Dear Notre Dame Lawyers and Friends,

It doesn’t seem possible, but this issue marks the sixth Notre Dame Lawyer published since our humble beginning over three years ago. We’ve come a long way in just a few short years. Starting off as an annual, we now publish the Lawyer three times a year. When we first decided to increase our production, many wondered whether we could find enough information on Notre Dame lawyers to fill three different issues each year. I’m sure you will agree with me that we can and we have! After each issue, we receive cards, letters, phone calls and e-mails with more information and story ideas — and even a volunteer author or two. Your enthusiasm for the magazine and our other alumni programming has been overwhelming.

It comes as no surprise that the Princeton Review has identified Notre Dame Law School as having the top alumni in the country! Although it’s nice to be recognized by a national publication, NDLS graduates distinguish themselves in their practice daily. Whether the managing partner of a large law firm or a legal aid attorney in northern Indiana, NDLS graduates are making a difference. The articles in this issue focus on some of the people who are making a difference in the lives of those they teach, counsel and represent. I hope you enjoy reading about some of the Law School’s unsung heroes.

Best wishes for a blessed holiday season.

Kitty Cooney Hoye
Editor

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1997-98 Calendar of Events

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On the cover: The Notre Dame Legal Aid Clinic at 725 Howard Street, South Bend, Indiana.
From the Dean

Through the letters to you in this magazine and in the annual fund mailings, and through conversations with you at various receptions and meetings around the country, I have many opportunities to tell you about the wonderful things going on at your law school. I talk about our successes — our position in various rankings, our faculty scholarship, our admissions and career-services activities, and our alumni-relations programs. I talk about our challenges — primarily securing sufficient financial aid for our students.

I sometimes don't emphasize enough, however, the wonderful students with whom we have been blessed. Certainly, they come to us academically well qualified — for each of our classes, the median LSAT is at the 90th percentile, and the average GPA lies between 3.4 and 3.5. These students come to us from a variety of backgrounds — both in terms of undergraduate degrees and in terms of work experience. They carry with them a strong record of community service — many of our students have participated in programs such as Holy Cross Associates and the Jesuit Volunteer Corps for a year or more.

But more important, they come to us with a special spirit — a spirit that I doubt exists at many other law schools. They truly care about our Law School, about Notre Dame, about our broader community, and about each other.

Within the Law School, they have initiated a number of activities to bring students and faculty together outside the academic setting, including a faculty-student softball tournament and the family Masses mid-fall and mid-spring semesters. They have become leaders on campus in many ways — as assistant rectors in the undergraduate dormitories, as the catalysts for improving relationships throughout the entire graduate- and professional-student community, and as members of University-wide committees and councils representing to the administration the needs of graduate and professional students. They actively volunteer to help the less fortunate of our community — as many student-lawyers as we can manage participate for a semester or more in our formal legal-aid programs, a second-year law student was one of just two University students selected to talk about community service at the University's annual luncheon for Michiana business leaders, and countless students give of their time in a variety of service activities in the South Bend area.

But most especially, our students are wonderfully nice people. They have formed a strong community of caring and support for each other. I truly enjoy being with them whenever possible — teaching them in class, participating with them at law-school functions and talking with them informally in the lounge or outside in the courtyard area.

I hope that when you next visit campus, you take some time to meet and visit with our students — whether as an interviewer for your law firm or company, as a guest lecturer for one of our classes or student groups, or just as a friend stopping by the student lounge for a sandwich and conversation. I think you will agree that these new Notre Dame lawyers will continue our strong Notre Dame family tradition well into the future.

With all best wishes for peace and joy in this coming holiday season, I remain

Yours in Notre Dame,

[Signature]

David T. Link
Dean and Professor of Law
A Host of Heroes: A Story of the Notre Dame Legal Aid Clinic

by Cathy Pieronek '84, '95 J.D.
Associate Director, Law School Relations
n writing the story of a program like the Notre Dame Legal Aid Clinic, it is tempting to write simply a traditional history — complete with dates (e.g., year founded, year moved to its present location), statistics (e.g., the number of clients served, the number of students volunteering their time), and a chronicle of the annual successes, failures and challenges of providing legal services to the needy of South Bend and its environs. Not that such a story actually would be easy to write — scant written records exist that describe the work of the clinic before the late 1980s. And the oral history that survives, understandably, is colored by the passage of time and by individual impressions of whether the clinic, as well as the Law School and the University, met particular goals or satisfied specific needs over the course of time.

Nevertheless, such a traditional history — if, in fact, it could be constructed — would miss entirely the point of the story of the Notre Dame Legal Aid Clinic. For the clinic is not about dates, locations and numbers. It is about people. And indeed, it is the story of these people — the individuals who have given of themselves completely to the business of securing justice for those who cannot otherwise afford it — that forms the core of the real history of the Notre Dame Legal Aid Clinic. And it is a handful of people — those faculty and students who are the “central figures” in “important events or periods” in the clinic’s progress, who have exhibited outstanding dedication and commitment to service, and who have left their distinctive imprints on the course of the clinic’s development — who, rightly, could be considered the heroes of the history of legal-aid services at Notre Dame.

The life of legal aid at Notre Dame must be reviewed as two distinct eras — the first beginning in the early-to-mid-1960s and continuing through the late 1980s, and the second beginning in the late 1980s and continuing through today. Although the themes of community service and securing justice for those in need are the common threads that tie together the work of both eras, each era exhibits a distinctive mission, and each has its prominent heroes.

**The Early Years**

In the early era, legal-aid services at Notre Dame consisted primarily of a student-run organization that served a variety of causes, depending on the interests of individual student leaders, the needs of the community, and the vision of the faculty advisors who supported the student effort. Generally, the students organized themselves much like any other student club or association: one student in charge directed the work of other students, who tackled as many projects as they could handle of whatever type interested them personally. The students had no office space, although some managed to share space with faculty members who were sympathetic to and involved in their work. Except for a brief period from 1966 through 1971 when Notre Dame’s formal Legal Services Program received some federal funding and foundation grants, the student-run organization had no official budget, and from time to time the students held bake sales and other fund raisers to cover their postage and transportation expenses. The faculty advisors who helped the students fulfill their mission carried full-time teaching loads in addition to supervising students and appearing in court on behalf of indigent clients.

