

1-1-1993

NDLS Update 01/1993

Notre Dame Law School

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Recommended Citation

Notre Dame Law School, "NDLS Update 01/1993" (1993). *NDLS Updates*. Paper 6.
http://scholarship.law.nd.edu/ndls_updates/6

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Volume II, No. 6

January, 1993

NDLS UPDATE

NOTRE DAME

JAN 25 1993

LAW LIBRARY

News of the Notre Dame Law School

LINK RETURNS/ DUTILE ON LEAVE

After spending the last 18 months getting the University of Notre Dame Australia off to a sound start, Dave Link has returned to the Deanship. Great to have you back, Dave!

Having concluded his successful term as Acting Dean, Tex Dutile is spending the spring semester on sabbatical at Stetson University. Thanks, Tex, for a great job!

ALL-BUILDING CHRISTMAS PARTY - WELL ATTENDED

Tex Dutile, as Acting Dean, hosted a Christmas party for everyone who works in the Law School on the afternoon of December 22. There was great attendance and a good time was had by all. The food was delicious and holiday cheer abundant. The decorations were beautiful and we owe a special thanks to those of you who worked to tidy up and make the lounge look festive. Another special thank you to Tex for getting us all together at Christmas time; it was a nice way to celebrate and to underscore our shared dedication during the past year to the running of the Law School.

NDLS LIBRARY RECEIVES \$50,000 GRANT

The E. L. Cord Foundation has approved a grant of \$50,000 to the Kresge Library of the Notre Dame Law School. The grant is restricted to the maintenance of the current collection and the purchase of new titles for the Library. Mr. Thomas P. Ford, a 1940 graduate of the University of Notre Dame and a member of the Law School Advisory Council, serves as a Trustee of the Foundation.

NDLS CLINIC RECEIVES \$250,000 GRANT

The W. M. Keck Foundation has awarded a grant in the amount of \$250,000 to the Law School to support a program in Clinical Studies of Legal Ethics. Eileen Doran, Barbara Gasperetti, and Tom Shaffer all worked to secure the grant. Mr. Thomas P. Ford, NDLS Advisory Counsel, is also a trustee of the Keck Foundation.

MOOT COURT SHOWCASE ARGUMENT

On Friday, February 19, at 4:30 in the Courtroom, the showcase argument will take place. Joanna Berman, Joe DiRienzo, Mary Rielly, and Ed Sullivan, all third year students, will argue. The case involves interpretation of the Federal Sentencing Guidelines and the propriety of requiring a defendant to admit to other crimes in order to mitigate the sentence imposed by the Guidelines. The panel of judges will be the Honorable Alfred J. Lechner, Jr., of the United States District Court for the District of New Jersey, the Honorable Frederico A. Moreno of the United States District Court for the Southern District of Florida, and the Honorable Diana Gibbon Motz of the Maryland Court of Special Appeals.

TURPEL VISITS

Mary Ellen Turpel has joined us as a visitor for the Spring semester under the sponsorship of the Center for Civil & Human Rights. Professor Turpel is an Assistant Professor at Dalhousie University Law School in Halifax, Nova Scotia. She is a specialist in the field of Native American and Indigenous People's rights. She is offering a course in American Indian Law. Her office is #138 (located in the Center) and her phone number is 1-7233. Please make an effort to meet her and make her feel welcome.

AALS MEETING

Joe Bauer, Janis Johnston, and Jim Seckinger all attended the AALS Annual Meeting held in San Francisco on January 5-9.

Joe served as the Law School's representative at the two sessions of the House of Representatives. Joe reports that two revisions to the Bylaws were approved at the Meeting. The amendment to section 6-3 deletes the requirement of 90 full weeks of instruction for a J.D. degree. The number of hours of instruction (which is specified in Executive Committee Regulation 2.3), however, was raised from 1,080 to 1,120. The hours requirement translates to roughly 12.5 hours of instruction over 90 weeks. The emphasis on hours of instruction rather than weeks is intended to give law schools more flexibility in designing a curriculum. Bylaw sections 7-2(b) and 7-3(b) were amended to assure that any member school placed on probation has two years to remedy the conditions leading to the probation.

Janis Johnston reported that the two programs for law librarians were particularly useful. One concerned the basic negotiating skills for librarians, skills which are applicable to internal as well as external library situations. A second session for librarians on new trends in legal scholarship focused on the continuing

pressure on law library collections and information resources to respond to interdisciplinary studies and new law topics. There was a lengthy discussion on ways to enhance resource sharing and increase access to non-law databases.

