If You Want Peace, Work for Justice

— P O P E P A U L V I
Dear Notre Dame Lawyer and Friend,

With so much "good news" coming out of the Law School, I am happy to announce that the Notre Dame Lawyer will now be published three times a year. Many of you have taken the time to call or write with your compliments about the magazine. Let me take a minute to introduce the players who make it all possible. Cathy Pierone '84, '95 J.D., our managing editor and backbone of this publication, works tirelessly between organizing alumni meetings, continuing legal education conferences and other Law School events to bring you the Lawyer. The superior graphic design and editing are provided by Marty Schalm and Linda Diltz of the University's Office of Publications and Graphic Services. Our primary photographer is 1994 Notre Dame graduate Matt Cashore.

I am blessed to be surrounded by a team of such outstanding professionals. And I am happy that you can be the beneficiaries of such talent. We are, however, still missing one important member of the team — you! If you have any suggestions for future articles or would like to otherwise contribute to the success of the Notre Dame Lawyer, please feel free to contact Cathy or myself. We have included a card in the center of this magazine to make it easier for you to correspond with us. We both look forward to hearing from you.

Best wishes,

P.S.

I hope to see as many of you as possible at the Law School alumni events planned for this fall. Please check out the Calendar of Events for more information. And keep in mind that you can always call the Law School Relations Office at (219) 631-6891 to find out what's going on at the Law School and around campus when you're planning to visit.

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1997-98 Calendar of Events

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<td>Law School Advisory Council Meeting&lt;br&gt;football: Georgia Tech at Notre Dame (stadium rededication)</td>
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<td>September 20, 1997</td>
<td>Continuing Legal Education in Ethics&lt;br&gt;(Dean David T. Link and Professor Charles Rice)&lt;br&gt;NDLS Class of 1972 mini-reunion&lt;br&gt;NDLS Class of 1992 mini-reunion&lt;br&gt;football: Michigan State at Notre Dame (senior alumni game)</td>
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<td>October 17-18, 1997</td>
<td>Notre Dame Law Association Board Meeting&lt;br&gt;football: Southern Cal at Notre Dame</td>
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<td>October 18-26, 1997</td>
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<td>October 25, 1997</td>
<td>Continuing Legal Education in Ethics&lt;br&gt;(Professor John Robinson and Professor Pat Schiltz)&lt;br&gt;football: Boston College at Notre Dame</td>
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<td>November 22, 1997</td>
<td>Continuing Legal Education in Ethics&lt;br&gt;(Dean David T. Link and William Hoye)&lt;br&gt;football: West Virginia at Notre Dame</td>
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On the cover: The flags in the foreground represent the countries of origin of the students in the programs of the Center for Civil and Human Rights.
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From the Dean

Summer is a time of transition at the Law School. We just graduated our largest class ever — a total of 201 new (or new double) domers added to our alumni population. And now we prepare to welcome the Class of 2000. By all indications, this class will be among our strongest in terms of academics as well as service. We continue to compete with other top-tier, national institutions for our students, and do quite well.

We have also had some transitions in our faculty. As you already know or will read elsewhere in this magazine, Rev. Bill Lewers, C.S.C., and Professor Frank Booker both passed away this past spring. Professor emeritus John "The Chief" Broderick passed away in February. Professor Tom Shaffer has retired from full-time teaching. Without these individuals among us every day, we may fear that our links to our past — and especially to the rich traditions and history of this Law School — will begin to fade. Nevertheless, our more recent additions to the faculty exhibit the same kind of dedication to our students and to our values that we have become accustomed to over the years. We are saddened by our losses, but at the same time, heartened by the promise of our future.

Our Law School continues to rise in the various rankings and polls. We can continue to debate the significance of such systems — which often are as accurate a perception about an institution's quality as the AP and CNN/USA Today football polls are about a football team's potential for success — but they nevertheless influence students who apply to our institution, scholars and teachers who seek employment, and prospective employers who interview our students. Our continued rise in all of these various rankings — each of which evaluates different aspects of life at the law school — indicates that, across the board, we are doing a lot of things well.

Other indicators of excellence include our success in career services. This year, we continue to perform well above the national average with over 70 percent of our graduates securing full-time employment before graduation. To date, 150 employers will come on campus to interview — an increase of 23 percent over previous years, in a time when employers are becoming more selective about the institutions at which they conduct on-campus interviews.

We are proud of these successes. And we also realize that, without you, our loyal alumni and friends, much of what we have been able to accomplish would not have happened. You have supported our on-campus programming, helped the admissions office recruit students, encouraged your law firms to come to campus to interview, and served as mentors and friends to our students and new graduates. We are deeply indebted to you.

In the coming months, you will start to notice more changes — more transitions — here at the Law School. We will add new faculty. We will strengthen our library collections. We will seek additional funds to support our financial aid needs. We will expand our targeted-admissions efforts to attract the kind of student we want at NDLS. We will add more employers in more cities to our career services networks. We will continue to expand our alumni-outreach efforts through, among other things, a stronger schedule of continuing legal education and other alumni-networking programs on campus and throughout the country.

In this time of transition — which will extend well beyond the summer months — we will depend on you to an even greater extent. You, the nearly 7,000 alumni and friends of the Law School — are our links to our past; you form the stories that remind us of our roots. But you also provide the key to our future, you are the foundation for our continued growth and improvement into the next century.

So we thank you for what you have done for us, and we pray that you will continue to support us as we strive to achieve our goal of becoming firmly established as a national leadership law school.

I look forward to seeing you on campus during the fall football season and throughout the year.

Yours in Notre Dame,

David T. Link
Dean and Professor of Law
Tucked away in the far northeast corner of the Law School building, down a winding hallway easily mistaken for a mere service entrance, resides one of the brightest stars in the firmament of Law School programs — the Center for Civil and Human Rights. Looking only at the center's out-of-the-way location, the modest suite of offices from which the center operates, and the small size of the faculty, staff and student body, the center might seem to be just another interesting academic niche among dozens of similar niches around the University — a place where a few students gather for specialized study and debate on an arcane topic of little interest to "real life" in the "real world." But nothing could be further from the truth. For behind the plain, double doors marked only with a small, discreet plaque bearing the center's name lies a world of activity that impacts the lives of thousands of people worldwide every day.

The Center for CCHR

The center has been making a difference for nearly a quarter of a century. Founded originally as the Center for Civil Rights in 1973 under a grant from the Ford Foundation, the initial focus of the center's activities included advanced research and public policy analysis and advocacy in the area of civil rights in the United States. The center drew its inspiration from the work of Rev. Theodore M. Hesburgh, C.S.C., then-president of the University, who had served as a member of the U.S. Commission on Civil Rights from its inception during the Eisenhower Administration until early 1974. In announcing his decision to support this initiative, McGeorge Bundy, then-president of the Ford Foundation, observed,

"Nothing could be more timely than Father Hesburgh's decision to give his own leadership to a determined effort to assemble in one place the resources needed for an understanding of the road that we have come and the distance we will have to go. Father
Hesburgh’s 15 years of service on the U.S. Commission on Civil Rights, and his standing as a churchman of profound personal integrity and intense social commitment, make him the ideal catalytic agent for such a center and Notre Dame its fitting home.

With Father Hesburgh’s leadership as the “ideal catalytic agent,” the center certainly had the potential for great success. But to move beyond a mere dream to a reality of making an impact on the day-to-day lives of people who are denied basic civil and human rights required the strong leadership of civil rights stars. Over the last 24 years, three individuals, each of whom has had a distinctive role to play in the center’s progress, have guided the center down a path that has increasingly broadened the reach and impact of its programs.

The center’s first director, Professor Howard A. Glickstein, former staff director for the U.S. Commission on Civil Rights, brought together an eminent group of scholars and practitioners to consider the future directions of the civil rights struggle, particularly in the areas of employment, education and housing, and organized a variety of conferences on topics such as the role of the president in securing passage of key civil rights legislation, the right to economic security including health care, education and welfare, the role of state and local governments in ensuring economic security to all citizens by providing equal educational opportunities; and the impact of zoning on private rights and the public interest. During this time, Professor Glickstein also guided the center toward its leadership role in the area of civil rights research by accumulating an extensive archive of civil rights literature and documents, which today are housed in the Hesburgh Library’s civil rights archives and the Krege Library’s Civil Rights Reading Room.

The center’s second director, Professor Donald P. Kommers, now Joseph and Elizabeth Robbie Professor of Government and International Studies and concurrent professor of law, continued to exercise a leadership role in civil rights research, but also gradually broadened the center’s research activities into the field of international human rights. During this period, with the assistance of grants from, among others, the Ford, CBS and Rockefeller Foundations, the center produced some important publications including several human rights bibliographies and a major collection of articles on human rights and U.S. foreign policy, and spearheaded several major civil rights projects including a study of the draft and military justice systems during the Vietnam period, a civil rights history of the Eisenhower Administration, and immigration policy reform. The center also furthered its public-service commitment by, among other things, filing amicus briefs in important civil rights cases, submitting letters of concern to foreign governments accused of serious human rights abuses, and researching country conditions in support of asylum applications filed by the Notre Dame Legal Aid Clinic.

But it was in 1988 that the center began its meteoric rise from its early beginnings as an institute for research and policy analysis to a leader in educating civil- and human-rights practitioners and teachers from around the world. Under the direction of Rev. William M. Lewers, C.S.C., who served as the center’s third director from 1988 until his death in April of 1997, the center became a world-renowned leader in the field of international human rights education.

Father Lewers moved the center’s research agenda beyond just documenting and reporting human rights violations into the far more complex realm of attempting to identify, analyze and prevent those conditions under which abuses occur. Some results of Father Lewers’s vision of the center’s role in the world of international human rights include the creation of a computerized database from a microfilm copy of the legal archives of the Vicaría de Solidaridad of Santiago, Chile, documenting the human rights violations by the military regime for the period from 1973 to 1978; and the two-volume translation and publication by the University of Notre Dame Press of the official report of the Chilean National Commission on Truth and Reconciliation, which received high praise from the Chicago Tribune.

The Chilean commission investigated in excruciating detail every single “disappearance,” every murder, every assassination (including those committed by anti-government guerrillas). It ranged up and down the country taking testimony from thousands of witnesses. The result is a methodological catalog of horrors that takes up most of the 1,000 pages of the report. . . . It established a benchmark of consensually acknowledged truth that is a legacy for the future . . . executed with such judiciousness and scope that the new South Africa, after consulting commission member Zelaguet and other Chileans, has chosen it as their model to deal with the crimes of the apartheid era.

by Cathy Pieronek ’95
Associate Director, Law School Relations
Today, in support and furtherance of these research initiatives, the center sponsors major conferences and seminars annually on such themes as Human Rights and Ethnic Minorities, Federalism and the Soviet Union, Theories of Dispute Resolution, Human Rights in Chile, Political Justice and the Transition to Democracy, A Permanent International Court, and the 1997 conference on International Human Rights Litigation in U.S. Courts: State of the Law and Future Prospects. The center periodically issues an “occasional paper” in a series edited by the staff and students, which provides a flexible medium for sharing among interested members of the University community contemporary ideas and research relevant to human rights.

Not content with achieving this evolution in the center’s research and service agenda, Father Lewers also set out to reform and strengthen the center’s mission and institutional structure by adding a unique graduate teaching program to its existing research and service activities. By 1991, with the assistance of the Ford Foundation, the University graduated the first two students from its new Master of Laws (LL.M.) Program in International Human Rights Law. The following year, the center established an advanced legal research program, leading to the degree of Doctor of Juridical Science (J.S.D.), which currently is the only doctoral degree in the United States awarded exclusively for the advanced study of international human rights law. Today, just six years after the establishment of these graduate programs, the center boasts an alumni body of 57, including 54 LL.M. graduates, one J.S.D. graduate, and two “double-donors” who hold both LL.M. and J.S.D. degrees from the University.

The educational component of the program began in a simple fashion. As a result of a 1986 agreement between Father Hesburgh and Judge Richard G. Goldstone, then a member of the South African Supreme Court and chair of the Bradlow Foundation, the earliest students in the program were one or two young South African lawyers designated as Bradlow Scholars, who were sent to NDLs each year to study international human rights law. Today’s program remains small to protect its strengths, accepting around 10 students each year. However, its worldwide appeal continues to grow. South Africans still have a strong presence — comprising 25 percent of the Class of 1997 as well as 25 percent of the center’s overall alumni population — but alumni hail from five continents and numerous countries including Armenia, Austria, Bangladesh, Brazil, Chile, the Dominican Republic, Egypt, Ethiopia, Georgia, India, Indonesia, Mexico, Nigeria, Pakistan, Peru, Romania, South Africa, the United States and Zaire. Like the earliest students, many students today are practicing lawyers, but others are teachers or judges.

The LL.M. program is designed to promote the development of a human rights culture in which the values of human dignity, peace and democracy are cherished and protected. The program affords students a unique opportunity to enhance their legal education through study at Notre Dame, and gives them time to reflect upon their values and commitments within the University’s stimulating and supportive environment. The J.S.D. program is designed to accommodate a small number of outstanding candidates who wish to pursue a career in teaching in the field of international human rights and who have shown potential for writing a thesis of publishable quality that will be a significant scholarly contribution to the field of human rights.

These programs provide lawyers from around the world with a strong academic foundation in the field of international human rights law to enable them to pursue their work as lawyers, judges and teachers in ways that promote civil and human rights. But the value of these programs goes beyond mere academic competence. A 1992 report by two representatives of the American Bar Association following an on-site evaluation of the center’s proposal for the J.S.D. program highlighted several important features of the overall learning experience:

... [W]e were struck by four aspects of the program. First, the small group graduate experience in international human rights has created an atmosphere of intimacy and support among the students which is commendable. Second, the graduate program has an impressive ethical and practical dimension. Most of the students intend to take their training at Notre Dame back to their home
From this supportive environment come not only skilled practitioners, teachers and judges, but perhaps more importantly, individuals whose commitment to human rights becomes deep-rooted and animates every aspect of their professional lives.

A program like this would have little value as merely an academic exercise. Consequently, the center also manages an impressive internship program that allows graduates to translate their classroom learning into the “real world.” After completing the LL.M. or J.S.D., graduates are given an opportunity to pursue practical training, either by completing a law clerkship or internship with an appropriate human rights organization, or by designing and implementing a carefully selected human rights service project. This kind of experiential learning opportunity introduces the graduates directly to the human rights procedures of international and non-governmental organizations and, perhaps more importantly, directly furthers human rights protections.

One of the more prominent of these internship opportunities, supported by two successive grants from the John D. and Catherine T. MacArthur Foundation, is the Notre Dame Law Clerk Program at the International Criminal Tribunal for the Former Yugoslavia (ICTY) at The Hague. Created in 1995, 12 recent law school graduates — including five from Notre Dame and seven from other institutions (Harvard, Oxford and Tufts Universities, the London School of Economics, and the Universities of Essex and Paris) — have been sent to assist in the process of preparing indictments resulting from the tribunal’s investigations of war crimes during the war in the former Yugoslavia. Notre Dame provides matching funds and administers the clerkship program through the center. Center graduates who have participated or are currently participating in this program include: Toomas Silassie, J.S.D. ’95, of Tartu, Estonia; Gina Bekker, LL.M. ’97, of Pretoria North, South Africa; Andrew J. Burrow, LL.M. ’96, of Pretoria, South Africa; Jacqueline Cassette, LL.M. ’95, of Westerlo, South Africa; Rodney Dixon, LL.M. ’95, of St. Francis Bay, South Africa; Maha El-Taji, LL.M. ’96, of Benghazi, Libya; Francisco Jimenez, LL.M. ’95, of Santiago, Chile; Rosette Muzingo, LL.M. ’94, of Kampala, Uganda; Judith Robb, LL.M. ’95, of Cape Town, South Africa; David Sargsian, LL.M. ’97, of Yerevan, Armenia; and Daniel Sax, LL.M. ’95, of Reno, Nevada, United States of America.

Rodney Dixon, one of the first two interns sent to the ICTY in 1995, views his experience in the Notre Dame ICTY Law Clerk Program as the opportunity of a lifetime.

“We're creating an entirely new body of jurisprudence. This is not the work within a national legal system where you know what the limits and precedents are. And it's very different from the Nuremberg Trials, where the conflict in question had a clear outcome. There are even challenges to the Security Council's legality and jurisdiction in establishing the tribunal in the first place. It challenges you to be creative and innovative — and it's tremendously exciting.

But he knows that, beyond providing personal challenges, the work is extremely important — it could impact the course of international law in a significant way.

If we're successful, the tribunal will point to the need for a permanent international criminal court with its own statutes — one that can prosecute individuals anywhere in the world for violations of humanitarian and human rights law. That's what makes us part of a much bigger force.

By all accounts, the Notre Dame involvement has been invaluable to the success of the program. Judge Goldstone, in a letter to Father Resighiri at the end of his tenure at The Hague, commented: "Through the efforts of your Center for Civil and Human Rights … we received a number of outstanding young lawyers whose work, particularly in the legal services section, proved to be indispensable for any success we accomplished."
And in writing to the MacArthur Foundation to encourage them to renew their support for the program with an additional grant (which was announced in 1997), current prosecutor Justice Louise Arbour wrote:

I wish to express my gratitude to [the MacArthur Foundation] for sponsoring the Notre Dame ICCT Law: Clerk Program. It continues to be a most successful initiative, which has certainly benefited my office, and the young lawyers who have been fortunate enough to be funded by your organization.

All of these law clerks have produced outstanding work, and I have only received very positive reports from their supervisors.

The center’s work has also drawn high praise from former President Jimmy Carter, who made human rights issues a central theme of his presidency. In a 1996 letter to Father Malloy, Carter applauded the center’s efforts on behalf of developing a “global human rights culture”:

Your LL.M. degree program in International Human Rights Law and your law clerkship and internship programs play an important role in increasing both the numbers and the skills of human rights legal advocates worldwide, especially in developing countries. Your law clerkships at the International Criminal Tribunals for the Former Yugoslavia and Rwanda and your new clerkships for the United Nations Centre for Human Rights in Geneva, in particular, provide valuable assistance to organizations very much in need of help.