The students who ran the various legal services organizations of this era, with their “fierce partisanship for justice” (to quote the late Dean Joseph O’Meara), along with the faculty members who served as advisors to the organizations, defined their goals and determined the work to be done. But two faculty members proved to be instrumental in helping create a true mission for these students. Professor Tom Broden ’49 J.D., with his sense of community activism and his ability to bring together people of diverse perspectives working toward a common cause, facilitated interaction between NDLS students and the local bar and bench, thereby expanding the opportunities available to the students and, correspondingly, expanding the impact these students had on the community. Professor Tom Shafter ’61 J.D., with his unwavering sense of justice and his ambition to focus on a
humanistic, values-centered legal education at Notre Dame, guided the students who were helping clients, thereby infusing their work with his belief that the problems of people and society were the problems that lawyers should resolve.

Professor Broden joined the law faculty in 1950, shortly after his graduation from NDLS. Almost immediately, he set about finding ways for law students to help those in need of legal services. Notes in the November 30, 1951, and March 14, 1952, issues of the Scholastic describe a Legal Reference Service begun in late 1951, run by students under the direction of Jim Ternon's '52 J.D., with Professor Broden as the faculty advisor. A University student, employee or faculty member with a potential legal problem would present the situation to a law student who participated in this service—"student referrals," as they were called, who were selected for their maturity and knowledge of the law. The student referral would evaluate the case and, if appropriate, refer the individual to a member of the St. Joseph County (Indiana) Bar Association who had agreed in advance to assess the case for a low initial consultation fee—$3 for the first half-hour. The March 14, 1952, issue of the Scholastic describes this program as revolutionary, primarily because local bar association members had agreed to accept referrals from NDLS students and had agreed to a reasonable fee arrangement. The value of this program to law students was not lost on the Scholastic editors: "This service will also be of practical benefit to the Law student, giving him experience in consulting with needy clients." (Nov. 30, 1951, at 23)

Interaction between NDLS students and the local bar association, as well as with other community agencies, proved to be a hallmark of Professor Broden's involvement with Notre Dame's legal services programs. In fact, it was his innovative plan for bringing various legal-services agencies in the South Bend community under one umbrella that made Notre Dame's Legal Services Program a role model for other universities trying to secure federal funding to support their own programs.

In 1963, as an element of its "War on Poverty," the Johnson Administration's Office of Economic Opportunity (OEO) challenged law schools to develop programs through which law students could provide civil legal assistance to the needy. This type of program presented a radical change for law schools at the time—since law students generally could not "practice" law (even at summer jobs) before graduating and passing the bar examination. Law schools around the country seized the opportunity to become community leaders in the provision of legal services to the poor. In approving programs for federal funding, OEO sought high-quality, ambitious programs that would have a significant effect on the problems of poverty.

Professor Broden's proposal for the Notre Dame program proved to be one of the more innovative, because it brought together under one organizational structure the various county and local agencies that provided legal services to the poor. In an article in a Notre Dame Law School newsletter, Professor Broden described his plan:

The . . . Notre Dame Law School program . . . is the legal services program for St. Joseph County, Indiana, embracing South Bend, Mishawaka and some smaller towns. Prior to OEO financing there was a Legal Aid Office in downtown South Bend with one lawyer and a stenographer. The local OEO community action agency, the county bar association, the Legal Aid Society, the United

Interaction between NDLS students and the local bar association, as well as with other community agencies, proved to be a hallmark of Professor Broden's involvement with Notre Dame's legal services programs.
Professor Broden guided Notre Dame's proposal down a narrow path, balancing the socially conservative University's concerns against the requirements of a socially liberal federal government. Due in large part to Professor Broden's transparent decency and his community-focused vision, Notre Dame secured federal funds and foundation grants to support the program, and became the first law school in the country using this model to be approved for funding by the federal government. Professor Broden structured his proposal for the Notre Dame program so well that, in fact, both Harvard and Columbia "borrowed" it as the model for their own proposals.

Professor Broden's program won the praise of the federal government as well as the envy of some of the nation's top law schools. But in addition to serving the underrepresented poor people of the area, this program gave NDL students practical experience and the opportunity to interact closely with faculty, practicing attorneys, local judges and community leaders. The Law School administration lauded the value of this multidimensional educational experience:

"... [P]rofessional competence is not enough. The Law School believes that lawyers and law schools must face the great questions concerning the nature of man and of society, the origin and purpose of law and the lawyer's role in society..." The School believes that the lawyer is best served, and the community as well, if he possesses not only legal knowledge and legal skills but also a profound sense of the ethics of his profession — and something else which the curriculum is likewise designed to cultivate: pride in the legal profession and a fierce patriotism for justice. To that end the Law School participates in a local program to provide legal services, mainly in civil cases, to persons unable to pay counsel. This activity is part of the Legal Services Program of the Office of Economic Opportunity.


Under Professor Broden's guidance, Notre Dame's legal-services program established neighborhood law offices around South Bend. Local attorneys signed on to run the offices and to supervise the students who performed legal services for the needy in the community. Among the first attorneys hired to run the neighborhood offices was Professor Charles Crutchfield, who, in 1966, first tackled the job of establishing the southeast neighborhood office and then set up the western neighborhood office. His successes in administering the program were due to his nature — he was charismatic, had a marvelous presence, and operated well in the real world of clinical practice — and to his unwavering commitment to social justice.

Professor Broden, appointed assistant dean in 1965, served as program director until 1969. During his tenure, he managed to secure federal funding to support program activities through 1971. In 1969, he took a leave of absence from NDL to accept a position with OEO in Washington, D.C., but returned to South Bend two years later to head the University's newly created Urban Planning Institute. Today, as professor emeritus of law, he continues to facilitate, encourage and teach students through his volunteer efforts at the clinic. In recent years, he has taught courses in subjects such as law and poverty — courses that augment the actual clinical educational experience and provide the intellectual foundation that supports the idea of a clinical, practice-oriented education in an academic environment.

Professor Shaffer, another hero of this early era, joined the law faculty in 1963 and, having worked in Indianapolis as an attorney with Barnes, Hickam, Panzer & Boyd, was one of the few faculty members admitted to practice in the state of Indiana. This was but one of many reasons that made him the natural choice of the students to supervise their work in these legal services programs right from the beginning.

