

11-1-1995

NDLS Update 11/1995

Notre Dame Law School

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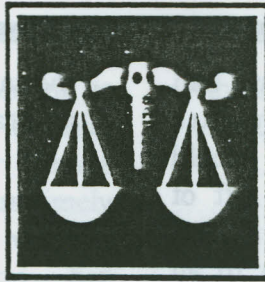


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Recommended Citation

Notre Dame Law School, "NDLS Update 11/1995" (1995). *NDLS Updates*. Paper 44.
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NDLS Update

News from the Notre Dame Law School

Vol. V, No. 4
November, 1995

TEX DUTILE
EDITOR

KITTY HOYE RESIGNS AS CSO DIRECTOR

Dean Link has reluctantly accepted Kitty Hoyer's resignation as Director of Career Services, effective December 31, 1995. Kitty "retires" with nearly nine years of experience as a career-services professional. Before joining our administrative staff, she served as the Director of Career Services at both Drake University Law School and the University of Minnesota Law School. She also served as judicial law clerk to Justice David Harris of the Iowa Supreme Court.

Kitty joined the staff in the summer of 1993 at a time when the legal-job market was making national headlines. NDLS was faced, like many law schools, with the challenges of a declining legal-job market and increased demands on the office and its staff. Kitty accepted those challenges and successfully built a career-services program dedicated to providing our students with the resources and tools needed to succeed in a competitive employment market.

One such area of success is surely the career-services staff itself. Greg Rutzen, Associate Director of Career Services, will serve as the Acting Director during the national search to replace Kitty. Greg is a career-services professional in his own right. He, too, has served as Director at two fine institutions, and brings to the position an extensive background in counseling and career planning.

Kitty's contribution to the law school and service to the career-services profession will be sorely missed. Please join in congratulating her on her success and wishing her the best in her future endeavors.

SOCIAL JUSTICE FORUM SPONSORS FOOD DRIVE

Again this year, the Social Justice Forum of NDLS sponsored a Thanksgiving Food Drive. Spearheading the Drive were Dave Freund, Michele Suchovsky and Katie Elias. The Drive provided food baskets, which included a certificate for the purchase

of a turkey, accompanied by a basting pan and all the other appropriate accompaniments. Contributors could sponsor a family either through a gift of money or through the assembly of a food basket. Congratulations and thanks to all involved in this worthy project.

REPORT ON WOMEN IN LEGAL PROFESSION PRESENTED AT NDLS

On November 2, the Notre Dame chapter of the National Women Law Students' Association brought to NDLS a presentation by Ellen Mayer, newly appointed Director of the ABA's Committee on Women in the Profession, and Veronica Munoz, Research Specialist. They reported on the results of the ABA's most recent research on the status of women in the profession. This just-completed study, soon to be published in the ABA JOURNAL, updates the ABA's first study, which was completed seven years ago. The event was co-sponsored by the Women's Legal Forum.

JUDGE O'SCANNLAIN SPEAKS AT NDLS

Judge Diarmuid S. O'Scannlain of the United States Court of Appeals for the Ninth Circuit spoke at Notre Dame on November 20. His topic: "De-mystifying the Federal Judiciary: An Insider's Perspective on the Role of a Federal Judge." The NDLS Chapter of the Federalist Society for Law and Public Policy Studies sponsored

the talk, which was followed by a question-and-answer session.

NDLS CO-SPONSORS BUSINESS TALK

On September 22, at the Marriott Hotel, Ray Brady, a business reporter for CBS News, addressed the third annual Indiana Forum luncheon. The event was co-sponsored by the Notre Dame Law School and Baker & Daniels. Brady addressed the loss of middle-class jobs in America. As a result, he stressed, Americans continue to be uneasy even though the national economy seems strong. The nation will not regain a truly healthy economy until manufacturing is revived, he stated. He strongly endorsed a return to a system of apprenticeships for many types of jobs. "Not everyone should be a college graduate, an MBA [or] an investment banker," he noted.