Of the other programs she attended, Janis reported that the mini-workshop on Teaching the First Generation of Global Lawyers was the most thought provoking. Recognizing that more and more legal transactions include an international or foreign element, the workshop concerned itself with how to incorporate a comparative element into all substantive courses. Should law schools move to a more "globalized" perspective, there are enormous implications for libraries in providing collection support for such efforts.

WHITE CENTER CO-SPONSORS ANTHONY LEWIS

Anthony Lewis, the Pulitzer Prize winning columnist for the New York Times, will speak at Notre Dame on January 26 about "The Power of the Press." The lecture will take place at 7:00 P.M. in room 101 of DeBartolo Hall. A reception will follow in the LaFortune Student Center.

CAUSA AIDS HURRICANE VICTIMS

When Hurricane Andrew struck South Florida and New Orleans recently, CAUSA (Cuban American Union of Student Advocates) joined other parts of the Notre Dame family in providing help. CAUSA arranged the delivery of 13,000 pounds of bottled water to St. Anne's Parish in Homestead and 4,600 gallons to St. Mary's Cathedral in Miami. Working with the Graduate Theological Union, the Student Senate, Hall Presidents' Council, and the Center for Social Concerns, CAUSA sent almost \$4,000 to Catholic Community Services in the Arch Dioceses of Miami and to Catholic Charities in

the Arch Dioceses of New Orleans. CAUSA also collaborated with volunteers who traveled to South Florida during Break to help rebuild homes in affected areas.

THREE PASS MARYLAND BAR

The following passed the Summer, 1992, Maryland Bar Examination: Jennifer Glasby, Don Parker, and Joe Tirone.

FACULTY NEWS

Barbara Fick published "Federal Labor & Employment Law," in *Specialized Legal Research*, edited by Chanin and published by Little, Brown & Co.

Dwight King's grandmother died recently. Please remember her and all her family in your prayers.

Doug Kmiec published, "Of News Racks and the First Amendment: The Constitutional Protection of Commercial Speech," in the *ABA Preview*.

On December 7, Trai Le attended a meeting in Washington, D.C. held by the Council for International Exchange of Scholars. The purpose of the meeting was to review applications for Fulbright Fellowships in Western Europe, and for the European Community Law and Scholar-in-Residence programs.

Trai was recently selected by the American Association of Comparative Law to be the national reporter on the topic of "The Legal Status of the Refugee" at the 1994 World Congress of Comparative Law to be held in Greece in August 1994. Congratulations, Trai!

In December Trai published three works: a book review of Stephen Legomski's

Immigration Law and Policy in Volume XL of *The American Journal of Comparative Law*; the 1992 Supplement to her book *Sales and Credit Transactions*; and the 1992 Supplement to her book *Protecting Consumer Rights*.

Trai's young granddaughter, died unexpectedly on January 7. Please pray for her and the entire family.

Carol Mooney and Judge Ripple represented the Advisory Committee on Appellate Rules at a meeting of the Judicial Conference Committee on Rules held December 17, 18, and 19 in Ashville, North Carolina. Several proposed amendments to the Appellate Rules were approved for publication to provide the bench and bar with an opportunity to comment on the proposals.

On January 20, Charlie Rice spoke to the Notre Dame Club of St. Louis on Euthanasia.

Eric Smithburn, at the request of the National Council of Juvenile and Family Court Judges, wrote the first interactive video disk to be used in a judicial education program for American state trial court judges. He submitted the manuscript in December and he will appear in the video portion of the project. The product is scheduled to be used in Judicial training in the winter of 1993.

Jay Tidmarsh published "Unattainable Justice: The Form of Complex Litigation and the Limits of Judicial Power," in the *George Washington Law Review*.

LEGAL AID CLINIC NEWS

The Legal Aid Clinic was busy the last month of the year. Matt Thornhill and Rosemary Wummel finalized two guardianships. Christine Wu and Michelle Gadrow gave children parents for Christmas by having final hearings in two adoption procedures. This is the

direction we like seeing our family law practice heading!

In our general practice, Stacy Gerber helped a woman get her driver's license reinstated by the court. Jim Malloy helped a woman get her name changed. Two of the consumer cases brought against our clients were dismissed with prejudice thanks to the efforts of Jane Choi and Carin Stoddard.