In the early 1960s, a group of students created an organization in response to requests for help from inmates in the Indiana State Prison in Michigan City. Although dating back to the 1960-61 academic year, the students formally organized the Notre Dame Legal Aid and Defender Association in the 1964-65 academic year. Under the initial leadership of John Fine '67 J.D., the handful of students who joined this organization visited these prisoners and agreed to help them prepare habeas corpus petitions for federal district court. NDL faculty members who were admitted to practice in Indiana agreed to accept appointments from the court as uncompensated counsel, and the students did most of the work to prepare the cases for the hearings. Professor Shaffer supported and encouraged these students — and appeared in court numerous times — until his appointment as dean in 1971.

The late Dean Joseph O'Meara, in his Dean's Report of 1966-67, praised the students' and Professor Shaffer's efforts as a valued part of the Law School experience. "since we strive always to develop in our students a sense of public responsibility and a readiness to engage in public-service activities." And the students agreed. A February 23, 1968, Scholastic article by Terrence Kelly '68 J.D., who with Rich Hennessey '69 J.D. and Ivan Bodenstein '68 J.D. led the association in 1967-68, described the value of the program from a student's perspective: "The outside community provides a laboratory for the Association and, in turn, we give service to the community." (Feb. 23, 1968, at 22)
In reality, the association was more than just a community-service organization. Professor Shaffer had become the faculty advisor to a student group that had mushroomed quickly into the largest law office in northern Indiana. In addition to teaching his full course load, Professor Shaffer supervised the student who served as executive director of the association — still largely a student-run enterprise that, by 1968, included five regional offices in South Bend and one in Cass County, Michigan, and other divisions that provided assistance to University students, faculty and employees, to inmates at the Indiana State Prison, to the St. Joseph County prosecutor’s office, and to the local public defender’s office. Professor Shaffer also worked with the supervising attorneys in the regional and county offices to ensure that quality legal services were being provided by the students who participated in the program.

Professor Shaffer continued to influence the direction of the clinic all the way through his tenure as dean from 1971 to 1975. Although unable to supervise the students directly because of the demands of the deanship, Professor Shaffer ensured that the work of the clinic would continue by admitting students who exhibited a strong social conscience. This service-oriented focus of his deanship was described in a Scholastic article entitled “Humanistic Legal Education,” written shortly after the beginning of the 1971-72 academic year:

The deepest intellectual concern at ND Law School is... interperson...al... educational... process... proper... needs... public... prehistory... of... civil... rights... international... development... peace... and... poverty...

END Law School (under the guidance of Dean Shaffer) has a humanistic climate in which students learn to become personally involved in their clients’ problems, where students can learn to bring Christian humanism to their work through a people-centered legal education.

— Nov. 19, 1971, at 11.

There is every indication that Professor Shaffer’s influence has been significant in the growth of the clinic. Like many other clinics, the clinic staffs are working to integrate the needs of people and society into the study of the law. In fact, during the Shaffer era, participation in clinical programs grew to its highest level — approximately 120 students per year helping those in need. And through their practice of law today, many alumni of that era are working as examples of community activists, working to secure justice for those in need.

LEGAL AID TODAY

Today’s Notre Dame Legal Aid Clinic retains much of the influence of Professors Broden and Shaffer. It is an essential part of the legal-services community of St. Joseph County and much of the surrounding area, in keeping with Professor Broden’s plan for a community-based organization. It allows the law students who work there to minister to the needs of the community in their practice of law, thereby furthering Professor Shaffer’s desire to bring a humanistic, values-centered approach to the study of law.

But the clinic today is also so much more.

Beyond the unquestionably valuable and worthwhile goals of community service and practical experience for law students, today’s clinic has become an integral part of the Law School’s academic programs. The Clinic’s co-directors, Eileen Doran ’86, J.D. and Barbara Szveda, have reorganized a student-run organization into an actual law office, and have transformed a community-service program with an informal educational component into a program that is fully integrated into the Law School curriculum, complete with defined courses for credit and distinct academic goals.

Eileen and Barbara have much in common. Both are attorneys who joined at big-city law firms — Eileen in Milwaukee and Barbara in Los Angeles and Tulsa. Both are mothers with young children. Both arrived in South Bend around the same time with their husbands who had taken positions at the University. Both are women with a passion for their work.

Right around the time Eileen and Barbara arrived at Notre Dame, a fortuitous confluence of events paved the way for today’s clinical programs. Dean David T. Link ’58, ’61, J.D., in response to faculty desires as well as in response to the University’s renewed commitment to the South Bend community (as evidenced, for example, by its investment in the South Bend Center for the Homeless and in renewing the neighborhood south of campus), decided that the Law School should have a stronger community presence. Professor Shaffer returned to NDLS and expressed his desire to experience the next phase of his career teaching ethics in a law-office setting and contributing his talents to helping the community. And Eileen and Barbara arrived with ideas and energy.

Although initially able to secure grants to cover only part-time salaries, Eileen and Barbara committed themselves full time to their mission to reform the way NDLS ran legal services. First, they reorganized the student association using the law-firm model. Eileen notes
that, since she and Barbara were fresh from law-firm experience, they needed to bring some structure to the program to facilitate their own work in supervising students. “We were used to working within the law-firm structure, and we thought that a similar organizational structure would help us keep track of the students’ work with clients.” They set up filing systems, established office procedures, and held “firm meetings” with the students.

Like many large law firms, they created informal “departments,” each of which is headed by a supervising attorney (or partner, as they are called in the office). Eileen handles matters involving children (she is a court-appointed guardian ad litem), domestic disputes and entitlements. Barbara specializes in immigration law and runs the Immigration Clinic (the only immigration-law practice in the area, dealing largely with the special problems of immigrants who come to work at local farms and factories). Other clinical faculty run departments that capitalize on their particular areas of expertise and talents as well: Professor Shaffer specializes in property law as well as in wills, trusts and estates; Rev. Bruce Wells ’96 J.D. runs the Mediation Clinic; Sister Deborah Cerullo, S.S.N.D., who joined the clinic this fall, practices landlord-tenant and debtor law; and Judith Fox ’93 J.D., another new member of the firm, is the clinic’s litigator.

