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NDLS Update 11/1992

Notre Dame Law School

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NDLS UPDATE

News of the Notre Dame Law School

25 YEARS OF WOMEN STUDENTS AT NDLS

The 1992-93 academic year marks the 25th anniversary of the continuous presence of women students at NDLS. To celebrate this event the Law School will host a program on March 29, 1993, focusing on women in the practice of law. The Honorable Shirley Abrahamson, a noted jurist, will be the main speaker. Judge Abrahamson has served on the Wisconsin Supreme Court since 1976 and has written extensively on state constitutional issues and the judiciary. Following her presentation a panel of NDLS alumnae representing various graduating classes and types of legal practice will discuss their experiences as students and women lawyers. A reception and dinner will follow.

Planning this event are representatives from the law faculty, the White Center, and several student organizations, including the Student Bar Association, the Social Justice Forum, and the Women's Legal Forum.

TRIAL TEAM FINISHES 4TH IN NATIONAL COMPETITION

The NDLS Trial Team (Barristers) has once again been successful in national competition. The team finished fourth in a competition sponsored by the National Association of Criminal Defense Attorneys and held in Newport, Rhode Island. The NDLS Team tried four full jury cases. The last trial in the semi-final round took place at the historic "Old Courthouse" in Newport.

Law schools were invited to the competition based upon performance in last year's national competition. The success of last year's NDLS trial team (winners of the Midwest Regional) garnered this invitation. During the competition in Newport, the NDLS Team beat last year's ABA National Champion, Northwestern.

Members of the fall trial team, chosen from 35 competing students, are John Koselka, Charles Rose, Mary Yu, Brian Alexander and Andrea Roberts. Andrea is the first second-year student ever chosen for the NDLS Trial Team.

Faculty coaches Jeanne Jourdan and Sandy Brook were assisted by attorneys Wendell Walsh, Paul Peralta, Barb Brook, Joan Kouros and Jeanine Gozdecki Wright.

NATIONAL MOOT COURT TEAMS COMPETE IN CHICAGO REGIONALS

Both NDLS National Moot Court Teams performed well in the Chicago Regional. One team, comprised of Joanna Berman and Ed Sullivan, advanced to the round of four, coming just one victory from a berth in the National Finals in New York City. The other team, comprised of Mary Rielly and Joe DiRienzo, made it into the round of sixteen. The Student Director for this competition, Maria Vertuno, did an outstanding job managing all the details associated with the teams' practices and travels. Jack Pratt served as Faculty Advisor for the groups.

SOCIAL JUSTICE FORUM HOSTS HALLOWEEN PARTY

The Social Justice Forum of NDLS hosted its Third Annual Halloween Party for area children on October 29 at the Stepan Center. The party provided an afternoon of fun and games to children from the Salvation Army Latch Key Program and the Child Development Center at the Child Abuse and Neglect Coordinating Organization (CANCO) in both

South Bend and Mishawaka. The party has a threefold purpose: to pair children with volunteers from the Law School, who are encouraged to become permanent friends to the children through the Salvation Army's "Heroes" Program; to provide children costumes through the donations of students, faculty and staff of NDLS; and to provide each organization with hats, gloves, and coats to distribute to children during the Winter months. Thanks to Frank Kros and Renee Thibodeau, co-chairs of the organizing committee, for all the work that went into this wonderful event.

PROFESSOR EFSTATHIOS BANAKAS LEAVES NDLS

Efstathios Banakas has left the Law School to return to his home campus, the University of East Anglia in Norwich, England. In his departing letter, he thanked all his Notre Dame colleagues "for making my stay here so enjoyable and rewarding It's really hard to leave this place but all good things do have to come to an end. . . ."

MARILYN QUAYLE

Marilyn Quayle, wife of the Vice President of the United States, spoke in the Law School Courtroom on October 15. Sponsored by the Christian Legal Society, the event was followed by media interviews in the Civil Rights Reading Room.

LIBRARY NEWS

On November 16 Arlene Spitz joined the Law Library as a cataloging assistant. For the last several years Arlene has worked in the cataloging department at the Hesburgh Library. The mother of seven children, she is pursuing a bachelor's degree at IUSB. Welcome to Arlene!

A shipment of 100 boxes of Chicago Bar Association material arrived from the warehouse during the October break. Integration of those materials into the collection will begin shortly.

