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NDLS Update 10/1995

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NDLS Update

News from the Notre Dame Law School

Vol. V, No. 3
October, 1995

TEX DUTILE
EDITOR

PRESIDENT CLINTON NOMINATES NDLS ALUM FOR FEDERAL DISTRICT COURT

President Clinton has announced that he would nominate Cuyahoga County (Ohio) Judge Patricia A. Gaughan, NDLS '78, for a judgeship in the United States District Court for the Northern District of Ohio. An honors graduate of St. Mary's College in 1975, Patricia has served on the county-court bench for eight years. At NDLS, she won the Edward F. Barrett Award for outstanding trial advocacy.

Admitted to both the Ohio and Indiana Bars, she worked seven years for the Cuyahoga County Prosecutor's Office in its major-trial division. After a year as an Assistant United States Attorney in the economic-crime division, she rejoined the office of the county prosecutor, this time on a part-time basis so that she could maintain a private civil practice as well. From 1983 to 1987, she served as an adjunct professor at Cleveland-Marshall College of Law. Her husband, Roger Andrachik, maintains a

private law practice. They have two children, Brett, 6, and Kathryn, 5.

NDLS ALUM NAMED PRESIDENT OF THE ACADEMY OF FLORIDA TRIAL LAWYERS

At its annual convention in Orlando, the Academy of Florida Trial Lawyers named Richard W. Slawson, NDLS '70, President of the Tallahassee-based organization, which represents over 3,500 trial attorneys statewide. For the last five years, Slawson has been listed in "Best Lawyers in America," a publication based on surveys of lawyers and judges nationwide. Through his formation of the Richard Slawson Foundation for Children, Slawson is actively involved in children's safety issues at the community level.

The law firm of Slawson & Glick practices exclusively in the areas of personal injury, wrongful death, medical malpractice

and insurance. It has offices in Palm Beach Gardens and Boca Raton, Florida.

SHAFFER APPOINTED TO IOLTA COMMITTEE

Chief Justice Randall Shepard of the Indiana Supreme Court has appointed Tom Shaffer to the IOLTA (Interest on Lawyers' Trust Accounts) Pro Bono Initiative Planning Committee of the Indiana Supreme Court. This seven-member committee will recommend a method for using IOLTA funds to coordinate lawyer services *pro bono publico*.

PATRICIA O'HARA SPEAKS AT PRESIDENT'S LUNCHEON

Patty O'Hara was keynote speaker at the President's Luncheon for Michiana Business Leaders on October 5. Father Malloy hosted the event, held annually for the past eight years, at the Joyce Center. Some four hundred area corporate leaders attended. Patty's talk was entitled "Student Life in the 1990s." In the talk, Patty, focusing on gender issues, cultural diversity and spiritual formation, discussed challenges the University faces in its efforts to support the personal growth of students in their lives outside the classroom. The luncheon also included a video presentation on Notre Dame's Kroc Institute for International Peace Studies.

TWO FROM NDLS NAMED TO INTERNATIONAL STUDIES COMMITTEE

Fr. Tim Scully, Vice President and Associate Provost, has appointed Dean Link and Fr. Bill Lewers to the University's Committee on International Studies. The Committee, approved by the Academic Council last May, will recommend policies for a wide variety of Notre Dame's international activities, including international study programs, faculty and student exchanges, foreign-language study, and library resources. Appointed for an initial two-year period, the ad-hoc committee also will recommend a permanent committee structure. Fr. Scully will chair the committee, which includes all deans, the academic directors of the international institutes and centers, and other faculty members with international expertise.

Notre Dame sponsors eighteen international study programs for its undergraduate students in Europe, Latin America, the Middle East, Far East, and Australia. Two NDLS programs are headquartered in London, and the Business School has professional programs in London and Santiago, Chile.

WINNER OF ESSAY CONTEST SPEAKS AT NDLS

On October 23, Kim Wade, the winner of the second annual Feminist Jurisprudence Essay Contest sponsored by NDLS, delivered her paper, "Peer Sexual Harassment in Schools: Model Title IX Guidelines." Kim is a 1995 graduate of

NYU Law School and now works as a staff attorney for the Children's Defense Fund in Washington, D.C. There followed a dinner at which Patricia Smith, professor of law and philosophy at the University of Kentucky and author of a number of books on feminist jurisprudence, spoke.

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LAW ADVISORY COUNCIL ADDS TWO NEW MEMBERS

Father Edward A. Malloy, University President, has appointed two new members to the Law School Advisory Council. The first, Sheila O'Brien, is a judge on the Illinois Appellate Court. Judge O'Brien received her undergraduate degree from Notre Dame in 1977 and her J.D., also from Notre Dame, in 1980. She is a member of the Illinois and Missouri Bars.

The second, Charles Wilson, is United States Attorney in Tampa, Florida. He earned his undergraduate degree from Notre Dame in 1976 and his J.D., also from Notre Dame, in 1979. He is a member of the Florida Bar.

NEWS FROM THE LAW LIBRARY

In connection with the 1995 ORALL Annual Meeting, Lucy Payne compiled a bibliography entitled "Leadership: Equipping Librarians for the Next Century." The bibliography includes an "Introduction."

NEWS FROM THE FACULTY

Matt Barrett published, "Can a Deficiency Notice to a Non-Filing Taxpayer Shorten the Time to Claim a Refund in the Tax Court?" in PREVIEW OF UNITED STATES SUPREME COURT CASES.