In a departure from the traditional law-firm structure, however, the “managing partner” is not an attorney. The clinical faculty consider themselves blessed to be managed by Linda Harrington, who has been at Notre Dame since 1980 as a secretary for Law School faculty and for the National Institute for Trial Advocacy. She joined the clinic as an administrative assistant in 1992, and keeps track of literally everything. She is ably assisted by Becky Carlton, who joined the clinic staff in 1993 after five years as a secretary in the Kresge Library.

The students (or associates, as they are called in the office) number between 30 and 40 each semester during the academic year and around 15 or 20 during the summer, making the clinic the largest law office in northern Indiana. Together with the faculty, they work on an average of 200 to 250 open cases each month.

Eileen and Barbara developed the formal educational component after evaluating the work of the students within the law-firm setting. They realized that the students were not particularly well equipped to deal with basic issues of local practice rules — both substantive and procedural — and set about creating a clinical educational program that would familiarize the students with the basic rules they would face when dealing with clients, local courts and opposing counsel. In deciding how to structure their clinical-education program, Eileen and Barbara visited other clinical programs, went to clinical-education seminars, and met with other clinic directors. Their Notre Dame Legal Aid Clinic combines the best of what they saw. Eileen believes that the Notre Dame program is among the best in the country because of the variety of cases students handle, the range of work they perform for clients, and how much experience they gain in handling a case from the initial intake interview all the way through to trial.

But beyond the range of experiences students enjoy in their actual practice of law, the Notre Dame Legal Aid Clinic is unique among clinical programs across the country because of the role that faith plays in the practice of law. In fact, Eileen believes that one of the core differences in the way NDLS approaches legal aid is that the supervising attorneys and students alike are not afraid to talk about the role that faith plays in motivating them to do the work they do and in forming them into the attorneys they are. They talk about how their faith influences the way they treat clients and opposing counsel. They talk about what in their faith lives and in their morality compels them to serve the less fortunate.

Much of the educational component occurs at the “firm meetings” that Eileen and Barbara established. Like similar meetings at large law firms, the partners and associates discuss cases in progress. Unlike the large law firms, however, the members of this law firm discuss every case that comes to the clinic, deciding as a group which cases to accept. (The clinic turns away five of every eight requests for help.) They discuss the practical aspects of the law and case-load management as well as the ethical

... the Notre Dame Legal Aid Clinic is unique among clinical programs across the country because of the role that faith plays in the practice of law.
aspects of becoming involved in particular cases or situations.

And obviously, a great deal of the educational component occurs as the students learn to counsel clients, prepare cases for court or for mediation and appear in court on behalf of clients under Indiana's student-practice rule.

But today, with the program Eileen and Barbara and the others have created and continue to build on, students participate in a more formal academic component as well. NDLS students now benefit from an educational program based in a clinical setting, complete with required courses, course work, and academic and cocurricular credit. Students in Legal Aid I and II must work 90 hours over the course of the semester to earn three hours of academic credit, and students who wish to work an additional two semesters can earn cocurricular credit for their efforts. But many students work many more hours than required because they love what they do and because they care about their clients. As an example, one-third of the way into the current semester, more than half of the students in Legal Aid I had completed one-half to two-thirds of their required hours.

Beyond the strong commitment demonstrated by the students, Professor Shaffer believes that other components of the course work differentiate the NDLS clinical program experience from that at other law schools. In his words, Eileen, Barbara and the others have found a way to make the clinical experience “systematically, ethically sensitive.” Ethical issues are woven throughout every firm meeting as cases are discussed, and are present in informal conversations about cases in the hallways and with clients.

Much of that component is the result of Professor Shaffer’s distinctive imprint on today’s Legal Aid Clinic. He has pioneered the art of teaching legal ethics in the clinical setting. The course in Clinical Ethics that he developed contains such significant academic content that, several years ago, the law faculty approved substituting the course for the third-year Ethics II requirement for students participating in clinical programs. As Professor Shaffer described the Clinical Ethics Seminar in a recent article:

“It is an academically respectable seminar. Students read books and handouts; they write journals and papers; they are invited to learn from their ethical and professional masters, as they are expected to learn from the clinical faculty how to draft motions and try lawsuits. They are expected to apply their learning in writing about and discussing our cases . . . and to demonstrate in academically respectable ways that they have done so.


But the seminars Professor Shaffer has helped develop have a practical side as well — a practical side that transcends the professional-responsibility codes and abstract academic theories about how to resolve hypothetical ethical dilemmas. Professor Shaffer described the program approved by the faculty and supported from 1993 to 1996 by a Keck Foundation grant in the same recent article:

The notion we presented . . . was that clinical seminar sessions would be like meetings in law firms with morals as the agenda. Our model and our goal has been the law office. The cases and dilemmas we proposed to use — and have used — are current moral problems student lawyers in the clinic and their supervising attorneys have to solve or ignore, because they involve real people in real situations — students acting as lawyers under Indiana’s student-practice rule; clinical faculty young and old; a supportive local bar and bench; and clients who retain us to represent them in a wide range of civil cases.

In 1993, the clinic made what, at the time, felt like a painful transition — moving out of the offices that the student association had secured years ago in the Law School basement and into a converted home at 725 Howard Street, four blocks south of campus and one block west of Notre Dame Avenue. The move was necessitated, in part, by the ever-worsening space crunch in the Law School. But the fundamental idea behind the move, according to Associate Dean [then Acting Dean] Tex Dutile ’65 J.D., was to bring the clinic to its clients and to strengthen the University’s presence in the neighborhood. And after a few years of adjusting to being off campus, those at the clinic today couldn’t imagine how their situation could be improved.

Before the move, the clinical faculty worried that students would find that getting to Howard Street was too difficult and, consequently, would not enroll in the clinic’s programs. But just the opposite has occurred. Today, students come in larger numbers than ever before, spend more time at the clinic, and — quite possibly because they are away from the Law School and in their own offices — have created a true community of their own in this community-based law firm.

An added benefit of the new location is the relationship that the clinic has with local residents. Clients and neighbors no longer are intimidated by the University’s imposing presence and now sometimes
To be sure, the “fierce partisanship for justice” that inspired the students and the faculty leaders of the 1960s and 1970s to reach out to help those in need still exists, but today it is manifested in a much grander way.

Notre Dame law graduates who want to practice law in Indiana raise their right hands and recite a long 19th-century oath. At the end it says, “I will never reject, from any consideration personal to myself, the cause of the defenseless or oppressed. So help me God.”