But beyond such high-visibility civil and human-rights efforts, the center’s graduates are involved in other important human rights work both at home and abroad. For example, Ronald Ochetta, LL.M. ’94, a native of Guatemala City, Guatemala, currently is the director of the Roman Catholic Church’s human rights office in Guatemala City, and is involved in investigating the tens of thousands of deaths and disappearances at the hands of the military that occurred during the 36-year-long civil war in Guatemala. The center also sponsored a training workshop in international refugee law and assisted in providing law-student volunteers to agencies in Florida to process the applications of Haitian refugees seeking to remain in the United States. And closer to home, after the riots in South Central Los Angeles in spring 1992, the center’s staff actively helped organize meetings between representatives of local law enforcement agencies, civic groups and other community organizations in South Bend. More recently, the center assisted the South Bend Community School Corporation with its “Valuing Diversity” initiative by helping teachers identify relevant curriculum and teaching materials.

But the center isn’t about to rest on these magnificent successes. Already, center personnel have identified several new ways to enhance its programs and make an even broader impact on international human rights law practice. The center intends to be a leader in developing conferences at NDLS that will address specific means by which lawyers in the United States and abroad can help human rights victims and enhance compliance with human rights obligations. Related to this goal, the center has proposed a long-range project to elaborate a corporate code of human conduct.

Recognizing the need for an interdisciplinary approach to some human rights problems, such as access to fresh water resources, the center is considering proposing a University-wide interdisciplinary study of strategies to manage water resources, both to prevent conflict and to guarantee universal access to clean water. This project necessarily will involve scholars from engineering, peace studies, government, law, business and environmental studies. The success of such a project could lead to other interdisciplinary efforts in the areas of population and population movements, the role and status of women, and poverty and the fulfillment of basic human needs.

The center currently receives human rights documents of the United Nations, the Inter-American Commission on Human Rights, the Inter-American Court of Human Rights, and the European Court of Human Rights, and through its “observer status” with the African Commission on Human and Peoples’ rights, has established closer links within the African human rights community that will enable the center to offer one of the most complete human rights documentation centers in the United States. The center is in the process of developing a web site through which these human rights documents will be more readily accessible to readers around the world.

(For more information on human-rights research on the Internet, see “News from the Krege Library” on page 45.)

Clearly, the center has become a stellar success, with its graduates the stars of human-rights advocacy worldwide. But, like exploration of the universe, which seems only to raise more questions with every fact science manages to uncover, every success in the field of international human rights points to the need for more and more work in more and more locales around the world. But Notre Dame’s Center for Civil and Human Rights, with its vision of galactic proportions, will lead the way.
A Reflection

BY MOHAMED ARDELAZIZ GADELHAK IBRAHIM, LL.M. '97

Being one of the few lucky participants from all over the world who was accepted to participate in the program of the Center for Civil and Human Rights for the 1996–97 academic year, I can truly say that my dreams have come true. I applied to the program on the basis of the respected reputation that the University in general, and the Law School in particular, enjoy throughout the world. I feel fortunate to have been able to study for this past year at Notre Dame, one of the oldest and most respected educational institutions in the United States.

The much-respected reputation of the University in general, and the Law School in particular, has its foundation in a very rich academic heritage and in a long history of various traditions and customs. Although the Center for Civil and Human Rights started its honorable mission only recently, it has succeeded in developing the same impact on all Notre Dame students, including me, and it became my ideal for success.

One of the fascinating things that deeply influenced my desire to attend Notre Dame was the history of the University: how Father Sorin carried his dream from France to establish this educational institution almost a couple of centuries ago in this remote area; how he made his dream come true by believing in the dream; how he accomplished his dream by a will of steel and a strong faith in God. This story has its impact on all Notre Dame students, including me, and it became my ideal for success.

I believe that there is an eternal flame of success that has been shifted from the founder of this University to its students: how they dreamed about playing football among the military universities that monopolized the championship of the game; how these normal students from Notre Dame achieved the impossible and beat all the other teams and won the championship by believing in their dream and having the will to accomplish it. This flame of success exists not only in sports, but in all other aspects of life at Notre Dame as well. We all are inspired by endless stories of successful students who have distinguished themselves and who enjoy elite positions of high esteem — individuals who are formulating the future using as their basis what they have learned at Notre Dame.

Notre Dame is a Catholic university that remains faithful and true to its traditions and customs, and I am a Muslim student. Nevertheless, during the entire year I felt as if I had been studying in Al-Azhar — the oldest Islamic university in Egypt, founded over 1000 years ago — from the level of religious tolerance at the University not only for Islam, but for all other religions and beliefs.

The diversity of nationalities among program participants gives the programs of the Center for Civil and Human Rights their strength. This diversity enables all of us to discover each other’s traditions and customs; to exchange our personal, professional and academic experiences; and to establish very strong friendships among our heterogeneous group as well as with the other American professors and students.

I applied very late for admission to the program. However, from the moment I first contacted the center until my graduation, all of the people working at the center have done their best to make our stay this year as smooth and comfortable as possible — arranging transportation, accommodations, etc. In other words, we have been given “red carpet treatment” and have been able to concentrate on our studies without having to worry about all that comes with moving to a new country. We always found the people at the center to be good listeners for our problems, and their prompt responses to solving our problems made our stay at Notre Dame easier and much more pleasant.

As I write this near the end of the academic year, I have begun to feel that the center has become my home. We have a very wonderful family among the people at the center — both professors and participants. We shared with each other some very good memories. We celebrated with each other all of the American and other international holidays and feasts, as well as our birthdays and other occasions important to us.

The legal knowledge that I have gained from my professors through my studies at the center has surpassed all my prior legal studies — whether in Egypt or in Europe — during the last five years of my life. I am looking forward to learning even more through completing my studies toward a J.S.D. at Notre Dame in the near future. As a judge and legal advisor in Egypt, strengthening my academic background with a doctoral degree is essential to hand down decisions thoroughly and fairly and to be able to work competently as a legal advisor. In the long run, the doctoral degree — in addition to the LL.M. degree I have earned already — is a preferred requirement toward achieving key positions within the Egyptian legal system. Completing my education in this way will be a natural progression toward achieving my ultimate career goal, which is to serve my country as one of its decision makers in the Cabinet of Ministers.

In closing, I would like to take this opportunity to express my gratitude and appreciation to the Center for Civil and Human Rights, and for all of our professors at Notre Dame for making this a most enjoyable year-long learning experience.
Symbols of Dom

One look about the campus at Notre Dame, and the importance of symbolism becomes obvious. The Grotto, Notre Dame Stadium, “Touchdown Jesus” and, most notably, the Golden Dome, each symbolize a very important aspect of the Notre Dame tradition. Perhaps most prevalent among these symbols is the crucifix that adorns each and every classroom. But what does the crucifix truly symbolize? Among Catholics, the answers to that question may differ in their specifics, but retain the same essence — the crucifix symbolizes a sacrifice crowned in glory by the resurrection to follow. To an outsider, though, the symbol might be misunderstood as a would-be king suffering a cruel death at the hands of his foes.

Of course, any symbol can be reinterpreted by an outsider. I gave in to that temptation on a recent trip to Haiti. But through my experiences, I was able to understand the Haitian’s interpretation of “La Citadelle” — one of their symbols of freedom — and I gained insight into Haiti’s current predicament while being witness to a story of hope amid despair.

La Citadelle is an imposing sight. Approaching ships off Cap-Haitien can spot its outline among the mountain peaks, though it looms 20 miles inland. It is a fortress, and a formidable one. After obtaining their independence from France at the beginning of the 19th century, former slaves on Haiti sought to solidify their power. A “free people” constructed La Citadelle both as a symbol and as a bastion of defense for their new country. So, to this day, Haitians regard La Citadelle as a symbol of both freedom and resolve. But at what price? Was this mountain fortress built by free men, or was it built using merely a different form of slave labor? More than 20,000 toiled for more than 20 years under the whips of cruel taskmasters. Many lost their lives. Free or slave?

Yet, the irony that seems readily apparent to me is lost on many Haitians. What they see as freedom seems to me to be only a transition from one form of oppression to another. Was it any better that the new oppressor came from among the people? Furthermore, subsequent years have produced only new and different oppressors. At the risk of oversimplification, the Haitian people have remained enslaved to internal corruption and foreign intervention, notwithstanding a declaration of independence almost 200 years old.

These observations I derive from a trip in the fall of 1996 to Haiti with the Christian Peacemaker Teams (CPT). CPT is an international organization that represents the peace churches in North America. CPT members enter situations of violent conflict, supporting local efforts to reduce violence and promote justice. Currently teams operate in Bosnia, Hebron, Chechnya, Chiapas and Haiti, where CPT has maintained a presence since 1993.

My trip was as part of a short-term delegation, one of two or three such trips each year to Haiti. Accompanied by several long-term team members, we spent 11 days in Haiti meeting with religious and community leaders, government officials and common folk. We gathered and relayed information, provided a peaceful presence, encouraged nonviolent resolution to problems, and sought out areas of the Haitian countryside where more concentrated efforts toward peace would be required. Our efforts were largely successful, as we gave voice to many who otherwise would have had none, performed a public demonstration that garnered national attention, found a new site for the permanent team, and now return to share our experiences — and at least a small part of Haiti’s story.

Most vivid among a host of impressions were the outstretched hands. It seemed that nearly everyone was in search of some sort of hand-out. As we travelled through the countryside and city streets alike, the mere sight of us brought a chorus of “one dollar.” Two of our scheduled meetings reinforced this general impression. The first was with the mayor of Rankte, one of Haiti’s most remote villages. He had travelled many miles over rough terrain to meet with us, yet he knew little of our work or what we had to offer. His only request: help. How we could help, he had no idea. Another meeting that same day evoked nothing short of pity — but the wrong kind. A women’s group in Dondon, the village we were visiting, came to speak with us. Fresh from gender-issue discussions among group members, we expected to hear of problems peculiar to women. Instead, the overwhelming problems of malnutrition and scarce medical resources dwarfed any concern for “secondary” issues. These women shared with us only what they could produce in abundance — their tears.
At least for me, their desperation was too abstract. I couldn’t relate. But an elderly French nun in that same town was able to express the depths of their despair in a way that touched my heart. It involved choice — school choice, you might say. This sister was the principal of and a teacher at the local Catholic school. She shared with us the realities of country life and country schools. Easily her most difficult problem was malnutrition, which was serious enough in most cases actually to inhibit learning. One pupil of hers — a little third grader — was the only child in her family who could attend school. Not only was her family in a position in which they were forced to choose which of the children would attend school, but often times they also were forced to decide which of the children would go hungry so that they could afford to send the lucky one to school. Some day, if dreams come true, that child will pull the whole family out of poverty — the ones who are still alive, that is. As the father of three — one of whom is now in second grade — I now had encountered the kind of desperation that reached a part of me never before touched. Could I remain quiet in the face of such despair?

It was a good thing that this happened early in my trip. I then had new glasses, so to speak. I had a better understanding of the importance of relating to the people I so wanted to help. One of the long-term team members shared a story, beautiful in its simplicity, that shows what happens when that understanding is combined with the peaceful reconciliation we profess. Lena told of a remote country village where she encountered an elderly farmer and a young peasant father who had come to blows — over a pig! It was pretty straightforward. The elder had asked the younger to take care of his piglet. Afterward, the younger would be rewarded. Time passed, and the elder claimed a now-fattened, and quite valuable, pig. In return, he offered the younger aittance that, quite predictably, had made the younger man quite angry. When Lena became involved, the men no longer were speaking, and neither could afford to take the dispute to court. She talked to both, and discovered that the elder had hoped to repeat this effort again with two pigs. This time, the elder had intended to let the younger keep one of the pigs. Lena encouraged the two to get together, and convinced them to use a neutral village leader to mediate their dispute. The issue was resolved. Two would-be enemies were once again friends, and perhaps, a new method had been established to settle the next dispute.

It would be difficult to mistake these efforts for the Paris Peace Talks. In fact, The New York Times failed, for some reason, even to run the story. But make no mistake! This was peacemaking — the kind that can follow when people learn to live with people as they live, and accept them as they are. This was the kind of peacemaking that builds trust, and hopefully, so much more.

After a period of living with the Haitian people, the opportunity came to report what we had experienced. We found, to my surprise, that we had unique credibility. Wherever we turned, among Haitians and foreigners alike, our perspective was welcomed, if not actively sought. To the national chief of police, we passed on reports of gang activity and reported our discovery of charcoal traffickers. To a senator representing a region we had visited, we gave updates on labor disputes. To the U.S. ambassador, we related all these issues, and more.

After all of this reporting, we needed an exclamation point. We needed a dramatic expression of all we had learned.
Our idea: to replace the voices of those who had been silenced through death. One theme lying beneath the surface of many of our discussions had been the problem of foreign intervention. Whether it was the pressure to privatize vital local industries or concern about “under the table” payments to corrupt bureaucrats, negative foreign influences were denounced uniformly. After meeting with a local grass-roots organization in the skeletal remains of a church once pastored by Jean-Bertrand Aristide, an appropriate statement evolved. Newspaper reports had speculated that foreign money somehow would make its way into Haiti in response to the demand for back-pay for the former military. We then decided to highlight the injustice perpetrated by compensating the former military — which had been accused of the oppression of Haitian citizens — without forcing them to account for their actions. Visually, we portrayed how the dead literally were reaching out for justice — a justice that would be denied if U.S. dollars financed future oppression under the guise of back-pay. The message did not go unnoticed. Whether it will go without effect remains to be seen.

What can be done in only 11 days, you might ask? If my memories simply fade into a cloud of acceptance and complacency, maybe not too much. If these words remain with this paper, reaching only recycling bins instead of human hearts, perhaps even less. But my future aside, I hope — and even pray — that I helped plant real seeds of justice, if only a small handful. Certainly, I observed growth from the seeds planted by those who went before me.

One such observation came out of Dondon, the same remote village where I witnessed the stifling oppression of poverty. One young man, Guy, had inherited a small parcel of land on a hillside miles from the village. Most, if not all, of the local children would never attend school, never acquire the most basic of skills, nor even have the slightest chance to better their lot in life. Guy’s dream, now becoming a reality, was to build a schoolhouse on this land. In it, they would teach the basic skills those children would need to survive. They would teach them to read, so that landlords would not be able to take advantage of their illiteracy. They would teach them arithmetic, so that opportunistic merchants would no longer be able to abuse their ignorance. They would teach them agricultural skills, old and new, but they wouldn’t stop there. They also would teach them skills, so that the children could become craftsmen and artisans. Guy and his friends will change lives!

Some of the seeds for this effort had been planted during the worst months of the recent coup d’état. Among those friends of Guy was a young native of Cap-Haïtien named Arti, who had taken refuge with CPT members in Port-au-Prince. It was during that time that his hopes and dreams for a better Haiti were nurtured by those who longed for the kingdom of God — a kingdom that can be present here and now, for everyone. Arti’s work, and now Guy’s as well, has since focused on the nonviolent power of all that is good in the Haitian people. In the face of crime and corruption, in the face of oppression and despair, their work will bear fruit as Haiti’s future grows out of the shadow of “La Citadelle.”

JOHN BLAKELEY VISITED HAITI AS A THIRD-YEAR LAW STUDENT. He received his J.D. degree from NDSU in May 1997 and plans to continue his studies toward an LL.M. in International Human Rights at the Center for Civil and Human Rights during the 1997-98 academic year.
Dying With Style and Grace

BY GARTH MEINTJES, LL.M. '91
ASSOCIATE DIRECTOR OF THE CENTER FOR CIVIL AND HUMAN RIGHTS
"I WANT TO DIE WITH STYLE AND GRACE." These were the first words Father Bill Lewers said to me after learning that his cancer had become terminal, which is exactly what he did on April 19, 1997, just six weeks short of his 70th birthday. In the interim, he embraced every moment as an opportunity to bring closure to his life and to the work about which he cared most deeply.

I was blessed to have met Bill in August of 1990, when I arrived from South Africa to undertake graduate work in international human rights law. He was the first teacher I encountered at Notre Dame, and I was quickly inspired by the engaging manner in which he elicited our participation in the learning process. Each class evolved around a complex legal problem that he encouraged us to examine from every perspective, so as to make the best case for each side. As a teaching method, I found this approach to be not only highly effective and thoroughly engaging, but also an ingredient vital to the success of human rights teaching.

Aside from Bill's classes, the LLM program in international human rights law at that time had relatively little more to offer. Troubled by this, I approached the director of the Center for Civil and Human Rights for advice. Bill's response was surprisingly simple and disarming: "Are you willing to help me do something about this?" With this question began six and a half years of collaboration through which we became both colleagues and the best of friends.

Together we set out to revitalize the center and to expand its programs in the areas of teaching, research and service. Bill's basic guidelines for this effort were simple. First, the center must always remain an integral part of the Law School, so that it may serve as a model for all law students in its commitment to human dignity and as a vehicle for those faculty who wish to be involved with its programs. Second, its limited resources are to be invested in a small but select group of committed students at a point in their lives when it is most likely to have an impact. And third, by adopting an interdisciplinary approach to resolving real problems, it must strive to bridge the gaps between different spheres of knowledge on the one hand, and between theory and practice on the other.

Thanks to Bill's direction, the center has flourished and succeeded in a long list of accomplishments. Annually, its human rights programs attract applications from a host of promising young lawyers around the world, resulting in an ever-expanding network of lawyers who consider themselves Notre Dame advocates for human rights. It has hosted a variety of key conferences, and in 1994 it published a two-volume English translation of the historic Report of the Chilean National Commission on Truth and Reconciliation. More recently, it has established a series of practical training programs, including a highly successful law clerkship program at the International Criminal Tribunal for the former Yugoslavia.

In what I can describe only as Bill's "if-you-build-it-they-will-come" philosophy, all of these initiatives were established through a series of grants — three from the Ford Foundation and two from the John D. and Catherine T. MacArthur Foundation — that enabled the center to first demonstrate the value of its programs before securing a commitment from the University to fund the cost of its future operations. In the end, this was the only goal of Bill's professional life that he still desperately wished to achieve before he died, particularly since he viewed his work over his last seven years as his best. Fortunately, just two months before his death, the University's Board of Trustees informed him of its decision to support the center until an endowment could be established. That decision not only provided a closure for which Bill had worked very hard, but also presented us with a new beginning that he anticipated with great enthusiasm.

These years with Bill taught me many things, but especially about how to live in the eye of the storm, the importance of friendship, and the sustenance of faith. Letson number one was that things are never "normal," but rather, that what we think of as normalcy is the ability to find balance between our gains and our losses. Bill's health was a constant reminder of this principle. Time after time, he and I would walk out of a doctor's consulting room and shrug in unison while repeating his usual refrain, "What you lose on the swings, you make on the roundabout." Actually, that was my preferred phrase, which he used to humor me; otherwise, his favorite was, "There is always a joker in the deck." But on those occasions when the ups seemed to outweigh the downs, he would delight in saying, "And then God throws you a bonus" — a phrase he borrowed from Father Ted Hesburgh.