On November 20, in Cleveland, Tex Dutile and Janis Johnston joined Father Malloy and Pat McCartan, NDLS '59, for a presentation to the Murphy Foundation. The Foundation has been extremely generous to the Law Library. Pat McCartan hosted the luncheon, held at Jones, Day, Reavis & Pogue.

LONDON NEWS

By the request of the students in our London Programme, Father Gerry Lardner, C.S.C., celebrated Mass at the Notre Dame London Centre for the rapid and complete recovery of Professor Murphy.

A sizeable bomb, the fourteenth in the recent I.R.A. series, exploded on October 25 about 250 yards from Roger Jacobs' London flat. No one was injured, but flats and cars were damaged. In his FAX on this matter, Roger inquired: "Does this qualify for hazardous duty pay?"

REGISTRATION NEWS

Advance Registration for Spring Semester is just about complete. Second- and third-year students have registered their course selections for the Spring Semester through the computerized DART System. First-year students will be assigned their Spring Semester courses and sections by the Law School Registrar, Anne Hamilton.

PLACEMENT NEWS

Comments to Nancy Kommers by interviewers: "A fine group of young men and women. The students seemed very well versed on [this firm]. They also asked pointed questions. I enjoyed my experience here. . . ." "Thoroughly enjoyed the day and, as I knew I would be, was genuinely impressed with the quality of candidates. I intend to make a number of 'call-backs.'"

LEGAL AID NEWS

In October the Clinic accepted ten new cases involving the following areas: power of attorney, guardianship, adoption, visitation, Medicaid, wills, real estate, and vehicle titles. Fifty-one intakes were rejected because of the lack of Clinic resources or lack of merit. Seven cases were closed.

Kim Finlaw handled two final-dissolution hearings. Mary Malone kept busy appealing in Indianapolis a Medicaid decision involving a little girl with a heart condition, then defending in LaPorte County a Motion for Summary Judgment on an insurance claim. Chrissy Wu filed her first brief with the Appeal Council; the case involved a developmentally disabled adult. Judy Lenger took on a new area of the law for the Clinic when she drafted a trust for a client and handled the closing with the bank. Rob Mitchell is taking the Clinic into new areas of practice as he attempts to collect on a judgment he won for a client. Jim Malloy got provisional relief for a woman at the Homeless Center. Kathy Quick terminated a guardianship. Glen Smith has his hands full as he defends a campus employee accused of false imprisonment based on an involuntary commitment. Christine Ventur singlehandedly resolved a custody dispute and prevented a foreclosure on a mortgage without resort to the courts.

Eileen Doran, Barbara Gasperetti, Christine Venter, Tom Shaffer and Tex Dutile met with representatives of the Keck Foundation in October to explain the Clinic and its goals in connection with a potential grant.

FACULTY ACTIVITIES

Gerry Bradley has launched a new course, entitled "Moral Realism and Legal Theory." The course will be taught jointly with Professor Sot Barber of the Government Department. The seminar is aimed at students with some philosophical sophistication and familiarity with basic Constitutional Law.

Congratulations to Eileen Doran, Barbara Gasperetti and Lucy Payne upon being admitted to the Bar of the United States Court of Appeals for the Seventh Circuit.

On November 11, Tex Dutile addressed the Washington, D.C., area members of the Notre Dame Law Association. Hosted by Bill McMurtrie and Larry Carr, NDLS '99 (both members of the NDLS Advisory Council), the luncheon took place at the Army Navy Club in Washington.

On November 17, at the St. Edward's Hall Forum, Tex made a presentation entitled, "How to Get Into a Good Law School." On November 18, he made a presentation entitled, "So You Are Going to Law School!" at St. Mary's College. (Yes, there was *some* overlap between the two presentations!)

Kent Hull, NDLS Adjunct Professor of Disability Law, was featured in an article in the *South Bend Tribune* of November 8, 1992. The article summed up Kent's job this way: "[t]o wade through the labyrinth of government bureaucracy and smooth the path between older adults and the benefits they're entitled to by law."

Doug Kmiec took part in a panel discussion analyzing the 1992 Presidential Campaign on WNIT-TV, Channel 34, on November 1. The program, entitled, "The American Political Process: Is This Any Way to Run an Election?", was taped on campus last month as part of the College of Business Administration's Annual Advisory Council Meeting. The discussion included analysis of the electoral process, the economy, and the change in the American political landscape during the 1990s.