American lawyers everywhere take an oath like that. Many of those who practice law, and most of those who teach law, learn to ignore it. Franklin A. “Steve” Morse ’64 J.D., did not and does not.

Franklin A. Morse II grew up in South Bend, graduated from Williams College, studied for the priesthood for two years, then went to the Notre Dame Law School, where he ranked high in his class and was an editor of The Notre Dame Lawyer.

He was law clerk to U.S. District Judge Robert A. Grant ’28, ’30 J.D., for two years and then spent nearly 30 years as a trial lawyer for business clients in what soon became Indiana’s largest law firm. By 1992, he was rated one of the “Best Lawyers in America.”

Steve retired from that law practice in 1994 to spend three years as a volunteer supervising attorney in the Notre Dame Legal Aid Clinic.

Law practice for those who need but cannot pay for good lawyers was not something new for Steve Morse. He made time for the defenseless and oppressed during all of the years he represented prosperous clients. He took dozens of cases as an unpaid lawyer in the Indiana Civil Liberties Union — twice securing federal reversals of lower court rulings against his pro bono clients.

In 1991, he was the I.C.L.U.’s Cooperating Attorney of the Year; in 1993, the organization gave Steve its Distinguished Service Award.

He volunteered for Sexual Offense Services, was a director of the United Religious Community and its Advocacy Center, gave time and effort to AIDS Ministries, and was and is a member of the church council at Hilltop Lutheran Church.

Steve, the father of six, grandfather of three, is an example of what Notre Dame means when it talks about its law school as a center for legal ethics and public service.

In our clinic, he taught and exemplified tough-minded lawyering, integrity and compassion, all to the benefit of the Notre Dame law students who serve the defenseless and oppressed within the shadow of the dome — and to those of us who supervise those students.

Always a modest Hoosier lawyer, Steve calls his largely unpaid service to student lawyers in Notre Dame’s Legal Aid Clinic, and his continuing representation of civil-liberties clients, “paying folks back.”

Last fall, Steve turned to spending more time hiking, fishing and backpacking from a cabin he owns in the woods of northern Michigan. Those who know him well guess he will soon be lawyering for those who need him in courtrooms up there.

— Tom Shaffer ’61 J.D.
My colleague Tex Dutile asked me one day if I liked being a legal-aid lawyer who works with law students. I said I did, but that I have surprised myself (or maybe God surprised me): I didn’t think I would, when, six years ago, I asked the dean to let me work with students in the Notre Dame Legal Aid Clinic instead of teaching law in the classroom. It has been a sort of conversion for me — a conversion to good and unexpected things; I have, in C.S. Lewis’s phrase, been surprised by joy.

I date the conversion from 1991, in my 57th year and in the 31st year of my being a full-time classroom law teacher. Jonathan Kozol came to campus to talk about homelessness. He lectured in the law school courtroom: lots of students were there. I sat next to my old friend and teacher Tom Broden ’49 J.D.; we ate our brown-bag lunches as we listened to Kozol’s moving description of families on the street or in one of Mayor Koch’s New York welfare hotels.
Afterward, I said that I was moved by Kozol's account, and I hoped the students were. Tom agreed that Kozol was eloquent, but, he said, our students would not learn about poverty from listening to Kozol. He said law students learn about those we are told to prefer — in the Torah and the Gospels and in modern Catholic social teaching — not from speakers, but from being among the people we are told to prefer.

Tom spoke there of his own way of being a law teacher. His way has been to go, with his students, again and again, year after year, into the broken neighborhoods and prisons and dumping grounds of northern Indiana, and there show his students how to practice law. His programs in law and poverty (under a dozen titles and with a score of precarious funding arrangements) were, for most of three decades, almost the only thing of its kind at Notre Dame. (Tom retired in 1993; he still works with us.)

I hadn't paid much attention to what Tom and his students were doing all that time — nor to similar efforts by our colleagues Con Kellenberg and the late Frank Booker.

Surprised by Joy Street

by Thomas L. Shaffer '61 J.D.
Robert and Marion Short Professor Emeritus of Law
I was, in the poet’s phrase, trudging on
time to a tidy fortune, contributing a little
money to the missionary sisters, and occa-
sionally listening to people like Kozol. List-
tening to people like Kozol was like going
to church during the week.

When Tom mentioned his own work,
after the Kozol lecture, I thought of what
my wife Nancy has done, since our young-
est went to kindergarten in 1970, which is
what Tom was talking about doing with
students in tow: She has been an advocate
at legal-services offices in California, Vir-
ginia and Indiana, and in the United Re-
gious Community in South Bend, for 30
years. She recently qualified as a Court
Appointed Special Advocate for children.
She is very good at helping people —
calm, purposeful, hardly ever wildly indig-
nant, never judgmental. And she is not a
lawyer.

The central reality in Tom Broden’s
ministry — and Nancy’s, too — is that it
runs in two directions: Tom and Nancy
have been ministers to people who need
help, and who sometimes need advocates,
avid and licensed, and do not have them,
and they have been ministers to students
and friends (including me) who otherwise
would know nothing about such people
beyond what they read in the newspaper
or hear from padded chairs in the Law
School courtroom.

Very few of our students have much
to do with the poor when they are at Notre
Dame, and even fewer will end up in a
career of being lawyers for low-income
people. The typical law graduate leaves
us with between $20,000 and $100,000 in
debt that has to be paid off from law-prac-
tice income, and legal-services lawyers
make less than parochial-school teachers
do. Even if our law graduates left us debt-
free, most of them could not find work in
our kind of practice; there are few legal-
service jobs available for them — fewer
all the time.

Like most moments in my life with
Jesus, the realization, which came to me
slowly, was quiet and obvious and familiar:
I went down to the basement of the law
building to see if the able young mothers
who created our latter-day Legal Aid
Clinic, Eileen Doran ’86 J.D., and Barbara
Szveda, could use my help. And then I
talked to my classmate the dean, Dave Link
’58, ’61 J.D. . . .