As a friend, Bill was a pillar of unwavering support and loyalty. He placed unlimited trust and confidence in others, which naturally made it so much more difficult to ever disappoint him. However, even on those occasions when one did disappoint, he was always willing to forgive. Besides, it was difficult to make mistakes around such an exceptional friend and mentor, for he always made time to provide advice or counsel. Of course, he was also quick to remind you if you failed to heed his advice. In fact, one time he exclaimed with frustration, "Sometimes I can be almost as stubborn as you." (Actually, I took this as a compliment, in a backhanded sort of way.)

But my friendship with Bill was more than this; it really was a kind of journey in which we shared times of great happiness and times of deep sorrow. This experience of sharing with him the loss of loved ones, the rollercoaster side of his health, and the joy of my marriage, taught me both about the need for having friends and about the rewards of being a friend.

Most importantly, Bill taught me about faith. Believing in justice is not wholly the same as believing in God. Being committed to social justice requires you to examine the relationship between individuals and society or government, but not necessarily between yourself and God. On the other hand, to believe in God certainly compels us to reflect upon our commitment to social justice as well. Bill's life until his death exemplifies this understanding — one that he referred to as the illumination of the heart and mind, but that I now call grace.

The final three months of Bill's life were not easy. Nevertheless, he seized every day with a determination to make the most of it, to say farewell to as many friends as his strength would permit, and to put all his personal affairs in order, including every last detail of how he was to be buried. As his body began to fail he fought mightily to keep a clear distinction between letting go and losing faith. He did not want to prolong his life by taking any extraordinary measures, and what precious time remained he chose to spend with a few friends constantly by his side. When death finally came, he was ready and at peace. And as we silently watched, Bill died just the way he had lived — with style and grace.
Rev. Bill Lewers, C.S.C.
Defender of Human Rights,
Cub Fan and Friend

Associate Professor of Law
I first met Fr. Bill Lewers, C.S.C., more than 30 years ago, when I was a sophomore in the college seminary and he was a newly ordained priest, teacher at the law school and member of the seminary staff. The impression of him that I retain from then is that he seemed like a very kind, smart, principled man, and I admired him very much. In those days, when you’re of the age (do we ever leave it?) when you seek role models, he was one for me. If people like him were priests, then priest was a good thing to be.

It was during that period that Bill brought a number of law students to live in the seminary after Dean O’Meara had changed the Law School calendar — an event that prevented law students from living in Fisher Hall. We looked upon them as a strange group, who seemed to do little more than work, and who made appearances in the seminarians’ lounge primarily to make trenchant criticisms of the cross-examinations conducted by Perry Mason. Among those hardworking souls was one Jim Seckinger, who says the major reason for the students’ appearance in the lounge was the quest for snacks and beverages.

Right before my ordination to the priesthood in 1973, Bill was elected provincial superior of the Indiana Province of the Congregation of Holy Cross. (In our unique geography, Indiana extends from the eastern border of Ohio to the west coast, and from the northern border of Texas to Canada.) That was a time of trial in religious life. Religious communities throughout the world were rethinking their roles in the church that emerged from the Vatican Council. Many people felt that the notion of religious life was one that would have to change radically or die, and others thought that death was the prognosis. It was a time for desperate leadership.

For years, I’ve said that one of the signs that Holy Cross was one of those communities healthy enough to adapt and survive was the series of very strong leaders who put aside their own careers to give themselves in service to the community. Bill Lewers was one of those leaders. He put aside his career in legal education and poured himself into service to Holy Cross.

As provincial, he made many decisions that were critical to the province both here and overseas (for in our geography, Indiana also extends to South America, Africa and Asia).

We had missionaries serving in Chile (where Pinochet had taken over and seized our schools), in Uganda (where Idi Amin reigned) and in Bangladesh (recently emerged from the civil war that led to its separation from Pakistan and the resulting political and economic chaos). Bill’s loyalty, love and passion for Holy Cross were obvious to all of us, and his wisdom served us well.

After his time as provincial, and after several other assignments here and in Chile, Bill went to Washington, D.C., to serve as head of the Office of International Justice and Peace in the United States Catholic Conference, through which the U.S. bishops address the needs and issues of the world. There, he was very influential in formulating and communicating the U.S. bishops’ response to the questions of peace and justice arising in our society and in the world.

Through both his provincial period and his Washington period, my admiration for Bill Lewers grew always stronger, but it was after his return to the Law School that respect and admiration became deep friendship. Bill returned here in 1988, a period during which I was still out practicing law so that I would better understand the profession for which I wanted to prepare people. I joined the faculty in 1990, and Bill was one of my most enthusiastic welcomeers. He had already become ill, by then having had a heart attack leading to open-heart surgery and having been diagnosed with non-Hodgkins lymphoma.

In the aftermath of those blows, he already was pouring himself into reviving the Center for Civil and Human Rights and turning it into the powerful voice for justice and source of workers for justice that it is today. Many times, he told me that his work in the Law School and in the center during this period was the best and most satisfying of his life. In whatever work on in the Law School or the University at large, Bill remained a steadfast and wise force for making decisions to clarify and advance the vision that defined who we were. For that, too, I admired and respected him.

I was here seven years with Bill, and all those principled and wise and wonderful public acts of service are very important to me, and we here are very much diminished by his loss (though our faith tells us that he is not lost, but rather, is in glory). But as important as any of them to me is how Bill was always available just to be a friend. He is famous among those who knew him for his loyalty to his friends, and equally famous for his disdain for those he believed to be manipulators and users of others.

I remember most (and miss most) those trips to Steak ’n Shake (genuine steakburgers and real milk in those shakes), where he would have his traditional single garnished with an onion slice and mustard-pickle relish, with a side of chili and large quantities of iced tea; those trips to Rooco’s (home of the best pizza not simply in the western world, but in all the world), where he would have his anchovy pizza (out of respect for me, we would make half the pizza pepperoni) and his bottle of Groshch beer with the weird cap; and those journeys with Tom Shaffer and Garth Meinert to see the Cubs play (and occasionally win), after which we would stop for dinner in LaPorte. During those excursions and visits to other “shrines,” we would ruminate over the problems facing the world and its microcosms in the University and the Law School; or how it was perfectly logical and consistent for Bill to say that he never had voted a straight ticket but had always chosen the better candidate in every race, and still in all his years he had never voted for a Republican; or, most painfully, whether the Cubs would ever again win the pennant.

Especially in the last weeks of his struggle, many of Bill’s friends spent many hours with him as he prepared for death. He looked straight in the eye, with faith and grace, and with a dry humor. He was ready to be with the Lord before his body decided it would let him go. Dying was a real chore. He remarked at one point; and at another point, he wryly accused one of his most-loved friends of trying too hard to have him die a noble death. We all had a chance to pray with him, and be with him, and learn from him, and cry for him — or was it really for us? Finally, when his time did come, he slipped away quietly.

Out of all of this, I found in Bill Lewers a true friend who could and would share faith, who loved fiercely, who lived his principles with whatever strength and insight he possessed. He made this Law School, this University, this world and all of us who knew him better. I love him. I miss him. Rest in peace, Bill, with the Lord whom you loved and served so well.
A Tribute to Father Bill

by Robert Glen Patrick, LL.M. '97

It is nearly a year ago approximated, since our party of twelve student climbers congregated in a summery, sweaty South Bend to prepare to summit the distant peak of the LLM.

At Notre Dame, and Fischer Grad for the most, we found our base camp, an oasis, and Posts. We surveyed the terrain and plotted our routes, contemplated courses, and got ourselves boost.

With fall in the offing and barely a tone, we set out on our August ascent. In our classes we met and honed the equipment for college to plop on and pick ourselves up the slope of knowledge.

Dinah pointed out the elementary phenomenal, the law of international bureaucracy and pacas sent servanda, the resolutions, draft articles, and advisory opinions, of the UN, ILC and ICJ, and their minions.

With Paolo we read the map and formed opinion, identifying characteristics of circumcision, deserts of democracy, forests of fundamentalism, and the perils of cultural relativism.

With Dean Leonard we met to debrief, discussing bizarre local culture, law and belief, while back at the center we were looked after, offered respite, friendship and solace from Kelly our mater.

Not to forget Garth the center feature, cookie controller and teacher.

Tina, our guiding star; lovingly administrated, and was dedicated even while young Drew gestated.

Our climbers' habits had rapidly become quite clear, while Mohamed weight-lifted, Ali took in beer; Kagwira initiated, Gay Marie was John goyated; Jean procrastinated; and Miguel gesticulated; Rob took in America, and Lugelley mated; Gina Armenterised and Mimi exercised; David South Africanised and Gabriella Sergioised; Kate our visitor computerised and rapidly thesised.

The paths became pack ice, we climbed beyond September; with support and guidance we navigated November, examined December, and wrapped up warm and ready for the icy altitudes of February.

With March came warm relief of Spring at last but work was mounting ominously fast. The month deceived us, lulled us in its daffodil pasture, as our papers became due for the passed year.

April was the cruellest month indeed, it delayed the summer breeding ilacs and wreaths. Father Lewers, it took you, our beacon, just as our party neared the peak.

We know that you are safe where you should be, administering human rights in the Holy City. We miss you still now as you loved us then, to you we dedicate our summit of the LLM.

So now it is with a tinge of sadness that we charge our glasses, and of course in hope of universal pates — for now the time has come to leave South Bend for soon we shall be LLM'ed.

The NDLS community mourns the death of a good priest, a good lawyer, a good teacher and scholar, and a good friend. Rev. William M. Lewers, C.S.C., 69, passed away on April 19, 1997 following a lengthy illness.

He lived a wonderful, rich life as an attorney, pursuing his law studies at the University of Illinois and graduate work at the Yale Law School, and in practice in Kansas City; a priest, ordained in 1965 and serving from 1971 to 1979 as provincial superior for the Indiana Province of the Congregation of Holy Cross; and as a teacher and scholar, at the universities of Kentucky and Illinois before his ordination, and at the Catholic University of Chile and at Notre Dame Law School after his ordination.

At the time of his death, in addition to serving as professor of law and director of the Center for Civil and Human Rights at the Law School since 1988, he was a member of the University's Board of Trustees since 1984, and a fellow in the University's Helen Kellogg Institute for International Studies.

A staunch defender of human rights, he is remembered nationally and internationally by many who called him colleague and friend. He is survived by a niece and two nephews. Please remember them in your prayers.

Contributions to the University in Father Bill's memory will be used to support students who are studying in the programs of the Center for Civil and Human Rights.
Farewell to The Chief

When The Chief's sparkling eyes closed forever on February 28, 1997, his loving daughter, Mary Kennedy, found the small green Bible he always carried in his pocket. In The Chief's inimitable handwriting on a frayed page placed inside the cover was this prayer:

I expect to pass this way but once, any good therefore that I can do or any kindness that I can show to any fellow creature, let me do it now. Let me not defer or neglect it, for I shall not pass this way again.

The Chief magnificently exceeded those aspirations and lived each day of his wonderful life by those words. And we who were his students during his 30 grand years at Notre Dame saw the infinite good he did and the incalculable kindnesses he bestowed. After all, we were the most immediate beneficiaries of his humanity.

Jack Broderick was a vivacious classroom professor, radiating both total fluency in his fields and excitement in being there sharing it.

In the hallways, he was so glad to see you that he would beam—a glowing flare in the night that, at times, is law school.

In his office, he was a wellspring of encouragement, good cheer and help.

It was genuine. I remember him always saying, "You are your brother's keeper." And to someone as selfless as The Chief, everyone was his brother. He told his family at dinner one night early in his career that he was determined never to say "no" to any student who ever came to him for help. Day after grinding day, and decade after grayer decade, he would cheerfully do anything for any student, even if it meant staying in his office long past midnight and getting only four hours of sleep.

During the last six weeks of his life, as he lay in his hospital bed in increasing pain, he was urgently giving instructions to his daughter to write several letters herself, in The Chief's name, on behalf of former students who were job hunting. "Tell him I know the State's Attorney in Chicago, and I'll call him." To an undergraduate student...

By James A. Albert '76

Remembering The Chief

We read with great sadness of the death of our good friend, John J. "The Chief" Broderick.

Those of us who came from military service directly to Notre Dame found a good friend and ally in The Chief. He understood our problems and talked our language and always had a pat on the shoulder that made us feel that no matter what our problem was, we had a friend at Notre Dame.

We will sorely miss his presence — but we will never forget him. He represents the spirit of brotherhood that is so much a part of our University.

— Chuck '51 and Marion Perrin
Remember The Chief: It is impossible for one who attended Notre Dame during his tenure not to remember him. Eulogies of The Chief were almost as fervent among law students as those of Frank Leahy were from his athletes.

While in law school, I was the administrative assistant to football coach Hughie Devore. We were recruiting Alan Page. We knew of Alan’s profound interest in the law, so Hughie asked if I would meet Alan for breakfast one Sunday morning in the cafeteria. I enlisted classmate Tom Connolly and The Chief to join in the effort. Tom and I discussed “pre-game strategy” at Hughie’s home until about 2:30 a.m. that morning. But we were on time for our 7:45 a.m. breakfast. The Chief asked Alan what other campuses he had visited. Alan mentioned one (I think it was Michigan State) and he told The Chief that they had offered him the usual scholarship and had assumed they would make every effort to get him into their law school. The Chief said, “Alan, I’d take that offer if I were you.” That comment got my head out of the coffee cup. The Chief went on, “Son, they must really want you. They don’t even have a law school and if they are going to start one for you, that would really be something.” I think that helped turn Alan’s head in the direction of South Bend. And the rest is history.

(I trust most readers remember that Alan played defensive end on our law school and if they had offered him the usual scholarship and had assumed they would make every effort to get him into their law school. The Chief said, “Alan, I’d take that offer if I were you.” That comment got my head out of the coffee cup. The Chief went on, “Son, they must really want you. They don’t even have a law school and if they are going to start one for you, that would really be something.” I think that helped turn Alan’s head in the direction of South Bend. And the rest is history.

— Judge John H. Leahy ’64

In reference to your tribute to The Chief, I would like to offer some of my experiences with this fantastic man. My friendship with The Chief began in the late 1960s. I was a student manager for the football team and as most people know, The Chief was a regular at afternoon practice during the week.

One of my fondest personal memories of my Notre Dame undergraduate years was in fall of 1970, when The Chief brought me into one of his famous Friday afternoon pep rallies as, of all things, the guest speaker. I remember him putting me up on the table to the cheering crowd of Notre Dame law students. I was the head student manager for Coach Parseghian and there I was, thanks to The Chief, with my debut in public speaking representing the 1970 football team. The Chief and the roomful of students were going wild, although I knew I had nothing to do with what I was saying.

The Chief and I enjoyed many great Notre Dame football games together, the last of which was my final game, the January 1971 Cotton Bowl. The Chief was right there on the sidelines on that beautiful afternoon, a fixture, and an inseparable part of our formula for success.

I am very blessed to have known The Chief. He really wanted me to attend NDLIS. I chose not to do so for reasons not relevant here. However, I have always felt a special relationship with the Law School—thanks to The Chief. He was one of the greatest Notre Dame men I have ever known.

— James M. McGraw Jr. ’71 B.A.

desperately trying to gain admission to Notre Dame, The Chief, flat on his back, said he’d call Father Ted to see if anything could be done. The frenetic pace of The Chief’s office simply changed venues. As long as Jack Broderick’s heart beat, it beat for others.

Being his brother’s keeper drew The Chief across species lines, as well. He was the keeper of every stray cat and starving bird in South Bend his last winter. At 87 years old, Broderick got up every morning at 4:30 a.m. to drive all the way out to Roseland to feed a scraggly pack of wild, stray cats who relied on him. One of them had only one ear, another was missing its tail. It was pitch black out that early, but he would load up his car with a seat full of bowls, dishes and tins away he’d go. His car smelled like a tuna boat. “They won’t make it through the winter without me,” he explained.

In his last days in the hospital, he excitedly asked each day if his daughter was giving his stray the fancy albacore tuna he always bought for them — and he cross examined her to make sure the brand she was buying was dolphin-safe. Desperately ill and with his own heart flapping, The Chief’s thoughts were with a dozen defenseless cats and an unrun school of dolphins at the bottom of some ocean.

There were many personal tragedies in The Chief’s life that few others knew about. No complainer, Jack kept them to himself. His deep religious convictions and personal determination to live the life of an unbridled optimist forged his mettle. Only someone as tough as steel would start all over at 65 years of age and move to North Carolina. There, at the new Campbell Law School, The Chief earned the love and affection of another generation of lawyers and, into his 80s, did the work of five junior professors. He was indefatigable.

And Louise, his devoted wife and partner, stood strongly with him every inch of the way for more than 60 years. They tell the story at Campbell of the invitation The Chief received to join a senior citizens’ swim one day on campus. When he arrived in his suit that night everyone else was planning to wade around and do some mild water aerobics. The Chief took one look, found a full lane for himself, swam 40 laps without stopping, thanked the rest of them for their hospitality, and went back to his office for several more hours of work. He was in his 70s at the time.

The Chief’s life was on fire. Like a comet, he roared past each of us in his orbit. He was an exemplar of integrity, a pillar of strength, a fighter.

The only time The Chief’s old friend Father Murray ever saw him cry was in the 1960s. The two of them were driving down Notre Dame Avenue late at night when The Chief spotted a black cooker spaniel by the side of the road and stopped. When he got out of the car, he saw the mother dog standing over her little puppy, which had been run over. She was wailing at the dead puppy, trying to pull it off the road. The Chief just sobbed. He had the biggest heart.

He was brilliant, of course, a Rhodes Scholar and Phi Beta Kappa who had four collegiate majors, including Greek and Latin. But, like Cicero, The Chief was playful. There was definitely Leprechaun in him.

Without The Chief, who embodied the palpable spirit of Notre Dame, ours would have been a law school like all the suffering others — without pep rallies. The kid in Jack came out on those afternoon pep rallies, as he jumped up on a table in the student lounge or the workmanlike strains of the “Notre Dame Victory March” played by his own pep band. Dean Link is the most renowned band alumnus — he played drums. Other student musicians, none with exactly symphonic credentials, pulled tighter duty. Trumpets, saxophones, clarinets and trombones combined with kazoo and duck calls to set the stage for The Chief’s corny jokes, guest appearances by the bemused Notre Dame cheerleaders, and phony comments from the coaches and assistant coaches. It all culminated in The Chief bounding over to a blackboard to scrawl out his prediction for the game, after going through scouting reports and his own lengthy explanation for his calculation — NOTRE DAME 300, SOUTHERN CAL 5. Everyone roared.