Terry Phelps published "The Sound of Silence Breaking: Catholic Women, Abortion, and the Law," in the *Tennessee Law Review*.

On November 5, Charlie Rice conducted a Torts Class for law-student spouses (who, by attending, risked being "called on"). The Married Students Organization sponsored the event and, in connection with it, provided child care.

Jim Seckinger served as Program Coordinator and a faculty member for a NITA Deposition Program at Finnegan, Henderson, Farabo, Garrett and Dunner in Washington, D.C., on October 22-24. Jim also lectured the Faculty on Effective Teaching Techniques.

In October, Tom Shaffer led three sessions of a day-long continuing-education program for Wyoming lawyers in Jackson, Wyoming.

Eric Smithburn is serving on the Indiana Evidence Rules Committee, a group charged with drafting a new code of evidence for the state. In October, Eric lectured on judicial discretion at the fall General Jurisdiction Session of the National Judicial College at the University of Nevada at Reno. Also, in October, Eric presented a lecture entitled, "Recent Issues in Termination of Parental Rights Proceedings" to the County Attorney's Training Conference of the Indiana Family and Social Services Administration in Indianapolis. Eric has been elected to a three-year term on the Faculty Council of the National Judicial College. In October, he received a Distinguished Teacher Award from the College, an affiliate of the American Bar Association.

ALUMNI NEWS

Michael F. Bigler, NDLS '83, has become a partner at Keating, Muething & Klekamp, in Cincinnati.

From the Sunday, October 4, 1992, issue of the *South Bend Tribune*, reporting on a prominent murder trial: "[T]he defense team of Charles A. Davis and Kenneth R. Martin pairs two graduates of the University of Notre Dame

Law School class of 1978. . . . Davis, of Nappanee, will be lead counsel. He is a nimble courtroom lawyer known for wit and tenacity. Martin, of Goshen, is the quieter of the two, *perhaps reflecting his experience on the Notre Dame Law Review.*" (Emphasis added).

Nancy L. Ickler has become a partner at Barnes & Thornburg.

Benjamin Ignacio, NDLS '92, passed the Hawaii Bar and was sworn in on October 30. He is associated with Nick Garcia, NDLS '80, a prominent member of the criminal defense bar in Honolulu. Shirin Ratzani and Paul Smith, both NDLS '92, also passed the Hawaii Bar. Douglas B. Drysdale, NDLS '92, passed the June, 1992, Missouri Bar Examination. Brett Kenney, NDLS '92, passed the Oregon Bar. Mark Sotawa, NDLS '92, passed the Michigan Bar.

On October 23, the Law School's Advisory Council passed the following resolution with regard to H. Clay Johnson, NDLS '34: "That the Notre Dame Law Advisory Council hereby expresses its appreciation and friendship to Clay Johnson for his thirty-seven years of service to the University of Notre Dame as a member of the Council and, in particular, for his commitment to student education and scholarships." Fifteen current NDLS students carry Clay Johnson Scholarships.

Vincent R. Johnson, Professor of Law at St. Mary's University School of Law and NDLS '78, delivered the "Dedication Address" marking the completion of a \$23-million-dollar educational facility in Derry, Pennsylvania. (Professor Johnson is co-authoring a torts casebook with our own Alan Gunn).

Donald R. Lee, Jr., NDLS '85, has left the prestigious firm of Mays & Valentine to join the Virginia Post-Conviction Assistance Project.

Patrick F. McCartan, Jr., NDLS '59, has been made Managing Partner of Jones, Day, Reavis & Pogue of Cleveland, Ohio.

Phyllis Provost McNeil, NDLS '83, is Director of the Program for Senior Executive Fellows at the John F. Kennedy School of Government, Harvard University.

John D. Stoddard, NDLS '92, has become associated with the firm of Nemeth, Masters and Leone, of South Bend.

Joe Tirone, NDLS '92, recently married.

MISCELLANY

Joseph C. Cassini, Jr., father of Joseph C. Cassini, III, NDLS '76, died November 21. The late Mr. Cassini was a generous benefactor of the Law School.

The word about NDLS continues to spread; our trial-advocacy program was featured in the November 16, 1992, issue of the *Penny Saver*. (See the picture that accompanied the article, posted on the Dean's Bulletin Board).

TEX DUTILE