Since then, thanks to these sisters and
brothers in the Lord, I have spent four-fifths
of my time as a “supervising attorney” in
the largest law office in northern Indiana.
(I use the other fifth to write — but, until
this little piece, not much about being a
legal-aid lawyer.) Eileen, Barbara and I
have had two part-time colleagues —
Christine Venter ’94 LL.M., ’95 J.S.D., a
South African lawyer who has otherwise
been at Notre Dame to earn our first re-
search doctorate in law, and Steve Morse
’84 J.D., who retired in 1994 from the large
law firm I worked for in the 1960s. Last
summer, we added two full-time partners —
Judy Fox ’93 J.D., who since her gradu-
ation has worked in a variety of legal-ser-
vice offices in southwestern Michigan, and
Sister Deborah Cerullo, S.S.L.N., a Massa-
chusetts lawyer and former prosecutor. We
work with an average of about 50 students
during the academic year, 15 or 20 during
the summer, and take on about 400 cases
a year for clients who cannot afford
lawyers.

We work in an old, comfortable, three-
story building on Howard Street, which the
University bought from a defunct religious
sect, across from what used to be Pandora’s
Books, in the high-crime area between
campus and St. Joseph’s Hospital that the
University is gradually extending its influ-
ence over. Some of our clients are also our
neighbors. Some of our neighbors, who
drop in for talk or a cup of coffee, are not
(yet) our clients.

My greatest contribution to the clinic
has been talking Linda Harrington, who
has worked for the Law School for 17 years,
into becoming the clinic’s office manager.
It is she — not a bunch of lawyers — who
holds the place together. We 35 practicing
lawyers have one able secretary, Becky
Carlton, whom we stole from the law li-
brary; and Mike Schlatterbeck, an under-
graduate student who helps us part time,
under the work-study program.

I mention these women, and should
mention as well that most of our legal in-
terns are women, not only out of necessity
but also because one lasting grace I have from this new work is the
amazing experience of working in a feminine
place, of dealing with legal issues from a
feminine perspective, of sharing daily —
sometimes as a kind of grandfather — in
the remarkable stress Eileen, Barbara and
Judy have in being mothers of young chil-
dren and at the same time busy, involved
lawyers.

Involvement goes with being feminine
in a way that would be unusual in most law
offices. In one case, Barbara gathered to-
gether a crew of law students and painted
the inside of a client’s apartment. Twice
a week she leads a team of students — as
many Spanish speakers as she can find, and
others — for sessions in the evening for the
Hispanic community in South Bend, in
their complex involvement with the Immi-
gration and Naturalization Service.

Eileen blends her legal work with
young-mother persistence, to locate baby-
sitters, medical care, and garbage service
for her clients; she argues with public-
school officials and welfare workers on a
range of questions that few male lawyers
would think of as part of their job description. Christine worked with editors, English teachers, and publishers on a manuscript for a book that one of our clients wrote.

In a sense that is real (and that we repeat often), and in a sense that is also feminine, we, like any serious set of lawyers, put a top priority on clients: Clients come first. That traditional professional sense of priority is part of the ministry of our students, who are as much a part of our ministry as the clients are. What I am calling the feminine part of the priority is that it does not stop at what I once thought of as what a lawyer does.

Our office is the only law office I know about that observes birthdays, arrivals, departures, returns, engagements and pregnancies. About once a week our busy professional activity has to stop for a brief party in the waiting room. Everyone within earshot is invited to the party — students, older lawyers, clients, and whichever neighbors happen to be around.

Another discovery I have made in this work, after years of writing books on the virtue of friendship as an aspect of legal ethics, is that our students learn from us, and as often teach us, how to go about making friends of our clients. People in our law office hug one another, rather more often, I think, than people in law offices downtown. Our student lawyers make house calls. I think as I notice what I learn from students, and from my partners through students, of Rabbi Judah ha-Nasi, who said, “I learned much from my teachers, more from my colleagues, and most of all from my pupils.”

As law offices go, all of these ways of being feminine make us a bit unusual, both in comparison with other offices and in comparison with what we five supervising attorneys experienced when we were in other law offices. All five of us entered law practice as “associates” (that is, hired hands) in law firms where the young lawyers help the older lawyers serve the clients of the older lawyers. In our clinical law firm, the older lawyers help the younger lawyers serve the clients of the younger lawyers. In a small way, as Notre Dame on Howard Street, our students turn things around, as Jesus and the other prophets did. What started out as an educational agenda has come to be training (for us and for our students) in the virtue of beneficence — friendliness, to put a modern tag to the idea.

I am not as good at this as my partners are. This is not precisely a male-female distinction; it is, though, as C.G. Jung noticed, a masculine-feminine thing: The masculine shows up in my female students’ ability to be tough-minded and, on occasion, remarkably aggressive. The feminine shows up, a little more than it used to, in my being able to celebrate the faith, the stubborn courage and warm compassion — Faulkner called it “endurance” — of my clients.

In my law practice — more, I think, than in my partners’ — it is the students who really get to know the clients, who often form friendships with them, sometimes deep friendships. The students, with varying amounts of nudging, decide on goals and tactics, identify risks, predict results. And it is the students who advise, warn and console our clients, and who go downtown to the courthouse for them. (The root meaning of “attorney” is someone who goes to town for you.)

There is nothing uniquely lawyerly in the practice of friendship in the practice of law. The grace that allows me to see it in the clinic, and to change a little myself, is familiar among Notre Dame students. I see it every day among my law students, but I also see it in the eyes and nods and smiles of the undergraduates who help us out or who come to visit from Father Don McNeill’s Center for Social Concerns.

There is no clear difference between these moments of surprise by joy and the mundane business of being lawyers. Our law students, who are permitted by the Indiana Supreme Court to practice law under supervision, interview the people who come for our help. A student lawyer is on duty for this purpose during every office hour of the week. Those who have done the interviewing meet in teams and decide which cases to take. (We have to turn down more than we can accept.) Then one of us signs on to be, as we have come to call ourselves, guru for each of the cases our students decide to take.

This is standard, Wednesday-afternoon stuff for a law office, but it is also an enlightening and puzzling business in a social order which resolutely puts our clients
at the bottom of the economic and social pecking order. It turns out to be, in its ordinariness, training, for us and for our students, in what the thinkers at Notre Dame would call social justice: The people we serve (and I guess this from what has happened to me during five years of this work) provide ample material for our students to form opinions on jurisprudence and social order (those being elements of what legal education says it aims for).