In the benefits area of our practice, we had four Social Security hearings. Matt Thornhill, Moses Garcia, Theresa Kosik, and Marie Ann Hendrie represented their clients at these hearings. Carin Stoddard was successful in a Medicaid waiver hearing.

The directors and supervising attorneys were also busy this December. We attended a meeting at the Housing Authority with Alonzo Watson, Director, and other service providers to vent our clients problems with the Authority and to get a better handle on how they make decisions.

Eileen has become a member of the Northern Indiana State Developmental Center Human Rights Commission and has spent many late nights working with them. Barbara gave presentations to Madison Center's clinicians on the court system and what the court's will consider in child custody cases, and to the South Bend, chapter of New Hope on dissolution and post dissolution issues.

LIBRARY NEWS

Summer Research Activities

While summer seems a long way away, the library would like to begin preparations to support faculty summer research activities. Now that there are some funds available for new purchases, they can begin to select titles in anticipated research areas if they are aware of faculty interest. Placing orders now will insure that materials are available for your use when

summer begins. As soon as you have formulated any summer research plans, please let Janis, Dwight or Carmela know so that they can begin to identify current publications that might be of interest.

PLACEMENT NEWS

Nancy Kommers attended a siminar in Chicago on January 6. The topic was "From Scholar to Lawyer." It dealt not only with job hunting but also with "how to succeed" tips for young attorneys.

ALUMNI NEWS

Brian Bates, NDLS '86, of Pryor, Carney & Johnson, in Englewood, Colorado, has been nominated for a position on the Notre Dame Alumni Association's National Board of Directors (Region Two).

Francis (Fritz) Ganter, NDLS '77, has become General Counsel for Rieth-Riley, Construction Company, Inc., of Goshen, Indiana.

Frank Gregory, NDLS '66, died January 14 in Omaha Nebraska while working on a case. Frank was a member of the Law School Advisory Council since 1983, and was its immediate Past Chair of the Council. Please remember Frank and his family in your prayers.

Henry Clay Johnson, NDLS '34, died January 2, 1993. Mr. Johnson had a distinguished career and served as a member of the Notre Dame Law School Advisory Council from 1955 until his death. Please remember him and his family in your prayers.

John Lyons, NDLS '73, has been appointed Regional Counsel for the Internal Revenue Service. John will begin his new duties in Chicago on February 17.

Lezlie Ott Marek, NDLS '83, was elected to partnership at Bowman & Brooke of Minneapolis.

Tom Marek, NDLS '84, has been elected to partnership at Oppenheimer Wolff & Donnelly in St. Paul, Minnesota.

Pete McGonigle, NDLS '74, has left Fidelity Bank for Fannie Mae's Regional Office in Philadelphia. Peter has three children, Shannon, 9, Patrick, 7-1/2, and Sean, 6.

S. Eric Marshall, NDLS '91, has become an associate with: Low, Gray, Steele & Hoffman, Suite 4600, Bank One, 111 Monument Circle, Indianapolis, Indiana 46204.

Rich Myers, NDLS '80, has been given a tenure-track position at the University of Detroit-Mercy Law School. Besides Myers, other NDLS connections at Detroit include Dean Bernie Dobransky, former NDLS prof, Assistant Professor Laura Hirschfeld, NDLS '86, and Assistant Professor Stephen Safranek, NDLS '88.

Gail Glassmeyer Pryse, NDLS '88, had triplet boys on October 25. They are Andrew, Matthew, and Nicholas. They came 3 months early (lucky her!) and weighed 2 pounds, 2 pounds, and 1 pound 13 ounces. Each is now close to 4 pounds, although the littlest is still 3 pounds 5 ounces. Pray for her.

Gene Smary, NDLS '75, of Warner, Norcross & Judd of Grand Rapids, Michigan, has co-edited a two-volume treatise entitled, "Michigan Environmental Law Desk Book", published recently by the Institute of Continuing Legal Education in Ann Arbor, Michigan. Gene was greatly aided in his work by Chris Williams, NDLS '87. Gene has donated a copy of the treatise to the Law Library.

Fred von Rueden, NDLS '87, will be married at Notre Dame in June of 1993; Vinnie Nadile, NDLS '87, will serve as best man.

CAROL MOONEY, ASSOCIATE DEAN