Broderick lived every day of his life with boundless passion. His life was a whirlwind that he stirred with a gleam in his eyes and with joyful hair.

But let no one forget the unwavering substance of this man, how thoughtful he was and how deeply held was his sense of justice.

More than anything, The Chief despised cruelty or injustice in any form. He simply could not stand it. He recoiled at racial discrimination and spoke out
forcefully against it. To those in positions of power or advantage who would show no compassion for the less fortunate, he would bristle. To the conceited and arrogant, he would burst out laughing.

He punctuated his days with memorable phrases. Rejecting the argument that administrative convenience was ever sufficient justification for a court decision, he recalled Italy during Mussolini’s reign.

“The trains ran on time, but the people had no rights.” If someone said something with which he strongly disagreed, he would mutter quite pleasantly, “De Gustibus Non Est Disputandum” (“In matters of taste, there is no point in arguing, and your taste, buddy, well . . .”), as the offending party smiled in ignorance. He knew we all would face frequent adversity and he counseled, “Illegitimus Non Carborundum” (“Don’t let the bastards grind you down”). And almost daily he would offer this insight on life: “Many are cold, but few are frozen.” No one ever knew exactly what he meant by that, but it appeared to be The Chief’s play on the phrase, “Many are called but few are chosen.”

Can’t you still hear him and see him? I know I always will. While with the FCC in Washington, D.C., three years after graduating from law school, I spent a weekend with The Chief and Louise in their home in North Carolina. When I confided that I felt unfulfilled and wondered if there were more to life than that, it took him one second to chart the next 18 years of my life. “Become a law professor like I did and you will make a difference with your life. Let’s do it.” With Jack’s help, I was teaching law within six months. And with his constant guidance and friendship these last 18 years, I have attempted to capture the zest that he had for life, the passion he felt for others, and, in truth, to be for my students the kind of professor Jack Broderick was for us.

I dedicated one of my books to him, and whenever awards have come my way for teaching, I have said that the accolades belong to The Chief. The only thing I have done is to follow The Chief’s lead.

He touched us all, of course. Or rather, to use a less passive verb since The Chief was anything but passive, he reached out and grabbed us with his ebullience, his generosity, his warmth. As he did to everyone who intersected his extraordinary life — the cafeteria worker and the janitor whose names he knew and for whom he had so much affection, the starving cat, the lonely student with one last, best hope.

He was also the kindest of men. He loved to vacation in Fort Lauderdale, where he would walk along the ocean at sunrise. As he made his way along the beach every morning that he was there, he would stop every few feet. In front of him were small tidal pools where tiny fish and starfish lay stranded. For as far as he could walk, Jack would reach down, carefully scoop them up and throw them back into the ocean so they wouldn’t die in the hot sun. When a lifeguard once told him condescendingly that he was wasting his time because dozens of other fish would be in those same pools the next day, The Chief snapped back, “Then I’ll come back tomorrow for them!”

We have every reason in the world to love him, and to cherish his memory in our hearts forever.

James A. Alpert ’76 is a professor of law at Drake University and a member of counsel with Gallicano, Tully, Doyle & Reid, P.C., in Des Moines, Iowa.

I transferred to ND Law School for the fall ’74 semester, and had Professor Broderick’s Labor Law course. After class one day, The Chief asked me, “Mike, you look a little sluggish — are you studying too much at Corby’s Bar with Brian Short?” We laughed, and I explained that finances were tight, and I’d been sleeping on floors and buming a few meals until I could get a room on campus. The Chief drove me right over to his house, and his gracious wife, Louise, fixed me four sandwiches. The Chief had a bowl of soup, explaining that he got up at 4 a.m. to prepare for class and that a big meal would make him sleepy. The Chief invited me every week, and we talked family, football, law, God and aspirations.

I didn’t want to disappoint The Chief, and tried hard to ace the class, but earned a “B” grade. With that trademark twinkle in his eye, The Chief (a Phi Beta Kappa scholar himself) downplayed intelligence alone and told me he “met a lot of geniuses who couldn’t flush the toilet. Good character and a good soul are greater gifts from God, Mike.” The Chief was a people coach, and that is his ultimate legacy and the secret of the deep affection and loyalty he engendered in students.

I last visited The Chief for several days in August of 1996. His cozy home a block south of Angels and Notre Dame Avenue was chock-full of stacks of books, articles and newspaper clippings. An old article from ND’s game in the “Japan Bowl” prompted The Chief to recall a Japanese reporter looking around the Law School for “The Big Indian in Charge.” As we reviewed my collection of ND postcards dating back to 1905, The Chief recalled anecdotes and stories from the past five decades. I tried to persuade The Chief to write his memoirs and offered to help, but he humbly questioned the merits of such a project. (He almost said “yes,” however, when I proposed a chapter entitled “The Chief’s Post-WWII All-time Notre Dame Football Team”)

On August 3, 1996, we said goodbye and The Chief gave me a copy of a photo taken of us 22 years ago. He and his wife were getting into their car to drive across town to feed a stray cat. He was wearing his ND Law Association hat, an ND Basketball polo shirt, and an ND jacket. At age 87, he possessed that same wit, charm and zest for life that endeared him to all of us. His daughter, Mary, noted that during his hospitalization of six weeks, he remained cheerful and optimistic until the end.

Let’s hope and pray that Professor Broderick is in heaven. I’d like to believe that our merciful Father has assigned a special project to The Chief — organizing a celestial pep rally for the new stadium’s dedication. I can see it now. The Chief leap’s up onto his old desk and announces each speaker: first Gipp, then Leahy, next Rockne, and as the closer — Father Sorin! The Chief directs the “Hike Song” played by a kazoo band of Moose Krause, Professors Murphy and Mannion, Tom Dooley, Father Badin, and maybe even Clashmore Mike! The O’Shea brothers sit down at the piano and kick-off their composition — “The Victory March.” Our Lady gazes upon a loyal son, and those Irish eyes of Johnny Broderick are smiling eternally.

— Michael C. Murphy ’72 B.A.
Building Real Communities

DOUGLAS W. KMIEC

We need to start building communities. Today, we build only subdivisions.

Modern land development is distinctly anti-community. It is that way by design. Its organizing principle is exclusion and the segregation of uses, nominally for the protection of health and safety, but as it turns out, practically aggravating both. Residents are consigned by legally imposed plan to live largely isolated lives in close proximity to only an attached multi-car garage.

Don't believe me? Think about your basic zoned subdivision of large, single-family houses on large lots.

Set in the country away from the supposed noise and congestion of the city, dozens of models and floor-plans await hard-earned down-payments. These developments inspire thoughts of children playing in wide yards, neighbors worshiping together nearby, grandparents close at hand, and leisurely evening walks inviting pleasant conversation with friends on front walks or at the corner store.

The reality is often far different. The wide yards are frequently empty because the children are in extended day-care or after-school programs waiting for late-arriving and exhausted parents to exit a clogged expressway. By design, home and office are kept in far-distant "zones." Neighbors may worship, but seldom nearby. Local churches, and the important spiritual and charitable community-building they supply, are miles away, situated by regulatory edict along arterial highways.

No handy grandparents either. In-law or accessory dwellings compatible with a fixed, retirement income are out of the question. A leisurely walk is a possibility, but to where? Sidewalks, if they exist, are narrow and tree-less running in cul-de-sacked circles. And heaven forbid there should actually be a store down on the corner.

The American land-use planning and zoning model is one of strict use segregation. Houses for nuclear — not extended — families in one place; businesses in another; stores in a third; and churches still somewhere else. This creates a nice, neat — everything in its place — appearance, but the design has real problems, too.

For years, environmental engineers have recognized that this type of land-use arrangement aggravates the problem of the automobile — most notably, air pollution. Urban planners estimate that many households make up to 10 separate automobile trips a day. These excursions exact a heavy toll upon the family budget, and the sanity of mothers and fathers sentenced by an unyielding physical layout to drive everywhere — school, store, church, library, park, office.

Even as 40 percent of working Americans will soon face making care arrangements for elderly family members, zoning laws keep Grandma and Grandpa — or even a newly married son or daughter struggling to get on their feet — from moving into an easily created "granny flat" or separate apartment on one's own property. The same restrictions exist against computer and fax-based home businesses. Convenience stores and retail shops, even those with well-appointed signage and facades, are unthinkable. Youngsters are thus deprived of the responsibility of doing family shopping or the opportunity of an after-school or summer part-time job.

This segregated land-use pattern still appeals to some, but there seems little reason to uniformly and complacently chisel it into local law. Private developers only make matters worse by adding the imposed micro-detail of private restrictive covenants that control everything from house-sided color to pet size. These specifications are touted as maintaining property values, and sometimes they do, but the cumulative effect of such public and private use restrictions is a sterile living environment that breeds juvenile boredom and separates, rather than unites, families.

It doesn't have to be this way. Many European towns and cities, for example, have never accepted our monotonous zoning model. Closer to home, Notre Dame's School of Architecture has become a leading center of neo-traditional planning, promoting the construction, or reconstruction, of village centers.

Village centers are what, years ago, we less elegantly called neighborhoods. Neighborhoods have a sense of place. Street patterns intersect and define it. There are walkable distances to the needs of daily life. Commercial uses are reasonably integrated with residential dwellings of all types. In short, the neo-traditional prescription is a simple common-sense one: neighborhoods require housing, schools and parks to be placed within walking distance of shops, civic buildings and jobs.

No physical environment is beyond redemption — not even so-called "big box" retail outlets like Wal-Mart. For example, accessory units and apartments can be inserted in, around, and sometimes even over such stores. Residential-over-retail was once commonplace in Chicago and other large cities. By reviving this pattern, architecturally undistinguished structures engulfed by dark, forbidding islands of asphalt can become inviting, attractive centers of activity. Parking is re-oriented out back or on-street. Human needs are given preference over the automobile.

Neo-traditional developments are now being planned or built across the country. Where are they in your town? These locations present a new, more welcoming American dream — one not cramped by exclusionary public and private restrictions. They hold the promise of vibrant physical locations where singles mix with marrieds, elderly with the young, market workers with homemakers, and blue with white collar.

They remind us that communities begin with neighborhoods — real ones.

Douglas W. Kmiec is a Professor of Law in the Notre Dame Law School. This essay originally appeared in Professor Kmiec's regular column in the Chicago Tribune, March 16, 1997.
Where Are the Neighborhoods?

Do you live in or know of a traditional or neo-traditional neighborhood — that is, a neighborhood like that described in Professor Kmiec's essay that is within easy walking distance of work, schools and shopping? Professor Kmiec and a number of present law students are compiling research on this topic and would welcome hearing about your own search for neighborhood and "home." In particular, they would like to know the following:

1. Does your neighborhood have a gathering place such as a town hall, center or square within walking distance?

2. Are there any of the following within a quarter- to half-mile of where you presently live:
   a. a convenience store?
   b. your or your spouse's workplace?
   c. your church or a well-attended church of another denomination?
   d. a variety of housing types different than your own (e.g., if you live in a single-family home, are there nearby apartments, condominiums, townhomes, etc.)?
   e. public transit of some type?
   f. a library?
   g. a theater?
   h. a park?
   i. an elementary or secondary school, public or private?

3. Does your neighborhood have sidewalks?

4. Are accessory uses permitted on your property (e.g., could you create a separate living unit for an elderly parent, returning child, or for supplemental rent income)?

5. Do the streets in your neighborhood intersect or is it comprised mainly of cul-de-sacs?

6. Do you know more or less than half of the people living within a half-mile radius of your home?

7. Do you live in a city, suburb or rural area?

8. Is the amount of time you spend driving your automobile far too much and difficult at times or does it pose little difficulty for you?

9. Do you wish you could live closer to work and/or school?

10. Do you find that the existing pattern of single-family subdivision development:
    a. more than satisfies your residential and community needs;
    b. satisfies some, but not all, of your residential and community needs; or
    c. leaves you wishing for an alternative?

Send your responses to these questions, and if you wish, any specific comments or neighborhood descriptions you wish to share about this topic to:

Professor Douglas W. Kmiec
921 Law School
Notre Dame, IN 46556

or by e-mail: douglas.w.kmiec.1@nd.edu

We promise to let you know the results of the survey on the search for the "great American neighborhood" in a future issue.
It's just before 2 p.m. on a Thursday afternoon at the Transitions Health Systems care facility on the far west side of South Bend. Nurses, nurses' aides, orderlies and administrators are scurrying about tending to the needs of the wide assortment of infirm individuals cared for here — the elderly, the disabled veterans, the mentally incapacitated. This is the business of this place.

The residents themselves are milling about somewhat aimlessly — talking to companions, visiting the nurses' station, walking or wheeling down the hallways to see what's going on elsewhere, or just sitting alone staring as others walk by. This is the life of this place.

Then over the loudspeakers comes the announcement: "Tex the Piano Man will be in the residents' dining room at 2:00." And suddenly, the business of this place slows down for a moment, and the life of this place brightens up — if only for this one hour, one Thursday afternoon each month. Within minutes, the residents seem to discover an aim to at least part of their day. Walking, wheeling themselves, or wheeled in by caring orderlies, aides and nurses, a couple dozen residents crowd the dining room to hear "Tex the Piano Man" entertain them.

Tex the Piano Man, by day, is Fernand N. "Tex" Dutile '65, associate dean of the Notre Dame Law School. He teaches criminal law and procedure to first-year students, and pursues his own writing and research in the field of law and education.

Notre Dame students, faculty and alumni have been treated to Tex's lounge-style song-and-piano act at numerous Father Mike Talent Shows over the years. Tex never fails to delight the students and faculty with his renditions of crowd favorites, including his own "Ballad of John Wayne Bobbit." His humor and talent shine through annually as one of the highlights of the show.

And on Thursday afternoons at Transitions, he is the same humorous, talented showman as he belts out everything from show tunes to big-band hits to sentimental old war-time favorites. But Tex the Piano Man brings with him to Transitions something more — a genuine affection for his audience. As he breezes into the room promptly at 2 p.m., he begins to warm up the crowd with some showman's patter, then launches right into his repertoire of some two dozen songs. Each tune inspires the crowd in different ways. Some sing — especially to the crowd favorite one afternoon, "You Wore a Yellow Tulip"; some dance; some clap along; and others just sit and listen. And he even takes requests.

Tex the Piano Man began his singing career at Transitions over 15 years ago, when a distant relative became a resident of the center. He responded to an ad in a newsletter asking for a piano player to entertain there once a month, and has been there ever since. When asked about his obvious devotion to this calling, Tex comments, "It's just something I do for the sheer enjoyment of it. I don't always know how I'm coming across to the residents — whether they enjoy my piano playing and singing — but it is something I love to do."

Clearly, the residents look forward to Tex's appearances. This particular Thursday, nearly 30 of them filled the dining room to sing, dance and clap along — to take a break from the daily routine of life in this place. But just as clearly, the Transitions staff looks forward to Tex's appearances. Those who wheel residents into the dining room stay for the show. Orderlies whose job it is to clean the dining room take the entire hour to wipe tables and mop the floors. An administrator spends half an hour in the doorway singing along. Nurses, aides and other personnel slow down as they pass by the dining room doors, stop, poke their heads in, and just listen for a while. And everyone walks away smiling, whistling the last tune they heard. Tex the Piano Man gives them all a break from the daily routine of the business of this place.

It's 3 p.m., the show is over, and Tex the Piano Man breaks out. The residents and staff begin to file out as well — only now a little more slowly than when they came in to hear him. It's back to the business of working and living in this place. But the atmosphere is a little different than it was an hour ago — someone in the crowded hallway is whistling, "You Wore a Yellow Tulip."

By Cathy Pieronek '95
Associate Director, Law School Relations
Matthew J. Barrett ’85 recently was promoted to tenured faculty status by the University. In April, he served as program chair and moderator for a program entitled “Business Valuation: What Every Business Lawyer Should Know,” presented by the Committee on Taxation and Accounting at the spring meeting of the ABA’s Section of Business Law in Boston; and gave a presentation on tax ethics to the Taxation Committee of the Indiana State Bar Association at its spring meeting in South Bend. In June, he presented two programs at the NDLS Reunion ’97 continuing legal education conference on accounting for lawyers and on entity selection.

G. Robert Blakey ’60 continues his successful run in the federal courts. In January, the First Circuit affirmed the decision in his favor in Leland v. Zemach, granting sanctions to a civil-rights plaintiff who successfully attacked sex discrimination in the Town of Johnson fire department. He is designing RICO federal and RICO-state lawsuits for the lawyers-general of 21 states who are moving ahead on litigation against the tobacco industry. He is working directly with Arizona, Florida and Texas on their lawsuits, and in March, presented the “good news/bad news” about RICO litigation to the Office of the Attorney General of New York. In June, he and Professor Charles Rice filed a brief in the Second Circuit in United States v. Lynch, an abortion protest case.

He is an outspoken critic of attempts to re-open the case against James Earl Ray, who was convicted of the assassination of Dr. Martin Luther King Jr. He has appeared on “Cochran and Grace,” has been interviewed by NBC, CNN, Court-TV, the Christian Broadcast Network, The New York Times, and The Memphis (Tennessee) Commercial Appeal. He believes that the new scientific tests recently ordered by the Tennessee court will not change the findings in 1968, and again in 1979, that Ray’s guilty plea was found voluntary and was amply corroborated independently of the crime.

He has had several speaking engagements as well. In March, he spoke on “Property Sanctions: Legislative Solutions to the Control of Organized Crime” at the Nathanson Center for the Study of Organization Crime and Corruption, Osgoode Hall Law School at York University, in Toronto, Canada; and also in March, he participated in a seminar at the NDLS Center for Civil and Human Rights, speaking on “RICO’s Possible Application to International Violations of Human Rights”; in May, he spoke on “RICO and Organization Crime” at the annual convention of the Law Enforcement Intelligence Unit, a national organization of police intelligence officers, in Los Angeles; and also in May, he spoke on “RICO and Sophisticated Prosecutions” to the Criminal Division of the United States Attorney’s Office in Los Angeles.

In June, he appeared as a guest on Fox News Channel’s “Crier Report,” where he spoke on the use of RICO to prosecute organized crime activities. Also in June, he gave a presentation to the ethics of defending a guilty client at the NDLS Reunion ’97 continuing legal education conference.

The American Criminal Law Review devoted its entire 25th Anniversary Issue to his 357-page article entitled “Reflections on RICO v. Ernst & Young.”