ALUM APPOINTED TO EXECUTIVE COUNCIL OF NATIONAL CONFERENCE OF BAR PRESIDENTS

Thomas R. Curtin, NDLS '68 and a partner in the Morristown law firm of Ribis, Graham & Curtin, was recently appointed to serve a three-year term on the twenty-member Executive Council of the National Conference of Bar Presidents (NCBP). Founded in 1950, the NCBP is an independent, not-for-profit, voluntary association of past and present bar leaders who aim to strengthen bar associations by

ensuring an informed leadership. Among its activities, the NCBP sponsors biennial meetings that bring together bar leaders from around the country to discuss timely legal issues, and maintains a close working relationship with the American Bar Association.

Tom, who served as president of the New Jersey State Bar Association in 1993 and 1994, and president of the Morris County Bar Association in 1978, described the NCBP as an organization that deals with lawyer issues at the "grassroots level."

"The NCBP talks about ways to make us better lawyers," Curtin said. "By becoming better lawyers, we also become better citizens and better people."

As the only New Jersey representative on the NCBP's Executive Council, Curtin attributes his appointment largely to New Jersey's track record as "a leader on matters that are important to the profession."

Curtin brings considerable professional experience to the NCBP Executive Council. He is probably known best for his service as court-appointed guardian for the comatose Karen Ann Quinlan in 1975. He and his wife, Kathleen, are the parents of three children, Paul, Amy and Alison.

Curtin did his undergraduate work at Fairfield University.

NEWS FROM THE FACULTY

On October 12 in Chicago, Joe Bauer made a presentation entitled "Local Market Collaboration" at a conference on Consumerism and Competition sponsored by

the Institute for Health Law at the School of Law, Loyola University.

Teresa Collett will participate in a panel discussion entitled "Redeeming Power: Relationships in Hiring and Tenure." The presentation will form part of an all-day program entitled "Following Christ in the Legal Academy," to be held immediately preceding the AALS Conference. Teresa also served on the Organizing Committee for this event.

Eileen Doran published CUSTODY DETERMINATIONS IN INDIANA through the Indiana Continuing Legal Education Forum.

On November 17, Tex Dutile spoke to a combined JD/MBA alumni group at the Marriott Hotel in Chicago.

On November 14, Barbara Gasperetti and Jay Tidmarsh spoke to students enrolled in Theology and Social Ministry, an undergraduate theology course taught by Father Don McNeill. Their topic: "The Political Responsibility of Catholics."

Little Brown & Co. has requested Jay to perform a pre-publication review of a new manuscript by Richard Epstein, the James Parker Paul Professor at the University of Chicago.

Jimmy Gurulé recently signed a publishing contract with the Michie Company to co-author a casebook on advanced criminal evidence. The final manuscript for the casebook, entitled **CRIMINAL AND SCIENTIFIC EVIDENCE: CASES, PROBLEMS, AND MATERIALS**, is due in October 1996.

The Notre Dame **JOURNAL OF LEGISLATION** has published Jimmy's article entitled, "Federal Asset Forfeiture Reform: The Ancient Roots of Modern Forfeiture Law."

Earlier this month, Jimmy published an article entitled, "Multiple Punishments for Similar Crimes: Is the Double Jeopardy Clause Violated?" in **PREVIEW OF UNITED STATES SUPREME COURT CASES**. This article analyzes *Rutledge v. United States*, No. 94-8769, in which oral argument before the United States Supreme Court took place November 27. This case raises the issue of whether the Double Jeopardy Clause bars entry of judgments of conviction and the imposition of concurrent sentences on a defendant convicted in a single proceeding of conspiracy to distribute a controlled substance and conducting a continuing criminal enterprise, when the two offenses are based on the same criminal agreement.

Doug Kmiec published "The Body Politic Needs Powell. . ." in the November 14 issue of the **CHICAGO TRIBUNE**.