More than this, and still in its ordinariness — this is what Tom Broden was talking about, and what Nancy's life with her clients and with our children illustrates — our clients form people in ways that are something like the ordinary way our students were formed in friendship and affection in their families and neighborhoods. Our clients influence our students in that ordinary way.

It is ordinary, but it is also puzzling, a mysterious human process. I suppose it is a matter, as the letter to the Hebrews put it, of stirring one another up to love and good works. If I am right about the way grace works on Howard Street (one of many ways), it is grace that was in our students' lives before they came to us, as well as grace that comes to them from their clients.

I don't pretend to know how it works. But there is plenty of evidence that something is working: Our students typically — typically — work more hours for their clients than our academic standards require of them. Many of them volunteer to continue working in the clinic after they have exhausted the possibility of academic credit for what they do. Our students, and Father McNeill's, show me a human possibility that is under and over and all around us. Our law students show me, when I think of myself, more narrowly, as a lawyer, that justice is not so much something you get in a law office or from the government as it is something people give to one another.

If, following Tom Broden, Con Kellenberg and Frank Booker, we put a priority on service, we are also an educational venture, and, being teachers as well as lawyers, we worry a little — as our colleagues on campus regularly remind us we should — about letting go of classroom focus and clarity of concept. And so we try to get the classroom into the clinic.

We have orientation and training sessions for our students, those being rather like the "continuing legal education" sessions most lawyers attend under court or bar-association sponsorship. The Keck Foundation, the Retirement Foundation of Chicago, the Cord Foundation and the DuPont Foundation have given us grants for doing more than that, for having clinical seminars in children's rights, elderlaw, mediation, immigration law and ethics.

In the clinical seminars the students read books and handouts, hear lectures, prepare papers and talk about ideas. They talk, more than in regular law classes, about clients. Our clients — real people. One version of the clinical seminars, for example, is limited to students who are interns and therefore "members of the firm," and therefore able to talk together about confidential client matters. We devote most of our time in those sessions to moral reflection on what we are doing. They have proved — even more than we thought they would — to be law-firm meetings on the morals of our practice.

The clinical seminars spill over into most of what we do — so that it is routine to have an earnest debate going on in the hallway or the student lawyers' work area, over something we are doing or should be doing in a case. The intake meetings, where student lawyers decide which cases to take, which not to take, which to refer — and to where — have become extensions of the clinical seminars. We could do the necessary lawyers' business of one of those meetings in 20 minutes, but they routinely run more than an hour.

Of course there are still things I puzzle over.

Sometimes our students don't live up to the demands of what they have signed on to do. Law practice anywhere is difficult, complex and demanding. In the old sexist days when I started as a lawyer, the older males I worked for (and before that the late Dean Joseph O'Meara '68 LL.D.), used to say that the law is a jealous mistress. Law practice demands the best that a bright, industrious person has to give. Sometimes we and our students fail to give it.
Occasionally students neglect their clients (and I have to be severe about that). More often the problem is not neglect, but the fact that each of these students is with us for so short a time, and the law grinds slowly. At the end of every semester I have 20 or 30 cases that have to be handed on to new student interns, or that I have to take over and continue by myself. Once in a while, I have to go to court alone. Before my clinic days, I usually went to court alone; now I feel incomplete when I have to do it.

These transitions are unsettling for clients; they tempt me to cool down the relationships the student lawyers have with clients, in favor of a clearer dependence on me — lest our practice become a matter of exploiting clients in order to provide education for students. The turnover problem is uncomfortable to work through, but I tell myself that it is inherent in a ministry that goes out in two directions. Maybe it is one of those things, to use philosophical language I learned from my old friend and colleague, Professor Frederick J. Crosson, that is more of a mystery than a problem.

Another thing to puzzle over is the number of clients we turn away (about five out of every eight who apply). Like any lawyers anywhere (or, for that matter, pastors or physicians anywhere), we have to be concerned that we not give ourselves so much to do that we don’t do any of it well. That requires some discipline; it provokes a painful concern, especially in the sadness of telling a person you do not have time to help her. (An interesting part of our program of “training” is that we give this unpleasant task to the student lawyers or to Linda.) This is a crisis made more compelling as the federal government takes another swipe at legal services for the poor, and more clients, turned away from the local federally funded legal-services office, come to us.

Another difficulty is how to go about serving the lawyers who teach in the classroom at Notre Dame and, beyond them, the University community and the corporate institution. Notre Dame operates the clinic at a financial loss: Our student-faculty ratio is one of the lowest on campus. The individual attention we give to our students costs money; as do our physical facilities and our non-lawyer staff. In this respect, the clinic is analogous to the South Bend Center for the Homeless, which the University began supporting in the 1980s, and to the Center for Social Concerns.

We have recently become aware of our opportunity to serve private lawyers in the community who could probably do more for people who cannot pay fees: We are trying to figure out how to involve ourselves and our classroom colleagues in a broad campaign, mounted by the Indiana Supreme Court and the Indiana State Bar Association, to encourage “pro bono” service by practicing lawyers and law teachers. Young lawyers in the community who have been student lawyers in the clinic — typically young women will, more often than not, take these cases.

And, finally, there is the possibility that the kinds of law we do could be made simpler, less expensive, more available to people at the bottom of the legal pile, and fairer. Indiana’s system of small-claims courts, for example, was set up to provide simplified justice to people who do not have lawyers, but it has become an engine of oppression — an agency of government where lawyers evict welfare mothers and garnish the wages of the working poor.

The law’s system for granting divorce (or, as Indiana has come to call it, “dissolution”) cries out, especially as we meet it in the lives of the children of our clients, for less rancor and complexity. The federal Social Security system operates its application procedure as a way to refuse help, rather than to give it. If there is bureaucracy more disgusting than the Immigration and Naturalization Service, I haven’t heard about it.

I am tempted to hubris. I get angry at the way “the system” steps on our clients; I nod in agreement with the latent Marxism I read in Latin American liberation theology. And then I am tempted to feel superior to the bureaucrats and judges who administer these systems, and to the lawyers downtown who have to live on what their clients can pay them. I suspect the wonderful women I work with would nod at my confession of hubris. Maybe they would add, “It’s a guy thing.”