Gerard V. Bradley delivered a lecture entitled “Secularism in American Constitutional Law” at the “Secularism and the Common Good” conference sponsored by the American Journal of Jurisprudence at NDLS in April. He also organized the conference, which spanned nearly two days and brought together highly accomplished scholars in philosophy, law, history, religion and theology from around the world to discuss secularism and its effects on our culture and in our public life. In May, he presented a lecture entitled “Religious Liberty: The Court and The Church” at a conference on the “Basics of Catholicism” sponsored by the University’s Jacques Maritain Center. He published “Catholic Faith and Legal Scholarship” in the Journal of Legal Education.


Paolo G. Caroza spoke on “Private Law Theory and Comparative Law” at a conference on “New Approaches to International Law” at Harvard Law School in May.
- Fernand N. "Tex" Dutille '65 spoke on "The Three Challenges of Excellence" as the featured speaker at the University's Academic Excellence Awards Dinner in March; the event, sponsored by the Office of Academic Services for Student-Athletes, honors members of the University's varsity teams who have excelled academically.

- Barbar a J. Fick has published ABA Guide to Workplace Law (Thom Books, June 1997); Review and Assessment of Collective Labor Law in Eight Central European Countries (published by the Free Trade Union Institute), a chapter entitled "Federal Labor and Employment Law" in Specialized Legal Research (edited by L. Chani and published by Aspen Law & Business in June 1997); and "The Scope of Employer Liability for Employee Exposure to a Hazardous Substance: No Harm No Foul?" in Review of United States Supreme Court Cases. She also presented a lecture entitled "Sexual Harassment in the Medical Professions" to residents and interns at St. Mary's Community Hospital in South Bend in February.

- John Finnis delivered his inaugural lecture as the Bioclini Family Professor of Law, "The Developing Implications of Secularism for the Common Good," at a conference sponsored by the American Journal of Jurisprudence entitled "Secularism and the Common Good" at NDLS in April. Professor John Haldane of the University of St. Andrews in Scotland provided the response.

- John Garvey has had numerous public-speaking engagements over the past few months: In February, he gave the invited lecture, "The Architecture of the Establishment Clause," at Wayne State University Law School in Detroit, Michigan, and chaired a symposium entitled "Wisconsin's Wisdom in a Yoda" at Capital University Law School in Columbus, Ohio; in March, he conducted a faculty workshop on his book, What Are Freedoms For? at the University of Minnesota Law School in Minneapolis, Minnesota; in April, he gave a lecture entitled "Judicial Recusal" at Marquette University Law School in Milwaukee, Wisconsin; and in June, he presented "What Are Freedoms For?" at the NDLS Reunion '97 continuing legal education conference. He published "The Real Reason for Religious Freedom" in First Things and "What's Next After Separationism?" in the Emory Law Journal.

- Jimmy Gurule was honored with a Presidential Award at the University's President's Dinner in May. He was recognized for his scholarship, which this year included publishing three books, his teaching, and his contributions to the Notre Dame and Hispanic communities.


- He participated in a conference on International Organized Crime held in Moscow, Russia, in April. The conference, sponsored by the U.S. Department of Justice and hosted by the Procurator General's Office of the Russian Federation, dealt with the alarming problems of corruption and organized crime in Russia as well as with recent efforts to reform and democratize the Russian criminal system by creating an independent judiciary and by implementing the right to a jury trial.

- Roger F. Jacobs, while in Great Britain for the spring semester, was a guest of the British Library Council for a five-day study tour of Belfast, Northern Ireland, law libraries and legal institutions. He continues to serve as a member of the ABA's Accreditation of Law Schools Project Team, recently participating in a site evaluation visit to Columbia University.

- Janis Johnston represented NDLS at the Conclave on Legal Education in Indiana, sponsored by the ABA Section on Legal Education and the Indiana State Bar Association. She also served as a consultant to the Cleveland-Marshall Law Library on reorganization of its technical services department. And she attended the "Bytes and Bricks Conference" at Washington University in St. Louis in March, a conference focusing on law school architecture sponsored by the ABA Section on Legal Education.

- M. Cathleen Kaveny addressed the Roman Catholic bishops on the legal aspects of physician-assisted suicide at their annual conference on medical ethics in Dallas in February. In March, she delivered a paper "Economic Pressures: Managed Care and the Poor" at the Columbus School of Law in Washington, D.C.; appeared in a teleconference on the Catholic Common Ground Project broadcast on the Odyssey Channel; and published "Assisted Suicide, Euthanasia and the Law" in the Journal for Peace and Justice Studies. In June, with Professor John Robinson, she delivered a presentation on physician-assisted suicide at the NDLS Reunion '97 continuing legal education conference.

- Dwight King was honored at the annual president's dinner with the Rev. Paul J. Folk, S.C., Award, for his professionalism and commitment to quality teaching and research as a research librarian. He spoke on a panel addressing "Minority Law Librarianship" at the annual meeting of the Southeastern Chapter of the American Association of Law Libraries in Tallahassee, Florida, in April.

- Douglas W. Kmiec has been active in promoting the ban on partial-birth abortions: He submitted invited testimony to the U.S. House and Senate Judiciary Committees in support of the Partial Birth Abortion Ban Act; drafted and circulated a letter on behalf of the U.S. Catholic Conference, in which over 60 law professors expressed support for the constitutionality of the partial-birth abortion ban; and helped several states, including California, Illinois, Michigan and Virginia, draft legislation to ban partial-birth abortions. He also advised the Senate Judiciary Committee on the legality of assertions of executive privilege by the Clinton Administration.

- He published "Public Educational Services in Religious Schools: Does the Establishment Clause Require Separation or Neutrality?" in Preview of United States Supreme Court Cases. And he has had numerous speaking engagements in which he debated the constitutionality of the Religious Freedom Restoration Act on WNYC, the NPR affiliate in New York City, participated in a Liberty Fund Conference on Catholic Social Teaching in Indianapolis in March;
Professor Tom Shaffer Retires from NDLS

Professor Thomas Shaffer, Robert E. and Marion D. Short Professor of Law and a mainstay of the Law School for nearly four decades, announced his retirement effective at the end of the 1996–97 academic year. Although he expects to continue working in the Legal Aid Clinic, his departure from the full-time faculty constitutes a major loss both for the faculty and for the students, for he has been a consummate scholar and a caring, insightful teacher and mentor.

Professor Shaffer arrived at NDLS in the fall of 1958, after completing his undergraduate work at the University of Albuquerque. Upon graduation from NDLS in 1961, he joined the Indianapolis firm of Barnes, Hickam, Pantzer & Boyd as an associate, but returned to NDLS shortly thereafter to join the faculty. He became a full professor in 1966, and served as dean from 1971 through 1975. Since 1991, he has served as supervising attorney in the Legal Aid Clinic. In addition to his clinical teaching, he has taught Estates, Law and Religion, Legal Counseling, and Legal Ethics.

An exceptionally prolific author, Professor Shaffer has published, among other things, Planning and Drafting Wills and Trusts in 1972 (now in its third edition); American Legal Ethics in 1985; Faith and the Professions in 1987; and, with his daughter Mary, American Lawyers and their Communities in 1991.

The editors of Notre Dame Lawyer magazine plan to profile Professor Shaffer in the Fall/Winter 1997 issue, in conjunction with a feature story on the Legal Aid Clinic. We ask that colleagues, former students and friends of Professor Shaffer share with us their stories of this special man for inclusion in that article.

delivered the invited 1997 Bradley Institute Lecture at Belmont Abbey College in North Carolina in April; participated in a litigation strategy seminar on the pending litigation in support of school choice in Washington, D.C., in April; delivered a Hesburgh Lecture entitled “Why Law is not Morality” to members of the University’s Alumni Senate on campus in May; conducted two week-long Notre Dame Elderhostel courses on the Constitution and Catholic Social Teaching on campus in June; and taught a seminar on cutting-edge issues in constitutional law at Georgetown University in August.

He was designated the Distinguished Visiting Professor of Law at Pepperdine University in California for 1997–98. He continues to serve as faculty advisor for the Notre Dame Law Review. He also continues to write his regular column for the Chicago Tribune, which appears every third Monday in the op-ed section.

Donald Kommers has been appointed by the University’s provost, Nathan O. Hatch, to a search committee in connection with the appointment of a new director for the Helen Kellogg Institute for International Studies. He has been elected to the Board of Directors of the United States Association of Constitutional Law, a group committed to the study of comparative constitutional law.

Dean David T. Link ’61 was involved with the creation of and has been named the chair of the World Law Institute, a not-for-profit organization that will sponsor educational programs in fields of law relating to the global economy, world organizations and the emerging world common law.

In June, he gave a presentation on professionalism and ethics at the NDLS Reunion ’97 continuing legal education conference; gave a Hesburgh Lecture on professionalism to the Notre Dame Club of the Mohawk Valley (Utica, New York); and gave continuing legal education programs on professionalism and ethics to the Notre Dame Clubs of Washington, D.C., and Philadelphia.

Garth Meintjes, with Douglas Cassel, presented a talk on “Seeking Justice in the World?” at a conference sponsored by the Midwest Coalition for Human Rights on “International Human Rights: at the Grass Roots: Putting International Standards to Work for Our Children” in Iowa City, Iowa, in March. He also served as guest editor for the Spring 1997 issue of Transnational Law and Contemporary Problems, a journal of the University of Iowa College of Law. The issue featured a symposium on “Prosecuting International Crimes: An Inside View.”

Lucy Salsbury Payne ’88, along with Indiana Chief Justice Randall Shepard, Dean Norman Leitstein of the Indiana University (Indianapolis) Law School, and Dean Ed Gaffney of the Valparaiso Law School, testified before a committee in the Indiana House regarding passage of a bill that proposed establishing an Indiana CLEO (Council for Legal Education Opportunities) program; the bill passed out of committee unanimously last February. She also gave a presentation on legal research on the Internet at the NDLS Reunion ’97 continuing legal education conference.


Teresa Godwin Phelps gave a day-long workshop entitled "Advanced Legal Writing and Editing" at the annual meeting of the Council for Appellate Staff Attorneys in July in Burlington, Vermont.

Charles Rice presented a lecture entitled "Natural Law" at a conference on the "Basics of Catholicism" sponsored by the University’s Jacques Maritain Center in May. He spoke at the University of San Francisco in June. With Professor G. Robert Blakey, he filed a brief in the Second Circuit in United States v. Lynch, an abortion protest case.

Honorable Kenneth Ripple delivered the commencement address at the University of Montana School of Law in May.

John H. Robinson delivered a Hesburgh Lecture to the Notre Dame Club of the Inland Empire (California) on physician-assisted suicide in June; and with Professor M. Cathleen Kaveny, gave a presentation on physician-assisted suicide at...
the NDLS Reunion '97 continuing legal education conference. He was named Distinguished Teacher of the Year by the NDLS Class of 1997.

Robert Rodes gave a presentation on achieving justice in civil litigation at the NDLS Reunion '97 continuing legal education conference.

Elizabeth R. Schiltz presented a lecture entitled "Electronic Banking" to the Merchants Research Council, Inc., in San Diego in February.

Patrick J. Schiltz presented two seminars on litigation against religious organizations at a meeting of the Regional Executive Ministers Council of the American Baptist Churches USA in Tucson, Arizona, in March; and spoke on "Religious Education and Professional Ethics" at the annual Festival of Life at the First Presbyterian Church in South Bend in April. He spoke on "Cameras in the Courtroom" at the annual regional conference of the Society of Professional Journalists in South Bend in April. He has been a frequent television commentator on legal issues: In February, the Fox News Channel interviewed him regarding clergy sexual abuse; and on several occasions in January and February, WSB-TV, South Bend, interviewed him regarding evidentiary matters in the O.J. Simpson civil trial. In addition, in February, he was quoted in an article on sports marketing in the Indianapolis Star, and in an article on clergy sexual abuse in the Miami Herald.

Thomas L. Shaffer '61 presented two papers and participated in panel discussions at the National Conference on Teaching Ethics at the College of William and Mary, Williamsburg, Virginia, in March. He presented the keynote talk entitled "Faith Tends to Disrupt Legal Order" and participated in discussions at a national conference on "The Relevance of Religion to a Lawyer's Work" at Fordham University, New York, in June.

Dinah Shelton presented a talk entitled "The Role of Specialized Agencies in Protecting Rights" at a conference spon-

sored by the Midwest Coalition for Human Rights on "International Human Rights at the Grass Roots: Putting International Standards to Work for Our Children," in Iowa City, Iowa, in March.

J. Eric Smithburn, with Ann-Carol Simons, published volumes 14 and 15 of Supplement to Indiana Family Law, the annual supplement to his two-volume treatise, Indiana Family Law. He served as a reporter and participant at the Conclave on Legal Education in Indiana, sponsored by the Indiana State Bar Association in Indianapolis in late February/early March; gave an address entitled "The CASA's Role in Juvenile Court" to members of the St. Joseph County Court Appointed Special Advocate (CASA) program in South Bend, in April; presented lectures and demonstrations on all aspects of family-law advocacy to trial lawyers from all over the United States at a program entitled "Presenting Evidence in Cases Involving Children," sponsored by the National Association of Counsel for Children, the National Institute for Trial Advocacy and the University of Denver College of Law in Denver, in May; and served as director and faculty member, teaching Comparative Family Law, in the 1997 Notre Dame Summer London Law Programme at the Notre Dame London Law Centre from June through August. As a member of the Advisory Committee of the Indiana Court Improvement Project, he contributed to the 142-page report that will assist Indiana courts in improving the administration of justice to children and families.

Bruce Wells spoke on "How to Deal with Anger" to the congregation of the First Presbyterian Church of Nappanee, Indiana, in April; gave a presentation entitled "Resolving Conflict through Mediation" to the Adult Education Forum at the Sunnyside Presbyterian Church in South Bend in May; and gave a presentation entitled "Applying Mediation Techniques to Church Conflict" to pastors from across northern Indiana who gathered at LaGrange, Indiana, for the Indiana North Assembly of the Church of God. He has begun a non-profit ministry called Harvest of Peace, which trains pastors in techniques of mediation to help resolve conflicts in the pastors' churches and communities, he teaches essentially the same content used in his NDLS mediation class, but in a different context. The first seminar was held in April at Clay United Methodist Church in South Bend.


NDLS Welcomes New Assistant Dean

NDLS has added a Holy Cross priest to its administrative team. Rev. James E. McDonald, C.S.C., joined the Law School in mid-August as an assistant dean. A graduate of Catholic University of America Law School, Father McDonald comes to us from his position as assistant provincial and steward of the Indiana Province of the Congregation of Holy Cross.

Please join us in welcoming him to our team!
Alumni Notes

Class of 1949
- Honorable Joseph E. Mahoney, of the 11th district court of appeals in Ashtabula County, Ohio, retired in late January. The net proceeds of a March dinner in his honor were donated to NDLS to establish a student award in his name.

Class of 1955
- The late John W. Houck, former co-director of the University's Center for Ethics and Religious Values in Business, was honored posthumously with the University's Frank O'Malley Award for Excellence in Teaching. His anonymous nominator wrote: "When [John] passed away, the biggest heart on campus left with him."

Class of 1956
- Ronald P. Mealey has become counsel to the firm of Dwyer, Kinburn & Hall in Totowa, New Jersey. His practice will focus on corporate, real estate, employment, and trust and estate law.
- George N. Tompkins Jr., a partner at Tompkins, Harakas, Elsasser & Tompkins in White Plains, New York, has been elected to a one-year term as president of the International Academy of Trial Lawyers.

Class of 1957
- Robert H. Mihlaugh and his son, Michael '92, recently secured a $2.15 million settlement in connection with a 1990 fatal industrial accident. The settlement is one of the largest in Ohio's history, and the case is a landmark decision in Ohio and the nation on the subject of product liability and on warnings of workplace danger.

Class of 1959
- Patrick F. McCartan, managing partner of Jones, Day, Reavis & Pogue in Cleveland, once again was named one of "The 100 Most Influential Lawyers in America" in the April 28, 1997, edition of The National Law Journal. McCartan was profiled in the Fall/Winter 1996 edition of Notre Dame Lawyer magazine.

Class of 1961
- David H. Kelsey, senior shareholder of the family-law firm of Atkinson & Kelsey, P.A., of Albuquerque, is the president-elect of the New Mexico State Bar, and will become president in September 1997. He has practiced in New Mexico since 1961, and has been included in the family law section of every issue of The Best Lawyers in America.

Class of 1963
- Stephen C. Bower served as a member of the faculty in a program sponsored by the Indiana Continuing Legal Education Foundation entitled "Effectively Representing a Criminal Defendant in Multiple Defendant Cases" in May in Indianapolis.

Class of 1965
- Taras M. Wochok has been involved in representing John E. DuPont, who was convicted in February of killing Olympic wrestler Dave Schultz. Although he hired other attorneys to handle the bulk of the courtroom duties, Wochok was instrumental in the police negotiations with DuPont as well as behind the scenes at the trial.

Class of 1966
- Tom Brunner Jr., a partner at Baker & Daniels in South Bend, participated in a program at NDLS in April outlining the keys to success in a summer clerkship. The program was sponsored by the Career Services Office and the Indiana Bar Association's Liaison with Law Schools Committee.

Class of 1967
- John C. Fine received the Charlie Brown Memorial Award from the National Association of Underwater Instructors, an award that honors individuals for their personal efforts toward educating others about the marine environment. Fine was honored for his work as an active volunteer in many environmental endeavors in general, and in particular, for his creation of the International Poster Contest for Youth.

Class of 1968
- Hugh C. Griffin, of Lord, Bissell & Brook in Chicago, was sworn in as the 30th president of the Appellate Lawyers Association in June.
- John F. Sandner, chair of the Chicago Mercantile Exchange and University Trustee, delivered the commencement address at the 30th Commencement Exercises of Holy Cross College in South Bend.

Class of 1969
- Thomas A. Demetrio, a partner at Corboy & Demetrio in Chicago, secured a $21 million verdict in a personal injury case that, according to The National Law Journal, was the largest award ever sustained by the Illinois Supreme Court.
- James P. Gillespie Jr., a partner in the Baltimore office of Miles & Stockbridge, recently secured a verdict of over $3 million in a case involving wiretapping and invasion of privacy in Talbot County, Maryland.
- Ralph Litzenberger is seeking a second term as a district justice in Pennsylvania, in the district that includes Forks and Palmer townships as well as Tanam.
- Thomas J. Reed, a professor at Widener University since 1981, has published "The Futile Fifth Step: Compulsory Disclosure of Confidential Communications among Alcoholics Anonymous Members" in the St. John's Law Review.
- George Rice, a partner at Bennett, Pape, Rice & Schure in Rockville Centre, New York, received the St. Charles Hospital and Rehabilitation Center's 1996 Theodore Roosevelt Award for Outstanding Volunteer and Humanitarian Effort for
his work on the hospital’s Board of Trustees as a member since 1988 and as chair from 1994 through 1996. During that time, Rice led the hospital through its major modernization project and the development of strategic alliances to improve the quality of health-care services provided by the hospital.