On November 17 Doug testified before the Senate Judiciary Committee, which is reviewing the constitutionality of the Partial-Birth Abortion Ban Act of 1995. Doug addressed concerns raised by the Clinton administration, the Department of

Justice and others regarding the legality of the legislation. He testified that no constitutional reasons precluded passage.

Don Kommers has won the Alexander von Humboldt Award, the highest award made in Germany for advanced research by foreign scholars. Congratulations, Don!

Bill McLean has been elected President of the Retired Officers of America (TROA), Michiana Chapter.

Joel Newman, a visitor to our faculty in 1985-86, has received a Fulbright to teach in Beijing, China.

Judge Kenneth F. Ripple presided at the Final Round of the Sixteenth Annual John W. Davis Moot Court Competition at the School of Law, Washington & Lee University, on November 9. He also addressed that School's law students on the "Significance of Recent Developments in Establishment Clause Analysis."

On November 16, in the NDLS Courtroom, Judge Ripple made a presentation regarding judicial clerkships.

On October 26, John Robinson participated in a panel discussion on assisted

suicide. The occasion: the eighty-first annual clinical congress of the American College of Surgeons in New Orleans. The discussion ran for over three hours and covered half-a- dozen cases in which surgeons decided the appropriateness of providing or withholding medical care of different sorts for patients in a variety of life-threatening conditions. About five hundred surgeons participated in the session.

On November 7, John delivered the thirty-first annual Doran Foundation Lecture to a group of health-care professionals in Grand Rapids. His topic: "The Constitutionalization of Assisted Suicide and the Revitalization of the American Catholic Church."

The NOTRE DAME JOURNAL OF LAW, ETHICS & PUBLIC POLICY, which John so ably oversees, recently published a symposium issue devoted to assisted suicide.

Tom Shaffer published a monograph entitled **LAWYERS IN THE UNITED STATES OF AMERICA: A BRIEF MORAL HISTORY**. The work started out as a series of lectures Tom gave to the Russian Academy of Justice in Moscow in the summer of 1994. He has now expanded it, "worked it over some," and added some discussion notes for use in the Clinical Ethics Seminars. Tom sees "some sort of historical survey" as important for law students studying legal ethics.

Tom published "Why Does The Church Have Law Schools?", in the **MARQUETTE LAW REVIEW**.

Tom also published "The Lost Lawyer: Failing Ideals of the Legal Profession," in the **LOYOLA LAW REVIEW**.

On November 16, Tom Shaffer was initiated into Phi Beta Kappa (Epsilon of Indiana). Congratulations, Tom, on this well deserved honor.

Eric Smithburn served as Faculty Coordinator and Lead Lecturer for the one-week (November 5-10, 1995) program entitled "Evidence in Juvenile and Family Court," at the National Council of Juvenile and Family Court Judges, in Reno, Nevada.

NEWS FROM THE STAFF

Marilyn Lamirand will marry Raymond Imus on December 2 at the Memorial Presbyterian Church in South Bend. Best wishes from us all, Marilyn!

Welcome to Kathleen Conrad-Rutzen, who joined the Admissions Office this fall. Kathy's experience as a Crisis Hotline volunteer should enable her to field admissions phone calls expertly!

NEWS FROM THE ALUMNI

Beth Ammons, David Buchbinder, Erin Burke, Michael Consiglio, Francis Joseph Dunn, Teresa Kibelstis, Wayne Reid, Bryan Terne, and Louise Vuono passed the Pennsylvania Bar.

In September, Norman J. Barry, Jr., NDLS '75 and a partner at Baker & McKenzie in Chicago, gained a \$28.9 million verdict for a client. The jury deliberated for seven weeks. Thomas W. Cushing, NDLS '87, an associate at Baker & McKenzie, was in Los Angeles for most of the trial, doing "behind-the-scenes" work. The case was brought on behalf of the government of American Samoa against an insurance company in connection with damage claims resulting from a hurricane in October 1991.