Matt submitted a "Public Comment" to the Internal Revenue Service concerning suspension of Revenue Ruling 93-88. Matt noted that at least four IRS publications contradict the Commissioner's litigating position and alluded to the Supreme Court's strong suggestion that taxpayers cannot exclude punitive damages from taxation.

* * *

John Finnis' father passed away on October 13 in Australia. Our prayers and thoughts are with the Finnis family.

On October 27, John presented a paper entitled "Can the State's Good Purposes Be Limited?" The lecture, sponsored by the Philosophy Department Colloquium, took place in the Library Lounge of the Hesburgh Library.

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Jimmy Gurulé was once again quoted in USA TODAY concerning the "O.J." trial. In the September 27 issue, Jimmy called Marcia Clark "very methodical, very deliberate." She was doing, he said, what a prosecutor needed to do: distancing herself as much as possible, as quickly as possible, from Mark Fuhrman.

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Doug Kmiec published "Dissecting the 'Trial of the Century'; despite the 'Not Guilty' verdict, the racial-fairness jury is still out," in the October 4 issue of the CHICAGO TRIBUNE.

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On October 27, in Sacred Heart Church, the Eucharist was celebrated in memory of Professor Edward J. Murphy, who died last summer. Attended by family, faculty, staff, students, alumni and friends, the Mass was said, and a homily delivered, by Father Bill Beauchamp.

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Terry Phelps participated in a panel discussion, sponsored by Notre Dame's Center for Social Concerns, entitled "After 'O.J.': Challenges For The Common Good." The discussion took place on October 12 in the Center.

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Charlie Rice authored, with John P. Tuskey, "The Legality and Morality of Using Deadly Force to Protect Unborn Children from Abortionists," in the REGENT UNIVERSITY LAW REVIEW.

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Eric Smithburn spent Fall Break in Hong Kong. Invited to meet with members of the bench and bar of Hong Kong, Eric also presented a paper, "International Child Abduction in the Hague Convention," to the Hong Kong family-law association, a group

of approximately three hundred judges, lawyers and family-law professionals.

NEWS FROM THE STAFF

On October 9, Rebecca Ward began work as a Secretary/Receptionist in Room 103. Welcome!

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NEWS FROM THE ALUMNI

Bert Alberola, NDLS '93, has been named Director of International Operations for Mutual of New York's International Division, located in Miami.

* * *

Joseph P. Albright, NDLS '62, was sworn in as Justice of the West Virginia Supreme Court of Appeals on September 26. The ceremony took place in the House of Delegates Chamber of the West Virginia State Capitol. A reception followed in the Governor's Mansion.

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Philomena (Saldanha) Ashdown, NDLS '86, has become "of counsel" to Strauss & Troy in Cincinnati. She will focus her practice on banking and debtor-creditor law. Philomena has a law degree from the University of Madras in India as well as one from Notre Dame.

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Herbert A. Eastman, NDLS '76, died October 14 in St. Louis, after a short illness. At the time of his death, he had served on the law faculty at St. Louis University since 1986. In the decade before that, he worked as a legal-services lawyer in Cairo, Illinois; in East St. Louis, Illinois; and in St. Cloud, Minnesota. He was in private practice in St. Louis, and was then a trial attorney for the Equal Employment Opportunity Commission in St. Louis, before becoming a law teacher. He did his undergraduate work, as well as his law study, at Notre Dame. Our thoughts and prayers are with him and his family.

* * *

Vince Johnson, NDLS '78 and Professor of Law at St. Mary's University, published, through the Carolina Academic Press, *MASTERING TORTS: A STUDENT'S GUIDE TO THE LAW OF TORTS*. Vince recently received the Order of Art and Culture, given by the City of Innsbruck, Austria. Moreover, he was one of two Texans elected to membership in the American Law Institute.

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Karen A. Lynch and Kathryn A. Pamenter, both NDLS '95, passed the Wisconsin Bar.

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Timothy Rhatigan, NDLS '93, has joined the Clifford Law Offices, a Chicago personal-injury firm. Tim will practice in the areas of aviation, medical-negligence and product-liability law.

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Stephen J. Safranek, NDLS '88 and Associate Professor of Law at the University of Detroit Mercy, published "Defense Contractors, Defective Products, and Injured Service Persons: Who Pays?" in *PREVIEW OF UNITED STATES SUPREME COURT CASES*.

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Janis Lynn Sammartino, NDLS '75 and a Municipal Court Judge in California since January 1994, has been appointed to the Superior Court Bench. From 1990 to 1994, she was senior chief deputy in the San Diego City Attorney's Office.

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Paul R. Unger, NDLS '78 and longtime chief of staff for Congressman Robert F. Smith, is leaving Washington to return to Oregon. In Oregon, he will work for State Senate President Gordon Smith, who seeks the seat vacated by Senator Robert Packwood. Paul earned his Bachelor's degree in economics from Notre Dame.

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Charles A. Weiss, NDLS '68 and a partner at Bryan Cave in St. Louis, is the new President-Elect of the Missouri Bar. Charles did his undergraduate work at the University of Missouri.

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Mary Yu, NDLS '95, was the clear faculty choice for the award given by the National Association of Women Lawyers to a graduating student at each law school. Congratulations, Mary!

MISCELLANY

Professor Philip Quinn, of Notre Dame's Philosophy Department, conducted a Faculty Colloquium in the Civil Rights Reading Room of the Law School on October 13. His topic: "Political Liberalisms and Their Exclusion of the Religious."