**Class of 1970**


- Richard W. Slawson, of Slawson & Cunningham in Palm Beach Gardens, Florida, has been included for the seventh consecutive year in the personal injury section of *The Best Lawyers in America*.

**Class of 1971**

- Nelson J. Vogel, a partner at Barnes & Thornburg in South Bend, was recently named firm-wide chair of the tax and estate department.

**Class of 1972**

- Patricia C. Bobb, of Patricia C. Bobb and Associates in Chicago, recently assumed the presidency of the Chicago Bar Association.

- J. Michael Keefer is serving as general counsel for Lincoln National Investment Companies and Lincoln Investment Management, Inc., as well as associate general counsel of Lincoln National Corporation, all of Fort Wayne, Indiana. This year, he is also serving as president of the Allen County (Indiana) Bar Association and as secretary-treasurer of the Association of Life Insurance Counsel.

**Class of 1973**

- Carl H. Hitchner, a partner at Foley, Lardner, Weissbourg & Aronson of Los Angeles, was listed in the April 7, 1997, issue of *The National Law Journal* in an article entitled “40 Health Care Lawyers Who Have Made Their Mark.” He was recognized for his work in helping to create the largest non-profit health system in the United States, which now consists of 61 hospitals in 22 states, by consolidating several Catholic health-care providers into one hospital-based integrated delivery system called Catholic Health Initiative.

- Judy D. Snyder, of Hoevet & Snyder in Portland, Oregon, has been elected secretary of the Multnomah (Oregon) Bar Association.

**Class of 1974**

- Valerie G. Kanouse recently authored an article entitled “Crime Won't Dampen My Spirit,” in *The Boca Raton, Florida* News, describing how a break-in of her car and burglary of her house did not discourage her, in light of the richness of her spiritual life.

**Class of 1975**


- Eugene Smaty, a partner at Warner, Novack & Judd in Grand Rapids, Michigan, has been elected to a three-year term on the ABA’s Council of the Section of Natural Resources, Energy and Environmental Law. He was reappointed vice chair of the section’s Brownfields Task Force.

- Ann Claire Williams, U.S. District Judge for the Northern District of Illinois, received the Chicago Bar Association’s Earl B. Dickerson Award in June. She is also president-elect of the Federal Judges Association.

**Class of 1976**

- David Kreuter, president of Kreuter and Gordon in St. Louis, is a candidate for member of the St. Louis Council.

**Class of 1979**

- Arthur A. Vogel Jr., an attorney in the Milwaukee office of Quarles & Brady, has been included in the Environmental Law section of the seventh edition of *The Best Lawyers in America*.

**Class of 1980**

- Alcides I. Avila, a partner with the law firm of Holland & Knight, L.L.P., in Miami, Florida, has been named practice area leader for the firm’s financial institutions practice in Miami. His practice focuses on international and domestic banking law.

- Ruth Beyer, of Stoe & Rives in Portland, Oregon, has been elected to the board of directors of the Multnomah (Oregon) Bar Association.

- Jamee Decio was named a co-chair of the University’s Women’s Reunion Committee to commemorate 25 years of co-education in the undergraduate colleges. A 1975 graduate of the College of Arts and Letters, she was among the first four classes of women to enroll at the University following the decision to become co-educational in 1972.
James Martin, executive vice president and chief operating officer of Fox Sports Net in Denver, Colorado, has been named executive vice president and head of business operations for FOX/Liberty Networks. His responsibilities now include a number of key areas for both FOX Sports Net and FX, as well as other domestic FOX/Liberty networks, operations, affiliate sales and relations, team broadcast rights, acquisitions and team relations, partnership development and relations, and business and legal affairs.

Class of 1981

Maureen O. Hurley has been named senior vice president, legal and communications, at Rich Products Corporation of Buffalo, a $1 billion family-owned manufacturer of frozen foods.

Bishop Harold Ray, senior pastor of Redemptive Life Fellowship, was one of two West Palm Beach, Florida, civic leaders honored in February with the state's first African-American Achievement Awards. He was honored for his chairmanship of the W.I.M. Community Development Corporation, which mentors and provides business training for inner-city youth, as well as for his work as a board member of the Comprehensive Alcohol Rehabilitation Network and the American Lung Association of South Florida.

Claire Corson Skinner, formerly vice chair of Coachmen Industries in Elkhart, Indiana, succeeded her father, Thomas H. Corson, as head of the company in August.

Class of 1982

Mark Barrett, assistant U.S. attorney in Denver, has joined special prosecutor Kenneth Starr on the Whitewater team in Little Rock, Arkansas.

Class of 1983

Mary Ann Boujac has been named to the Board of Directors of Goodwill Industries of Michiana.

Class of 1984

Randy Curato, a partner in the litigation department of Bell, Boyd & Lloyd of Chicago, has been elected president of the governing board of Chicago Volunteer Legal Services, a not-for-profit organization that provides pro-bono legal services to low-income individuals in the Chicago area. He has served on the board for three years and, most recently, served as vice president for development.

John Goldrick has returned to the United States after several years as head of the Peace Corps in Ghana and Kenya. He is now the assistant vice president of the enrollment and retention program at the University of Portland.

Class of 1985

Kathleen L. Cerveny has joined Hazel & Thomas, P.C., as a member in the firm's Fairfax, Virginia, office; her practice will focus on public and private securities offerings, public reporting, general corporate representation, corporate governance, and regulatory matters.

G. Jay Habas has joined Marshall, Dennehey, Warner, Coleman & Goggin, P.C., as a litigation attorney in the firm's Erie, Pennsylvania, office; his work will focus on defending workers' compensation cases and employment law matters.

Class of 1986

Tom Clements, former quarterback for Notre Dame's 1973 national championship team, has been signed by Mike Ditka as an assistant coach for the New Orleans Saints.

Teresa Ereon Giltner has joined Cox & Smith in San Antonio, Texas, as senior attorney.

Class of 1987

Philip E. Kalamaros, a member of the law firm of Edward N. Kalamaros and Associates in South Bend, was inducted as a fellow of the Indiana Bar Foundation at the organization's annual dinner meeting in April. The fellows support educational and charitable projects for the advancement of the administration of justice and the public understanding of the law.

Kurt D. Weaver has been named a partner at Kelley, McCann & Livingstone in Cleveland; his practice focuses on litigation and on public and employment law. He serves as assistant law director for the City of Independence and as the deputy solicitor for the Village of Bratenahl.

Class of 1988

Steven J. deGroot has been named a partner at King & Spalding in Atlanta.

Gerald J. Pappert has been appointed first deputy attorney general of Pennsylvania by the newly elected attorney general of Pennsylvania, Mike Fisher. Previously with Dulaney, Morris & Heckscher in Philadelphia, Gerry had served Fisher as campaign manager.

Stephen J. Safranak, professor of law at the University of Detroit-Mercy in Detroit, Michigan, has published, with Ronald D. Rotunda, an article entitled "An Essay on Term Limits and a Call for a Constitutional Convention" in The Marquette Law Review.

Joseph Shannon, of Dolan & Shannon in Chicago and Naperville, was featured in the May 1997 issue of Small Business Magazine in an article about getting back to basics for small businesses.
ALUMNI NOTES

Class of 1993
- Mary Yu spoke at NDLS in April on “Practicing Law: A Multifaceted Perspective.” Her talk was sponsored by the Asian-American Law Students Association and the Women’s Legal Forum.

Class of 1994
- Jason C. Brino has joined the law firm of Niles, Barton & Wilmer in Baltimore, Maryland, as an associate.
- Salvatore J. LaMendola has joined Coxe, Hodgman & Giammarco in Troy, Michigan, as an associate in the firm’s estate and business-planning group.
- Patricia McKinnon moderated a program at NDLS in April, outlining the keys to success in a summer clerkship. The program was sponsored by the Career Services Office and the Indiana Bar Association’s Liaison with Law Schools Committee.
- Daniel R. Murphy, an associate at Zimmerman, Shufeldt, Kiser & Sutchiff, P.A., in Orlando, Florida, has been appointed by the speaker of the Florida House of Representatives, Daniel Webster, to serve on the Commission for the Transportation Disadvantaged, which coordinates transportation services provided to the transportation disadvantaged.
- Tom Nuttle, a member of the firm of Talmadge & Nuttle of Elkhart, Indiana, participated in a program at NDLS in April, outlining the keys to success in a summer clerkship. The program was sponsored by the Career Services Office and the Indiana Bar Association’s Liaison with Law Schools Committee.
- Zhidong Wang was featured in an article in the Chicago Chinese Daily News in January. The article focused on his service to the Chinese community of the Greater Chicago area.

Class of 1995
- Clark Jordan has become an associate at Kilpatrick Stockton of Charlotte, North Carolina; his practice will focus on environmental law issues.
- Jody Hiller O’Dell, previously a law clerk to Judge Kenneth Ripple of the Seventh Circuit Court of Appeals, has joined Barnes & Thornburg as an associate in the firm’s South Bend office.
- Martin Oelz, LL.M., has been appointed assistant lecturer in the Department of International Law and International Relations at the University of Innsbruck. His article, “Nongovernmental Organizations in Regional Human Rights Systems,” has been published in the Columbia Human Rights Law Review. Since graduating from Notre Dame, Martin has completed two internships sponsored by the Center for Civil and Human Rights and the Federal Ministry of Research and Science of Austria: one at the International Human Rights Law Institute at DePaul University College of Law and the other at the United Nations High Commissioner, Centre for Human Rights.
- Luc Reydams, LL.M., has been awarded a Dissertation Year Fellowship by the University’s Helen Kellogg Institute for International Studies.
- Laura M. Salava recently joined bioMerieux Vitek, Inc., as associate corporate counsel. She will be working on general corporate matters and acquisitions, and will serve as a liaison with the parent company in Lyons, France.

Class of 1996
- Rohana Fines has been named an assistant attorney general for the state of Washington in the Mental Health Section of the Social and Health Sciences Division; her work will focus on civil commitments.
- W. Scott Hardy has joined the law firm of Meyer, Unkovic & Scott in Pittsburgh as an associate in the firm’s litigation section.
Brendan Rielly has joined the law firm of Jensen, Baird, Gardner & Henry in Portland, Oregon, as an associate in the firm's litigation-practice group.

Class of 1997

Mohamed AbdElAziz GadElHak Ibrahim, LL.M., of Cairo, Egypt, has been appointed to serve as a summer intern in the International Human Rights Law Institute at DePaul University; his work will support a project undertaken by the president of the institute, Professor M. Cherif Bassiouni, to establish a permanent international criminal court.

Andrew Leyden, a former defense advisor to two members of the U.S. Congress, published his book entitled Gulf War: Debunking Book (Hegate Press), an endeavor to compile an authoritative reference on the Gulf War. The book is available on his Internet site, which was selected by the American War Library as the "Top Military Site" on the Internet.

Jean Mbuyu-Luyongola, LL.M., of Lubumbashi, Zaire, was among those whose stories of torture appeared in an April 29 Chicago Tribune article written by Hugh Dellios entitled "Victims Describe Mobutu's Long Reign of Torture: As His Power Ebb, Some Zairians Fear Last Gasp of Cruelty."

NDLS Alumna Honored

At the University's 152nd commencement exercises on May 18, Honorable Ann Claire Williams '75 of Chicago, Illinois, was presented with an honorary Doctor of Laws Degree. A U.S. District Court judge for the Northern District of Illinois since 1985 and a University Trustee since 1988, Judge Williams also serves as chair of the Court Administration and Case Management Committee of the U.S. Judicial Conference, as treasurer and president-elect of the Federal Judges Association, and as a director of the Federal Bar Association, Chicago Chapter. She is also a member of the National Association of Women Judges. In addition, Judge Williams has taught for the Notre Dame-based National Institute for Trial Advocacy, at law schools around the country, and in a bar-examination preparation program geared toward minority students as part of Minority Legal Education Resources, Inc.

This year, the University also selected Judge Williams as one of its recipients of the 1997 Women's Award of Achievement. Over the past four years, in commemoration of 25 years of co-education in the University's undergraduate programs, the University has selected a total of 24 alumnae from various academic disciplines to be honored during Reunion Weekend for their personal and professional accomplishments.

Along with the University honors, two NDLS student organizations, the Black Law Students Association and the Women's Legal Forum, selected Judge Williams as their 1997 "Alumna of the Year."

Lost Alumni Update

In our never-ending quest to maintain perfect records, we make a little progress and lose a little ground every day. Currently, we have 227 "lost" alumni, including the following additions to previous lists. If you have any information on your lost classmates or friends, please contact the Law School Relations Office by phone at (219) 631-6891, by fax at (219) 631-4789, or by e-mail at catherine.f.pieronek.1@nd.edu.

1949 Robert A. Tarver
1966 James F. Douglahery II
1976 June C. Gotschalk
1978 Kenneth G. Frettas
1979 Jose A. Bracamonte
1982 Ann M. Harvey

1986 Stephen D. Harvey
1988 Katherine Michay Raynal
1989 Rolando Domingo, LL.M.
1990 Barbara J. Chinholm
1991 Carlos A. Razo
1992 Paul R. Aiudi
1992 Jose L. Acosta
1993 Vicki L. Brien
1994 Lebugang Y. Chirome, LL.M.
1995


Honorable John C. Mowbray, '49, died March 5, 1997, in Carson City, Nevada.

Mini Reunions

CLASS OF 1972
25TH REUNION

- NDLS Class of 1972 is planning its 25-year Class Reunion on campus for the weekend of September 19–21, 1997. Activities planned include a Friday night reception at the Snite Museum before the pep rally, and Saturday at the ND-Michigan State game followed by a class dinner with some favorite faculty members. The Law School will be holding a two-hour CLE in Ethics program on Saturday morning as well. For more information on the reunion activities, contact Joe McFadden ’72 at (610) 891-2800. For more information on the CLE program, contact the Law School Relations Office at (219) 631-6891.

LONDON LL.M.
CLASS OF 1988
10TH REUNION

- Plans are well under way for a 10-year Class Reunion for London LL.M.s from the Class of 1988, to be held in London near Easter, April 4–10, 1998. Members of the J.D. Class of 1989 who studied in London during the 1987–88 academic year also are invited to participate. For more information, contact Peter Illig, LL.M. ’88, by phone at (716) 667-7018, by fax at (716) 876-1354, or by e-mail at pillig@habaco.com.

CLASS OF 1992
5TH REUNION

- Members of the Class of 1992 who will be back for the ND-Michigan State game on September 20, 1997, are invited to a post-game barbecue and reunion at the home of Margot O’Brien ’92 in South Bend. For more information, contact her at (219) 289-7874.

Reunion ’97

On June 5–8, 1997, NDLS welcomed back approximately 50 graduates from class years ending in “2” or “7,” many with spouses or other guests in tow, returning to campus to enjoy a weekend of reminiscing and camaraderie at Reunion ’97. Those who came early were able to participate in a 10-hour continuing legal education program sponsored by NDLS on Thursday and Friday.

The Reunion ’97 festivities kicked off with an all-classes Law School dinner on Friday evening in the Faculty Dining Room upstairs in South Dining Hall. The brief ceremonies, emceed by Dean David T. Link, provided an opportunity to especially recognize several special classes and individuals who returned to campus for the weekend: The Class of 1987 was recognized for having the largest group of alumni in attendance; the “Back Row Bombers” of the Class of 1982, led by Greg Moore ’82, presented Dean Link with a plaque commemorating the establishment of the Law School pennant collection; vice president and associate provost and professor of law Carol Mooney ’77, celebrating her 20th reunion, gave the invocation and blessing; and the oldest alumni in attendance, Judge Robert L. Miller ’47 of South Bend, celebrating the 50th anniversary of his law school graduation as well as the 55th anniversary of his graduation from the University’s undergraduate program, received a standing ovation from those assembled.

Saturday morning, the group gathered on the main quad for the Law School picture, then returned to the Law School student lounge for a Mass celebrated by NDLS associate professor of law, Rev. Dwight Reginald Whitt, O.P. During the continental breakfast that followed, Dean Link gave his “state of the law school” address, answered questions on everything from plans for a new building to plans for improving the financial aid situation for current students, and gave a tour of the building, including a demonstration of the audio-visual capabilities of the courtroom.

The rest of the weekend was filled with activities such as lectures, concerts and lots of food and fun including the all-classes picnic on Saturday afternoon and the all-classes dinner on Saturday evening following the all-classes Mass in the Joyce Center. And of course, the hospitality tents on the quads were alive with activity well into the early hours of the morning.
On this, your special occasion, I ask only that you keep that spark of divine life alive in your hearts, in your homes and in your family.

May I know whenever I see you, and wherever it is, that our God is a loving, gracious and caring God, because I see it in your eyes, in your hearts, in your touch and in your home.

God bless you always.

— Blessing by Father Mike at the marriage of Kim and Tim '82 Rooney, January 2, 1982


Approximately 36 alumni, faculty, friends and members of the McCafferty family participated in the golf outing at Blackthorn Golf Club in South Bend.

Rev. Dan Jenky, C.S.C., celebrated a Mass of Thanksgiving at the Basilica of the Sacred Heart at 5 p.m. Concelebrants included: Rev. Dave Tyson, C.S.C., president of the University of Portland; Rev. Richard Warner, C.S.C., director of Campus Ministry; Rev. John Pearson, C.S.C., associate professor of law at NDLS; Rev. D. Reginald Whitt, O.P., associate professor of law at NDLS; Rev. Timothy Scully, C.S.C., vice president and senior associate provost of the University; Rev. Mark Poorman, C.S.C., associate professor of theology and assistant to the executive vice president of the University; and Rev. Edmund P. Joyce, C.S.C., vice president emeritus of the University. Members of the Law School community who had active roles in the Mass included: Professor Carol Mooney '77, Professor Matt Barrett '85 and Eileen Doran '88 as readers; and Dean David T. Link '61, David G. Link '86, Professor Matt Barrett and Rosi Lozada '96 as eucharistic ministers. The oldest child from the families of each of Father Mike's five sisters took up the gifts at the offertory. Kate Barrett, director of religious education at Campus Ministry, organized the service and led the singing at Mass.