Brian E. Bates, NDLS '86, represented NDLS at Law Day at the University of Colorado on November 8. He reports that Carol Nelson Douglas, one of Ann Hamilton's predecessors, is now affiliated with the University of Colorado Law School; Carol asked to be remembered to her friends and colleagues at Notre Dame. Brian has been nominated to a seat on the National Board of Directors of the Notre Dame Alumni Association.

Ivan Bodensteiner, NDLS '68 and Professor of Law at Valparaiso University, will serve as Seminar Chair for a program entitled "Keeping Secrets in Litigation: Privilege and Confidentiality." The program will take place on December 20 in Indianapolis. The Indiana Continuing Legal Education Forum will sponsor the event and the several "Video Replay Dates" thereafter.

Eileen Groves, NDLS '82, has joined the Elkhart office of Baker & Daniels "of counsel." She will practice in the areas of employment relations, benefits and litigation. Most recently, Eileen served as Associate Corporate Labor Counsel for Borden, Inc., in Columbus, Ohio. She earned a bachelor's degree at Purdue University and a master's degree at Notre Dame.

Manuel Joaquin has accepted an offer from Burns & Roe to work on the island of Diego Garcia as Contracts Manager.

Tom Londrigan, NDLS '92, has announced his candidacy for the Illinois Legislature. Tom, who earned his bachelor's degree from The Citadel, worked as legal counsel to Illinois Senate Democrats and as an Assistant Chief Counsel for the U.S. Food and Drug Administration. He then entered the Londrigan & Londrigan law firm. Tom's wife, Betsy, and his parents appeared with him at the announcement of the candidacy.

Elizabeth Saunders, NDLS '88, has become a partner at Wilson, Sonsini, Goodrich and Rosati, in Palo Alto, California. She focuses on litigation.

On September 1, Pamela Sayad, NDLS '73, opened a practice called Sayad & Biren. The practice will focus on

employment discrimination, employment counseling and alternative dispute resolution.

Paul Smith, NDLS '92, and Linda Connell passed the Nevada Bar.

Kevin F. Warren, NDLS '90, has become "of counsel" to Lewis, Rice & Fingersh in Kansas City, Missouri.

POTPOURRI

On November 20 Leigh Steinberg spoke at the Law School. Among the most respected and successful agents in the history of professional sports, Leigh has represented, among many others, professional football players Troy Aikman, Drew Bledsoe, Ki-Jana Carter, Jeff George, Warren Moon, and Steve Young; professional baseball players Will Clark, Eric Karros, and Matt Williams; and professional basketball players Greg Anthony and John Starks.

The NDLS Moot Court Team, comprising Steve McClain, John Morrow, Michael Starzan, and Reagan Wynn, participated in the regional competition in Chicago on October 2. The Team Manager was Mark Reuter. Jack Pratt served as Faculty Advisor.

A special Mass and Brunch in memory of Ed Murphy took place Sunday, November 19, in the Law School Lounge.

Vinodh Jaichand defended his J.S.D. dissertation on November 20 in the Civil Rights Reading Room. A short reception followed. Carol Mooney chaired the defense of the dissertation, which was entitled "Achieving Racial Equality Through Restitution of Rights in Land in South Africa." Serving on Vinodh's dissertation committee: Gerry Bradley, Bob Rodes, and Peter Walshe of the Government Department.

Thirty-one alumni assisted with law-school recruitment fairs this fall. In addition, third-year students Gary Hall and LeCarie Whitfield assisted in Chicago and Atlanta, respectively.

Golias Publishing has announced the re-issue of Clarence Manion's *THE KEY TO PEACE*, originally written for his Constitutional Law classes at NDLS. The late former Dean of the Law School first published the book in 1950. In announcing the publication, Bernard J. Golias stated that the "112-page book, unearthed, revised and rewritten, provides the key to what constitutes the true greatness of American democracy. From the Pilgrims to the present, Manion outlines the importance of the origins of justice, liberty and freedom."