-Day Adventists, which covers the states in the western Great Lakes area.

Kathleen Ley Bruinsma '97J.D. and her husband Jim announce the birth of Christopher James, July 26, 2000, in Chicago. Kathleen is an associate in the Chicago office of Lovells, where her practice focuses on commercial litigation.

Andrew Leyden '97J.D., founder and CEO of PenguinRadio, Inc., spoke on "Entrepreneurial Work Opportunities vs. The Public Sector" at a luncheon hosted by the Notre Dame Club of Washington, D.C., in October.

Robert J. Muise '97JD has left the U.S. Marine Corps and has joined the staff of the Thomas More Center for Law & Justice in Ann Arbor, Michigan. A previous edition of *Notre Dame Lawyer* erroneously reported that he had joined the faculty of the Ave Maria Law School in Ann Arbor. We regret the error.

Brian Nettleingham '98J.D. and his wife Sandra announce the birth of Ainslee Claire, November 3, 2000, in Grand Rapids, Michigan.

Jennifer Lucarelli '99J.D. has been admitted to the Connecticut and New York bars and, after completing a one-year clerkship with a superior court judge in New Haven, Connecticut, has joined Reid and Reige, P.C., as an associate in the litigation department at the firm's Hartford, Connecticut, office.

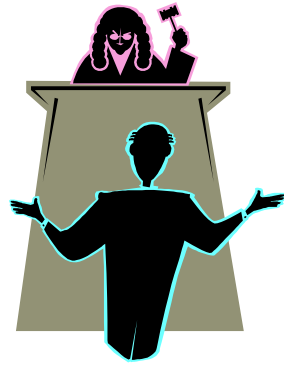
Class of 2000

Stone Grissom traveled to Washington, D.C., in October as the representative of the NDLS championship Barristers Team to accept his George Spiegelberg Award for best oralist in the final round of competition, and to represent the team at a variety of events hosted by the American College of Trial Lawyers.

Chris Peirano has joined Sedgwick Detert Moran & Arnold in Los Angeles, California, as an associate on the firm's tobacco litigation and medical-device litigation teams.

James R. Schueller has joined the Chicago office of Bell, Boyd & Lloyd, L.L.C., as an associate in the firm's real estate department.

Gabe Tsui reports that he passed the Illinois bar. He's currently an associate at Vedder Price Kaufman Kammholz in Chicago.



Faculty Notes

Bob Blakey '57, '61J.D., has extended his RICO expertise into *Guerrero v. Gates*, the case involving corruption and civil-rights violations within the Los Angeles Police Department. The judge hearing the case indicated that the plaintiff can pursue a claim under RICO, with the LAPD deemed to be the "criminal enterprise" used by the officers in their allegedly corrupt activities. In explaining the importance of the judge's decision in the September 25, 2000, edition of the NATIONAL LAW JOURNAL, Bob explained, "Calling the LAPD a criminal enterprise simply means the officers might have used [the department] for their own purposes. The false impression has been created that the police department is a defendant and [that the plaintiff] will score big time." Unfortunately, as the remainder of the article indicated, this nuance has been lost on the press, who have taken to calling the LAPD a "criminal enterprise," rather than the "enterprise the criminals used to further their aims."

* * *

Honorable Harry Crittenden Dees Jr., of the U.S. Bankruptcy Court for the Northern District of Indiana in South Bend and an adjunct associate professor of law at NDLS, has been reappointed by the Seventh Circuit Court of Appeals to a second four-year term on the bankruptcy bench.

* * *

Rick Garnett commented on court-ordered drug tests for women, at issue in *Ferguson v. City of Charleston*, in an article in the October 5, 2000, WASHINGTON POST, and in an article titled *What Are the Limits on Warrantless Drug Testing of Pregnant Women*, in PREVIEW OF UNITED STATES SUPREME COURT CASES.

* * *

John Nagle commented in the October 2, 2000, NATIONAL LAW JOURNAL on *Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers*, a case that the Supreme Court will address this term. A consortium of more than 20 municipalities sued the Corps of Engineers for refusing to give them permission to build a landfill on a 533-acre site northwest of Chicago because water that had collected in pits on that site served as a home to migratory birds. Under the Clean Water Act, the Corps has jurisdiction to protect the habitat. The Seventh Circuit held that Congress had the authority under the Commerce Clause to enact the legislation, but the plaintiffs disagree. John says that the case is "both a question of how you interpret a statute that probably has been broadly interpreted to include this since its enactment, and it's a constitutional question of what conduct has to substantially affect interstate commerce."

* * *

Tom and Nancy Shaffer report that daughter-in-law Patty, married to Brian Shaffer, was proclaimed an "angel" by Oprah Winfrey on her television show. Patty and three other women at St. Mark's School in Silver Spring, Maryland, were nominated as "angels" by a teacher whom they helped when she had breast-cancer surgery and chemotherapy. Patty works as a nurse at the school, and the teacher was the second-grade teacher for Patty & Brian's daughter, Jessica

* * *

J. Eric Smithburn has been named to the board of advisors of the Indiana Juvenile Task Force, Indiana's largest advocacy group for improving the juvenile justice system for children and families in Indiana. He presented a number of lectures at a conferences on "Evidence in Juvenile and Family Court" and "Advanced Family Law" sponsored by the National Council of Juvenile and Family Court Judges in Reno, Nevada, in October.