A festive dinner followed in the Monogram Room of the Joyce Center. Among the 150 or so guests were 32 members of Father Mike's family, including his parents, his five sisters and their spouses, and all but the youngest one of his nieces and nephews. Tim Rooney served as master of ceremonies, adding just the right touch of sentiment and humor to the evening's speeches and presentations. Father Tyson gave the invocation before dinner. After dinner, Dean Link gave a short speech.
about the impact Father Mike had on the Law School community during his all-too-brief 10 years on the faculty and in the administration. He then introduced the two alumni who had benefitted from the McCafferty Fellowship as law students: Paul Drey '92 and his wife, Stephanie, from Des Moines, Iowa; and Rosario Lopez '96 and her husband, Marty Schrier '95, of Miami, Florida. Patricia O'Hara, vice president for student affairs and professor of law, introduced the entire McCafferty family, and with Dean Link presented to the family a plaque dedicating the Law School's St. Thomas More Chapel to Father Mike. Father Mike's Dad, Bob McCafferty, on behalf of the entire family, expressed gratitude and love for the many alumni, friends and faculty who made the effort to come to honor his son's life.

The presentations concluded with a short video chronicling Father Mike's journey at NDLS — after which there was no dry eye in the house. Father Pearson closed the evening with a benediction.

All present agreed that the events honored Father Mike's life in a wonderful way. The evening was emotional, to be sure — sorrowful in mourning the loss of a friend and colleague, but joyful as well in remembering the life of someone who touched each person in so many individual ways but who touched every person so deeply.

Those who were unable to attend the June 13 events still can participate in this year-long celebration. NDLS has dedicated the post-game reception in the Law School student lounge after the Southern California game to Father Mike. Visitors to campus are invited to stop by the Law School to see the chapel dedication plaque as well as the collection of mementos from Father Mike's life gathered and arranged by research librarian Lucy Payne '88 in the display case on the first floor of the Law School.

As a great University, great teaching is valued the way a connoisseur might appreciate fine art or a gourmet might savor haute cuisine or a vintage wine. Being in love with teaching and learning is what an excellent education is all about. Good schools cultivate the kind of professors who have a passion for teaching, and good students respond to those professors who love to teach.

Teaching is a land of craft! Great teachers illuminate the mind and enkindle the heart. Excellent teachers challenge their students to get into the life-long habit of study, of growth, of discovery, of learning, of change. Real teachers also know how to relate to their students. Their commitment to teaching is not limited to lectures, but extends itself to the daily lives of students — their personal concerns, their sorrows and their celebrations. Gifted teachers always try to connect what they teach to the whole person — to the heart as well as to the mind. They offer a vision and suggest a perspective that can forever transform lives.

As all of us gathered here in this venerable basilica know, Father Michael McCafferty was very much that kind of excellent, gifted teacher. He was the best tradition of the very best of the Holy Cross fathers. Father Mike promoted, defended and exemplified the Notre Dame ideal of priest-professors who teach classes, who live and serve in the dormitories, and who are dedicated pastors to the students they teach.

Mike certainly loved being a lawyer. He loved the law, he loved law practice, and he loved teaching law. But he lived out those commitments, very self-consciously, as a Holy Cross priest. He was extremely proud of the fact that our University established the oldest Catholic law school in this country.

This remarkable Notre Dame teacher, this good Holy Cross priest, taught us all many lessons and he enriched our lives by his generous spirit and his strong personality. There was, however, one last and most profound lesson that Mike taught all of us — his family, his students, his colleagues and his religious confessors — and that was the lesson of how a Christian should face death. This Holy Cross priest deeply believed and often preached that it was the glorious cross of Jesus Christ that brought into this world the fullness of grace and the sure promise of everlasting life.

This is the faith that proclaims: Christ died on the cross because he had first designed to share our humanity; death slew Jesus by means of the body he had assumed; but hidden in the "cloak of his humanity" was the reality of his divinity. Death, our ancient enemy, wrenched all its customary impotence, came forging after the very life of Jesus Christ. But in saying Our Lord, death itself was stilled! The love and life of GodIncarnate destroyed death itself. God's life and love are infinitely stronger than the grave, and our Savior Jesus Christ died on the cross and rose up triumphant on the third day, so that all those who believe in him could live forever.

Will any of us who were there ever forget Michael's last homily, preached during Mass in the Law School Lounge before he left for Seattle? He was already terminally weakened by deadly cancer, but he was full of faith, full of hope, full of love. At that moment, we all were his students; and he wasn't teaching us some theory of Christianity. He was witnessing. He was sharing his own profound conviction about the greatest of all truths: the life, the death, and the resurrection of his Lord, his Savior, Jesus Christ.

At every Mass, at every Eucharist, the "death of the Lord is proclaimed" until he comes again as "glory. As this Mass, it is therefore Jesus who teaches us about death, about life, about integrity, about commonness, about service, and most of all, about love! In the most Holy Eucharist, heaven touches earth, eternity touches time, life touches death, and divinity touches humanity. The bread of Heaven, even here on earth, becomes our food and drink, and we are in holy communion with the body and blood, the soul and divinity of the glorified and risen Christ. We worship in company with the holy mother of God, with the angels and the saints, and with all those, who like Michael, have gone before us "marked with the sign of faith."

May this 10th anniversary of Father Michael Dillon McCafferty's death deepen our faith in everlasting life and energize our commitment to all those great lessons that he taught and he lived so well! Mike really was a great teacher. So let us all try to live in the faith, hope and love in which he trusted and believed.
Sunday, graduation day, consisted of the standard nonstop whirlwind of activity. The day began with the prayer service and hooding ceremony at the Basilica of the Sacred Heart, presided over by University President Rev. Edward A. Malloy, C.S.C., and NDLS associate professor of law Rev. John Pearson, C.S.C., followed by the class picture on the steps of the Main Building. At 2 p.m., the Law School community participated in the University’s Commencement ceremonies. Mark Shields ’59 B.A. (and a commentator on CNN’s “Capital Gang”) gave the commencement address that, although filled with political humor, gave sound advice to the new alumni. The University bestowed honorary Doctor of Laws degrees on, among others, NDLS alumna Honorable Ann Claire Williams ’75 and Supreme Court Justice Antonin Scalia.

The day ended with the Law School’s diploma conferral ceremony which, unfortunately because of the threat of bad weather, was moved inside to Stepan Center for the first time in years. Justice Scalia joined the ceremonies briefly and gave a few remarks, followed by an inspiring talk by Professor John Robinson, the recipient of the 1997 Law School Teaching Award. The Law School awarded a posthumous degree to Douglas Streitz ’97, who was killed in a plane crash last summer; and the brother of Joseph Ciraolo ‘97, who died of a heart attack three weeks before graduation, accepted Joe’s diploma on behalf of the Ciraolo family. After the ceremony, the graduates, their family and friends, and NDLS faculty, administrators and staff mingled for photographs, refreshments, and some long, poignant good-byes.

Law School Graduates 201
Graduation Honors

The following special awards were announced at the Law School's diploma conferral ceremony:

**American Bar Association Negotiation Award**
- for excellence in the art of negotiation
  - Sean Elliott of Billings, Montana
  - Craig Prins of Grants Pass, Oregon

**Edward F. Barrett Award**
- for outstanding achievement in the art of trial advocacy
  - Jennifer Girard of Sandusky, Ohio
  - Katherine Singer of South Bend, Indiana

**Nathan Burkan Copyright Competition**
- first prize
  - Sean Elliott of Billings, Montana
- second prize
  - Todd Miller of Hawthorn Woods, Illinois
  - Kevin West of Russellville, Missouri

**Farabaugh Prize**
- for high scholarship in law
  - Anne Malarkey of Hampshire, U.K.
  - Nora Pinty of Agoura Hills, California

**Colonel William J. Hoynes Award**
- for the Law School's highest honor for outstanding scholarship, application, department and achievement
  - Amy Goyette of Menasha, Wisconsin

**International Academy of Trial Lawyers Award**
- for distinguished achievement in the art of advocacy
  - Tamarra Herdner of Vancouver, Washington

**Jessup International Moot Court Award**
- for excellence in advocacy
  - Amy Dixon of Mars Hill, North Carolina
  - Deepa Iyer of Louisville, Kentucky
  - Mary Wiggins of Phoenix, Arizona

**William T. Kirby Award**
- for excellence in legal writing
  - Karen Dixon of Warrensburg, Missouri

**Dean Konop Legal Aid Award**
- for outstanding service in the Legal Aid and Defender Association
  - Abbie Felbrath of South Bend, Indiana
  - Douglas Hines of Jackson, Tennessee
  - Katherine Singer of South Bend, Indiana

**John E. Krupnick Award**
- for excellence in the art of trial advocacy
  - Brent Heideman of Englewood, Colorado

**Dean David T. Link Award**
- for outstanding service in the field of social justice
  - John Besheer of Mount Vernon, Virginia
  - Katherine Singer of South Bend, Indiana

**National Association of Women Lawyers Award**
- for scholarship, motivation and contribution to the advancement of women in society
  - Amy Dixon of Mars Hill, North Carolina

**Dean Joseph O'Meara Award**
- for outstanding academic achievement
  - Kevin Loth of Potomac, Maryland

**Smith-Dohney Legal Ethics Award**
- for excellence in writing on a legal ethics topic
  - Robert Minue of Methuen, Massachusetts

**A. Harold Weber Moot Court Awards**
- for outstanding achievement in the art of oral argument
  - Adam Buxton of Yellow Springs, Ohio
  - Karen Dixon of Warrensburg, Missouri
  - Christina Henriques of Hollywood, Florida
  - Kathleen Ley of Madison, Wisconsin
  - Michael Starzan of Port Jervis, New York

**A. Harold Weber Writing Award**
- for essay writing
  - Melissa Brown of St. Joseph, Michigan

Like Father Malloy in his address to the graduates at the prayer service and sending ceremony earlier today. I am moved by the four members of our community who are not here today because death has taken them from us. Like Monk, I remember Bill Lewers and his passion for justice: his speaking truth to power, his intransigent refusal to tolerate concurrence and executions; and his opposition to war in all of its forms. And I remember Frank Booker and his mastery of the common law, his patience with his students; his courage in the face of great sadness; and his love for our law school. And I remember Doug Sirota and his enthusiasm for the law, his delightfully naive (and correct) belief that the law was his ally in his struggle for social justice. And boy do I remember Joe Cirincione and his ability to help us to see past the handicaps to his strengths; his love for us, for Notre Dame, and for life; his indomitable will to overcome the obstacles that every day set before him; and his joy in sharing the everyday pleasures of life with us.

As I think about these men and their lives, I am reminded of both the seriousness and the joy of the lawyer's calling. Serious, because lives and fortunes turn on the quality of the work that lawyers do and because of the intricacy of the law that lawyers practice. And joy because of the intrinsic goodness involved in giving voice to the voiceless, in buffeting inarticulate anguish into reasoned argument. There is, I know, an element of tenderness in the lawyer's life, and lawyering surely lends itself to much that is attractive in human nature, but as Bill and Frank knew from long experience, and as Doug and Joe knew in their hearts, lawyering can be a noble path leading both to improving the lot of humanity and to saving the lawyer's soul.

So I ask each of you to dream great dreams, not of power, but of service, and to help you move in the direction of your dreams, I want to read to you a poem by Stephen Spender. It came to mind as I reflected in stunned silence on hearing of Joe Cirincione's death, and I hope it recalls to your mind the joy, the seriousness, and the love that Bill Lewers, Frank Booker, Doug Sirota and Joe Cirincione brought to and took from the law.

Here goes:

**I Think Continually of Those Who Were Truly Great**

I think continually of those who were truly great,
Who, from the womb, remembered the soul's history
Through corridors of light where the hours are suns,
Endless and singing. Whose lovely ambition
Was that their lips, still couched with fire,
Should tell of the spirit clothed from head to foot in song.
And who hoarded from the spring branches
The desires falling across their bodies like blossoms.

What is precious is never to forget
The delight of the blood drawn from ageless springs
Breaking through rocks in worlds before our ears;
Never to deny its pleasure in the simple morning light,
Nor its grave evening demand for love;
Never to allow gradually the traffic to smother
With noise and fog the flowering of the spirit.

Near the snow near the sun, in the highest fields
See how those names are feasted by the warring grass,
And by theersisters of white cloud.
And whispers of wind in the listening sky.
From those who in their lives fought for life,
Who wore at their hearts the fire's centre.
Born of the sun they traveled a short while towards the sun
And left the vivid air signed with their honour.

Thank you.
In October 1994, members of NDLS Class of 1997 were preparing to take their first-year practice exams. Several days before the much-anticipated test, I heard that Joe Cirilo had broken his arm. Joe and I attended Canisius College in Buffalo together, and I knew that his illness made him susceptible to such injuries. Still, this injury would be enough to strike any 1L with panic. I ran into him the next day in the student lounge, no sign of his reported injury to be seen. “Joe,” I said, “I heard you broke your arm.” He told me that he had. “Then why don’t you have a cast?” I asked. He responded, “Because then I wouldn’t be able to take my practice exams.”

What is most remarkable about this story is that those who knew Joe know that such an encounter with him was not uncommon. When life got hard, Joe made it look easy. His strength (and his scooter) made it tough to keep up with him. Indeed, he made things look so easy that most of us forgot about his disability.

As an undergraduate at Canisius, Joe was an honors student and a brother in Sigma Phi Epsilon. He worked to make the college a better place, especially for those with disabilities. He lived in the fraternity house at school, which didn’t have a wheelchair lift installed until Joe, working with the administration and through the student newspaper, brought the appropriate attention to the situation and got the problem solved. The uniqueness of his personality manifested itself in many ways. For his senior honors thesis, he combined two of his strongest interests — literature and baseball.

And even his confinement to his scooter didn’t stop him from travelling the streets of Buffalo. I remember being surprised once when I saw him next to me at a traffic light, “behind the wheel.” But I shouldn’t have been surprised, because that was quintessential Joe — living his life the way he needed to live it, independently and determinedly.

Very little could rival the joy Joe felt, however, when he received his acceptance letter from Notre Dame Law School. He was going to be able to fulfill his lifelong dream of becoming an attorney. And those of us who knew him well were sure he would do it the way he did everything — with an inner strength at which most of us can only marvel.

At Notre Dame, Joe became close with a core group of friends, but there was no one at the Law School who didn’t know him, and no one who later wouldn’t be able to recount a story like the one with which I began this remembrance. Taking practice exams with a broken arm is but one example of his determination and independent spirit. Recalling his daily commute is another. Joe lived in graduate student housing, one of the farthest commutes from any on-campus housing to the Law School. Although the University made a van available to him for transportation whenever he needed it, he used that service only once or twice when the snow was too deep for his scooter. Otherwise, no matter how bitter the winter got or how wet the road got, he never used the service. That was his way.

At Notre Dame, Joe combined the most important interests in his life and had given them this special opportunity to share their fondness for one who asked for so little, but gave so much to us in return.

Remembering Our Friend

by Scott L. Skraa ’97
A Tribute to a Hero

by James Hansen

A tribute read at the memorial Mass for Joe Ciriaolo '97 by his friend and roommate, Jim Hansen, a graduate student in English at the University.

This all still seems pretty profoundly unfair to me, so I am not going to stand up here today and try to make sense of Joe's death. What I feel like I can instead do is make sense of his life.

I teach Freshman Composition and Literature — and about a month ago, I was teaching Tennyson's poem "Ulysses." Before going to class, I was discussing the poem with Joe. As an undergraduate, he majored in English — so he remembered the poem and he asked me to read the final lines to him. The lines read:

Though much is taken, much abides; and though
We are not now that strength which in old days
Moved earth and Heaven; that which we are, we are:
One equal temper of heroic hearts,
Made weak by time and fate, but strong in will
To strive, to see, to find, and not to yield.

Well, I got into kind of an argument with Joe about these lines — and about the poem. You see, I'm a cynic — I don't really believe in heroes. But Joe was all, "C'mon Jim, you gotta have heroes." But I was emphatic — I told him that if we lived in a world where people didn't need heroes, maybe we all would be more liberated and more fulfilled.

Now, a lot of people that I've spoken to have talked about Joe's courage, his convictions, his humor and his quiet dignity — and I started thinking about these qualities in the past week. Others have mentioned Joe's capacity to overcome adversity, to face obstacles with a smile — and I thought about these qualities as well. I began to realize that when circumstances knocked Joe down, he simply got up, brushed himself off and moved on. That was kind of his philosophy of life. All of this helped me to realize that what Joe had — or as he might say, what he was "all about" — was an indomitable spirit. He had what Tennyson calls a "heroic heart" — a capacity to strive without yielding, the ability to smile in the face of the coming storm. So, I started thinking that maybe heroes do exist, because I know that in my life I have known at least one. And my way of keeping his spirit alive is by learning from his example — by enacting his philosophy in my everyday life. This means that, if life takes away your legs, you learn to walk on your hands; and if it takes away your hands, you learn to crawl; and through it all, you realize that life is a beautiful gift.

Much has been made of Joe's disability. I began thinking this week that maybe Joe wasn't disabled — but that maybe we are. That is, a world full of people like Joe is nearly a perfect world, and we don't live in a perfect world. But if I can find one hero, one Joe Ciriaolo, then there is hope — there is something to strive for. If we've been touched by Joe's example, then maybe one day we all can emulate his simple empathetic heroism. And I believe that this is the legacy he would want to leave — a story of courage, of hope, of vision and of the human capacity to endure.
Law Student Wins Alumni Association Distinguished Graduate Student of 1997 Award

Jennifer Girard '97 of Sandusky, Ohio, has been named the Distinguished Graduate Student of 1997 by the University's Alumni Association. The award is given annually to a graduate student who has given exceptional service to Notre Dame and to the community, and who has maintained an excellent academic standing. During her second and third years at NDLS, Girard served as an assistant rector of Badin Hall, was active at NDLS, especially as the 1996-97 president of the Women's Legal Forum and as a member of the Barristers Team, and graduated this past May with honors.

In seeking nominations for the award, NDLS Associate Dean Jack Pratt had commented that it was unlikely that an NDLS student would receive the award this year, because the Law School has had a “near monopoly” on the award with four NDLS students among the last five recipients, including the last two in a row — Rosi Lozada '96 of Miami, Florida, and Katie Pamentier '95 of South Bend, Indiana. In announcing Jennifer Girard as the recipient of the 1997 award, Dean Pratt noted, “Well, Chicken Little was wrong, and so was I.”

Members of the NDLS Barristers Team who competed in Chicago in February included: Jennifer Girard '97 of Sandusky, Ohio; Catherine Hill '97 of Sugar Land, Texas; Brett Heidemann '97 of Englewood, Colorado; Tamara Herdener '97 of Vancouver, Washington; Bernie Keller '98 of Brownsburg, Indiana; John Michels '98 of Fountain Valley, California; Dorphene Payne '98 of Kalamazoo, Michigan; and Katherine Singer '97 of South Bend, Indiana.

The editors-in-chief of the four NDLS legal journals were announced last spring: for Notre Dame Law Review, Kevin Hansen '98 of Tacoma, Washington; for the Journal of College and University Law, Brien Crotty '98 of Rochester Hills, Michigan; for the Journal of Legislation, co-editors Lucy Chiu '98 of Wayland, Massachusetts, and Maribelle Estrella '98 of Walnut, California; and for the White Center's Journal of Law, Ethics and Public Policy, Christopher Bopst '98 of Checktowaga, New York.

The Student Funded Fellowship program awarded a total of $23,300 in grants to 10 students who opted to pursue low-paying or unpaid public-interest legal work during the summer of 1997. The students, who are participating in a wide variety of legal programs all around the country, include: Maribelle Estrella '98 of Walnut, California, at the Los Angeles County Public Defender's Office; Jennifer Keegan '98 of Middletown, Rhode Island, at the U.S. Department of Justice, Environmental and Natural Resources Division; Julie Lasso '98 of Washington, D.C., at the U.S. Department of Justice, Special Constitutional Issues Department; Jennifer Lucarelli '99 of Derby, Connecticut, at the Office of Cook County (Illinois) Public Guardian, Juvenile Division; Susan McGarvey '98 of Williamsville, New York, at the Bronx County (New York) Legal Aid Society, Criminal Defense Division; Cynthia Morgan '99 of East China, Michigan, at the U.S. Attorney's Office; Kristina Oven '99 of Monterey, California, at Legal Services for Seniors in Pacific Grove, California; Jean Seidler '99 of Modesto, California, at the Office of the General Counsel, U.S. Catholic Conference; Stacy Soper '99 of St. Joseph, Michigan, at the State of Michigan, Department of the Attorney General; and Justin Terry '99 of Chicago, Illinois, at the Capital Defender Office in New York City.

Mark Kromkowski '98 of Baltimore, Maryland, received the North Central Regional Scholarship of the National Italian American Foundation. Now in its 20th year, the scholarship program has grown from four scholarships to over 100 scholarships annually in the humanities, medicine, engineering, business, music, the Italian language and other specialized fields. Selection criteria include merit, financial need and community service.

Olivarez Award to Professor Cruz Reynoso

In April, the Hispanic Law Students Association (HLSA) named Professor Cruz Reynoso as the recipient of its Graciela Olivarez Award for 1997. In addition to serving on the law faculty of the University of California at Los Angeles, Professor Reynoso is vice chair of the United States Commission on Civil Rights, and has served as a justice of the California Supreme Court.

The HLSA is named after Graciela Olivarez '70, the first woman to graduate from NDLS -- a Hispanic woman who was committed to serving the poor and underprivileged. Professor Reynoso is the second recipient of the award, which honors Hispanic attorneys who best exemplify the values associated with being a “Notre Dame Lawyer.” In particular, HLSA selects recipients who exhibit the highest standards of integrity and ethics, as well as a commitment to public service and social justice.
NDLS Ranks Number 11 in National Jurist Survey

NDLS ranked 11th in the most recent survey of "The 50 Best Law Schools" in the National Jurist. This survey, based on factors of importance to law students, emphasized quality of teaching (30 percent of a school's score), employment rate (20 percent), faculty-student relations (17.5 percent), reputation among lawyers (17.5 percent), and bar-passage rate (15 percent). The data on quality of teaching and faculty-student relations were derived from a 1995-96 survey by the Princeton Review of 28,000 students at 170 ABA-accredited law schools. The data on employment rates and reputation among attorneys were derived from the 1997 U.S. News and World Report law-school rankings. The data on bar-passage rates were culled from the ABA's new book, ABA-Approved Law Schools: Statistical Information on American Bar Association Approved Law Schools, which includes data on first-time bar-passage rates for the July 1995 administration of the bar exam. The Indiana bar is one of the most heavily weighted factors, with 13.5 percent of the schools from Indiana. The data on bar-passage rates for the July 1995 administration of the bar exam in the jurisdiction in which the highest percentage of a law school's graduates took the bar.

While NDLS scored very well overall, component scores in two categories merit particular attention: in the most heavily weighted factor, quality of teaching, NDLS tied for ninth with an overall score of 3.48 out of a possible 4.0 in the survey by the Princeton Review; in the bar-passage rate category, NDLS tied for first among national universities with a 97.1 percent pass rate for first-time takers of the Illinois bar exam. (The ABA survey erroneously reported that the 97.1 percent pass rate reflected performance on the Indiana bar exam.) In the other three component categories, NDLS scored as follows: for faculty-student relations, 3.05 out of 4.0, tied for 21st among the top 50 schools; for employment rate for 1995 graduates nine months after graduation, 95 percent, tied for 19th among the top 50 schools; and for reputation among attorneys, 20th.

News from the Law School Relations Office

NDLS Hospitality

This fall, we'll be serving cookies, brownies, and season-appropriate beverages outside the Career Services and Law School Relations Office, 118 Law School, from 2 to 5 p.m. on the Friday afternoons before home football games. We hope our alumni and friends who are visiting campus for football will take this opportunity to stop by so we can meet you in person.

Also, before your visit, call the Law School Relations Office at (219) 631-6891 to check out the schedule of events at NDLS for the weekend. You may find that if you come to campus a little early, you will be able to hear a speaker on a topic of interest, meet with a student group to which you once belonged, or just have fun mingling with students at a late-Friday-afternoon "TGIF" party.

Football and Ethics

What could be better than a trip back to campus in the fall to enjoy a home football weekend, to stop by the Law School to renew old acquaintances and make new friends, and a chance to pick up two credit hours of continuing legal education in ethics?

Those who sent back response cards from last February's preliminary CLE mailing should have already received information on the CLE in Ethics programs scheduled for the mornings of the Michigan State, Boston College and West Virginia games this fall. Each Saturday morning program will feature a two-hour presentation by select NDLS faculty speaking on legal ethics issues. The programs run from 8 a.m. to 10 a.m. in the Law School Courtroom. The cost for each program is $50, which includes a continental breakfast. Although we'd prefer to pre-register to ensure that sufficient materials are available for all participants, walk-in registrations will be accepted beginning at 7:15 a.m. outside the courtroom. All Notre Dame alumni, family and friends are invited and encouraged to attend.

For a schedule of specific presentations and a list of states in which these programs have been approved to-date, contact Cathy Pieronek at the Law School Relations Office: by phone at (219) 631-6891, by fax at (219) 631-4789 or by e-mail at catherine.f.pieronek.1@nd.edu.

Continuing Legal Education – Reunion Program

The Law School's Continuing Legal Education (CLE) program enjoyed some successes during the 1996-97 academic year. Most recently, the 10-hour CLE program held in conjunction with Reunion '97 featured Dean David T. Link, Professor Robert Rodes and Professor G. Robert Blakey speaking on legal ethics, Research Librarian Lucy Payne giving a tutorial on legal research on the Internet, Professor Matthew J. Barrett speaking on accounting for lawyers as well as entity selection focused on limited liability companies and partnerships, Professor John Garvey exploring the question "What are Freedoms For?" and Professors John Robinson and Cathy Kaveny leading a discussion on physician-assisted suicide. The small size of the group enabled all present to participate in the intellectually stimulating and ethically challenging discussions. The successes of this year's program — along with what we learned from organizing the program — will lead to an even better program for Reunion '98. So mark your calendars now for June 4-5, 1998, and watch your mail for preliminary information early in 1998.
News from the Career Services Office

What can I do with my law degree?

This question plagues the Career Services Office (CSO) on a daily basis. Although a majority of our graduates enter private practice (60 percent of the Class of 1996, for example) greater numbers of students are exploring a broader variety of legal-career options before accepting a position. And it is no wonder — the undergraduate degrees represented among our law students range from anthropology to zoology. (The Class of 1996, for example, graduated a Methodist minister and a physician.)

Given the diverse student body and an ever-changing legal market, the CSO is constantly faced with the challenge of providing more information to the students through counseling, workshops, panel presentations and other programming. The office relies heavily on our alumni to serve as speakers for these programs. For example, last fall Gene Assaf '89 and Kathleen Mullery '95 from the Washington, D.C., office of Kirkland & Ellis presented a program on "How to Interview." In an effort co-sponsored by the Indiana State Bar Association, Tom Nuttle '94, Tom Brunner '63 B.A., '66 J.D., '68 M.A., Mike Connelly '57 B.A., Bob Clemens '82 and Patricia McKinnon '94 visited campus this spring to give a presentation entitled "Life After Law School."

Other career program topics include judicial clerkships, alternatives to private practice, solo practice, government service, public interest law and patent law — just to name a few. If you are interested in sharing your experiences on a career panel, please call Kitty Cooney Hove or Lisa Bolanz in the Career Services Office, (219) 631-7542.

Guerrilla Tactics for Getting the Legal Job of Your Dreams

Nationally renowned author and speaker Kimm Walton will be speaking on this topic at the Law School on November 5, 1997. Although generally geared for law students, many graduates considering a career change have found her Guerrilla Tactics seminar to be extremely beneficial — not to mention downright hilarious! If you are interested in attending this seminar, please contact the CSO at (219) 631-7542.
Human Rights Research on the Internet

by Warren Rels, Research Librarian

Over the last decade, new technology has changed how human-rights specialists access vital information. In 1989, for example, satellite uplinks and fax machines made it possible to distribute the news of the Tienanmen Square massacre throughout China and the world as it happened. In 1997, another technology is once again causing change: the Internet. The news of a significant event can be disseminated to the world via the Internet within a few minutes of its occurrence. The anticipated growth of the Internet — it is estimated that around 40 million users currently access the Internet from around the world, and that 66 million will use the Internet by the year 2000 — ensures that it will continue to be a major player in disseminating information.

The Internet not only offers a method of communicating information about current events in a timely manner, but also provides a method for publishing human rights information produced by various international organizations. This includes treaties, reports and declarations from the United Nations and other international organizations, and reports about human rights from around the world. As a result, these materials can be accessed more quickly and easily than ever before.

This article highlights some of the best sites pertaining to international human rights. In the near future, the Kresge Library will provide a much more detailed and complete listing of human rights information at www.nd.edu/~lawlib/. Be sure to check this site periodically for new information.

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<th>Internet Sites</th>
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| **AAAS Directory of Human Rights Resources on the Internet**
| (shraas.org/dhr.htm) |
| This site lists, describes and links to over 300 human rights organizations on the Web, and includes links to an assortment of human rights documents. |
| **DIANA International Human Rights Database**
| (www.law.uc.edu/Diana/) |
| The DIANA project actually is composed of several sites and is a collaborative effort by various law schools. Each law school maintains a part of the collection, but all of the resources offered here are accessible from the above address: the University of Minnesota site focuses on U.N., OAS and African documents; Yale Law Library contains the text of many human rights cases, mainly from United States Courts; the University of Toronto Law Library has a wonderful collection of women's rights documents; and the University of Cincinnati provides primarily U.N. and Organization of African Unity resources. |
| **FIDEH — Foro interamericano de derechos humanos**
| (www.udayton.edu/~fideh/rights.htm) |
| This site offers a very handy collection of "hot links" to a variety of the most popular human rights Internet sites. For example, it includes organizations — both non-governmental and inter-governmental — and links to several on-line human rights journals. |
| **Human Rights on the Web**
| (www.hri.ca/hrweb/index.htm) |
| This site presents a broad collection of resources, organized by type of international organization, topic or region/country. |
| **International Committee of the Red Cross**
| (www.icrc.org) |
| This site is the best source for humanitarian law, including the text of various Geneva conventions. It also includes a searchable database of articles. |
| **United Nations High Commission for Human Rights**
| (www.unhchr.ch/) |
| This is the best site for all United Nations-related human rights information. This site can be searched either through a topical index or by using keywords. It contains a complete set of U.N. human rights treaties and declarations, including information about ratification status. This site also contains the texts of reports from the U.N. Commission on Human Rights, Special Rapporteurs and the treaty-monitoring bodies (e.g., Human Rights Committee, Committee Against Torture). State-party reports submitted to the committees by each state also are available. |
| **United Nations High Commissioner for Refugees**
| (www.unhcr.ch/) |
| This site contains an excellent collection of instruments, documents, reports maps and statistics on refugees. This site also supports word searches. |
| **University of Minnesota Human Rights Library**
| (www.umn.edu/humanrts) |
| This site contains a good collection of instruments and other documents from the United Nations, the Organization of American States and the European Council. Strengths of this site include OAS materials, such as the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights, and African human rights resources. A section on United States human rights materials includes a collection on treaty reservations. |
On May 3, 1997, the University of Notre Dame announced the largest fund-raising campaign in the history of Catholic higher education. Called GENERATIONS: A Campaign for the Notre Dame Student, this effort will run through the year 2000, and seeks $767 million for student financial aid, chaired faculty positions, the libraries, and a number of academic centers and institutes. Also included in the campaign’s priorities are several new physical facilities and the renovation of other buildings. It should be noted that 80 percent of the campaign’s goal is earmarked for academic or programmatic needs.

The Law School is very much a part of the GENERATIONS campaign with needs and priorities totaling $30.5 million. At the top of the Law School’s list is $12 million for student financial aid.

Last fall, Dean David T. Link announced a goal of tripling the financial aid resources currently available to our law students. Ten full-tuition grants, called Dean’s Fellowships and entirely merit-based, will be among the most prestigious awards established along with a number of additional full and partial grants. To date, nearly 80 percent of the $12 million financial aid goal has been achieved.

Three stories illustrate poignantly why we are confident that this effort will succeed. You may have read recently about Louis Wurzer, an 1896 graduate of NDLS who practiced law in Detroit and the surrounding area. When Wurzer’s daughter, Marjorie Hill, died in 1995 at the age of 91, she willed almost her entire estate to Notre Dame for Law School fellowships. Her gift, which ultimately will exceed $1.75 million, will endow the Louis Charles Wurzer and Lucille Henkel Wurzer Fellowship. In her will, Ms. Hill remarked that her father had always believed that his skills as a lawyer were the result of the legal training he received at Notre Dame, and thus, she decided to fund a permanent legacy at the Law School in her parents’ names so that future generations of Notre Dame students could enjoy the same opportunities her father experienced.

Another story involves the late Father Michael McCafferty — student, teacher and administrator in the Law School. When Father Mike succumbed to cancer 10 years ago at the age of 41, his family and friends established the Rev. Michael D. McCafferty, C.S.C., Fellowship. Today, this endowed fund approaches $300,000, and provides substantial financial assistance to one law student for three years at Notre Dame. Recently, and in conjunction with a
year-long NDLS celebration of Father Mike's life, we decided to set a goal of underwriting a McCafferty fellow in each law class. This will require an endowment of $1.2 million.

Finally, we are about to embark on an effort to endow law fellowships in honor of the late Notre Dame Law School professor, Edward J. Murphy, who taught literally thousands of Notre Dame law students over his 40-year tenure. Spearheaded by a reunion gift from the Class of 1972 — and particularly by a $50,000 challenge grant issued by one member of the class who wishes to remain anonymous — we hope to establish a $1.2 million endowment for the Professor Edward J. Murphy Fellowship in the Law School, allowing us to fund one Murphy fellow in each class.

We believe there are many more stories like these — stories that involve the people who have made NDLS the fine institution it is today and that will provide opportunities to create permanent testimonies in the Notre Dame Law School.

To ensure that the Law School's important message is heard first-hand by its graduates, Patrick F. McCartan '59, who chairs the Order of St. Thomas More (the Law School's premier support group) and who also is co-chair of the GENERATION campaign, continues to travel throughout the country with Dean Link to discuss the Law School and the importance of alumni participation to its future successes. On April 15, Robert S. Krause '66, an attorney at the law firm of Dickinson, Wright, Moon, Van Dusen & Freeman, hosted a Thomas More luncheon in Detroit. The next day, Richard W. Reinthaler '73, a partner at the law firm of Dewey Ballantine, hosted a luncheon in New York City. And on August 7, John A. Moe II '75, an officer at the law firm of Tuttle & Taylor, hosted a luncheon in Los Angeles. Plans are underway to visit more of you around the country in the coming months.

While in existence since 1869 as the nation's oldest law school under Catholic auspices, NDLS has a long and famed history. But because of the strength and support of our alumni, indications seem to be that the best years for the Notre Dame Law School are those ahead.

David M. Morrissey is Director of International and Public Policy Advancement. Included in his responsibilities is organization of the Law School's advancement program. Morrissey's daughter, Colleen, graduated from the Notre Dame Law School this past spring.
Lost Pennants Update

In the spring 1997 issue of Notre Dame Lawyer we listed 216 pennants, representing undergraduate institutions of our alumni, currently on display in the Law School student lounge, and asked for help in securing those that are missing. As of this writing, three pennants have been added to the collection. Sincere “thank yous” first, to the two anonymous donors who sent along pennants from Norwich University in Vermont and James Madison University in Virginia. And a special “thank you” to Frank Julian ’82 who was the only person to notice that Notre Dame was missing from the pennant list and sent along a nice, big ND pennant.

And, as part of their 15th Reunion this past June, Greg Moore ’82, on behalf of the “Back Row Bombers,” presented Dean Link with a commemorative plaque, which now hangs on the wall of the lounge near the collection. The photograph on the plaque depicts the collection in its original incarnation in the lounge, flanked by the four “Bombers.”

The Class of ’82 “Back Row Bombers” with the original pennant collection, circa May 1982.
Notre Dame's greatest strength has always been its sense of family and community — the idea that as one generation helps the next, both are rewarded.

Over the next three years, Notre Dame's $767-million GENERATIONS campaign will attempt to raise over $30 million for Law School support, including $12 million for law student scholarships. These funds not only will provide support for a large group of deserving law students but also will help lower tuition increases for law students.

And the biggest impact of all will not come until later: After these students graduate and become immersed in their professional lives, they may well be reminded from time to time just how much their Notre Dame Law School education has meant to them.

This is one of those times.

The strength of Notre Dame abides in you, the alumni and friends of the Law School — one generation lending a hand to the next.

Thanks for your support.

For more information, please write:
Generations Campaign
1100 Grace Hall
University of Notre Dame
Notre Dame, Indiana 46556-5612
Fax: (219) 631-8325