The Lord has not, so far, dealt with my hubris by giving me grief, boils and poverty (as he did with Job), or denied me the Promised Land (as he did with Moses). He has let me stay with Nancy, and that helps a lot: I am tempted to tirades about the way the legal systems we work with dump on our clients; Nancy, who also works with people who don’t have enough money or time or savvy in the ways of the world, always finds a way to do something. She does not like the phrase “poor people.”

I guess this is a question of focus. We lawyers cannot ignore the “system,” if only because it is lawyers who tend the system and often have the power to change it. But the feminine, the human skills our students bring to us, the common-sense way Nancy turns to what can be done — all of these influences in my life as a clinical law teacher — help me understand what Father John Dunne may have meant when he wrote (in The House of Wisdom) that “I can find God in my heart only by turning somehow to life.” I have written in my books, and I am learning, slowly, in my work with students in the clinic, that lawyers’ law is more about people than it is about problems.

It is useful, and a shade humbling, to be made to remember (by Nancy and by Steve and the women we get to work with) that the most important thing about our clients is not that the system doesn’t give them very much, but that, as one of the earliest American judicial opinions said it, they are the noblest works of God.
A Student's Reflection on Legal Aid

by Colleen M. Morrissey '92, '97 J.D.

I was one of those young, ambitious, slightly naïve law school applicants who believed that attending law school would provide me with the knowledge and training I needed to go out and really make a difference in my community. (That may even be a quote from my application to law school.) I have always had a rather idealistic view of the legal profession — words like truth, justice, honor and fair-dealing come to mind. These sound like such dramatic concepts, but I know that they are not just concepts because I saw them every day in the lawyers, the staff and the other student interns with whom I worked at the Notre Dame Legal Aid Clinic.

I participated in the clinic during my third year of law school and consider it the most valuable and rewarding experience of my three years. It was while working in the clinic that I realized I could incorporate the ideals that first led me to law school into the practical everyday work I would be doing as a lawyer — regardless of the type of law I practiced or where I chose to practice.

There are many reasons I found working in the clinic to be such a rewarding experience, but first and foremost, it was because of the supervising attorneys and staff who give so much of themselves to the Law School, the students, and most importantly, to the clients. As student interns starting with the clinic, we went through a series of workshops, each focusing on a different topic or skill that would be important to our work at the clinic and to our ability to serve the clients. One such workshop that stands out in my mind was dedicated to the art of interviewing a new client. It was by example that I learned the importance of listening, and consequently, began to understand that sometimes, the best way to serve clients is simply by providing a comfortable environment in which they can communicate the problem or situation that first brought them to the clinic. Sitting beside my supervising attorney and observing how he or she invoked the trust and confidence of a new client was a learning experience I never would have discovered inside a classroom.

The guidance and support of the supervising attorneys are a constant throughout each case or representation of a client. But clearly, the best way to learn is to do — so student interns are given a lot of responsibility from the very beginning. Since no two clients or situations are identical, each student intern's experience with the clinic is somewhat unique. Some of my experiences included meeting and talking with clients, negotiating with opposing counsel and administrative agencies, representing clients at hearings, arguing motions, and questioning and cross-examining witnesses — to name just a few.

While not all of the cases on which I worked turned out favorably, I did have the opportunity to feel the satisfaction and pride that comes with an accomplished objective or a favorable decision for a client. One example concerned an older woman who came to the clinic because she had been unable to secure a loan to have her leaky roof fixed. Apparently, there was a problem with the title to her home and the lender would not provide her with assistance until she could clear up the problem. Well, she had no idea what needed to be done or how to go about doing it, so she came to us for legal advice and assistance. It turned out to be a minor problem that required a few telephone calls and a little persistence to clear up. Getting a loan to fix a leaky roof may not seem like a big deal, but it was very important to her since winter was coming and she did not have a good roof over her head. I will never forget my client's voice when I called her to let her know the problem had been cleared up, the loan was going through, and she would have her roof fixed by Christmas. She was thrilled. Helping this woman with her problem did not require a great deal of legal expertise; however, as I learned from my work at the clinic, a big part of being a good lawyer has nothing to do with the substantive law — it is simply knowing how to be a good problem-solver.

While some clients came and went quickly, there were other clients with whom I worked throughout the entire school year. One such client was a young mother who had lost custody of her baby to the baby's father. She came to the clinic to ask for help in increasing her visitation with her baby. Since there was no visitation agreement in place, her visits had been sporadic at best. Prior to our involvement in the case, she had no representation and no meaningful support from family or friends. It was a long road — one that she and the clinic are still traveling. However, we were able to get her case back in front of the judge and reach at least a preliminary agreement with more regular visitation between her and the baby. It was a small but meaningful victory for our client. The clinic really was the only place for this young mother to turn when she needed help, and I am very happy that we were able to be there for her.

When we began representing her, I was simply her lawyer. But as time passed, I also became her confidante and advisor — something she needed even more than she needed a lawyer.

I am one person who worked for one school year at the Notre Dame Legal Aid Clinic. My contributions were very few compared to the many provided by other people who have committed a large portion of their life's work to the clinic. But the experiences I had and the people I met while working at the clinic have helped shape who I am and who I want to be — both as a person and as a lawyer.
A New Career in Legal Aid

by Cathleen Mogan '92 J.D.

The mass of men lead lives of quiet desperation.
— Henry David Thoreau

After a year of working in legal aid, this I can well believe. For four years after law school, I worked in the courteous and just, but sometimes sterile, world of law clerks and judges. Last year, looking for a change of pace, I took a job with Legal Aid in rural Missouri. One other attorney and I cover 13 counties, and generally practice landlord-tenant, domestic, welfare benefits, unemployment compensation, social security, civil rights, health, school and consumer law. Thankfully, my welfare services provider in the area. Although the job requires a great deal of driving, I have often wished that I had taken advantage of the wonderful resources available through the supervising attorneys at the Legal Aid Clinic rather than being forced to learn the hard way — on the job.

Like many students who come to Notre Dame Law School, I always knew that I wanted to work in legal aid someday. And like many who ultimately seek more financially secure employment, I too believed that my student loans and financial circumstances would preclude that dream for many years. Last year, however, the Notre Dame Law School changed all of that. The Law School has been able to assist me financially, which in turn, has given me the opportunity to realize my dream of working in legal aid long before I had ever hoped. The Law School has helped me help others — which reaffirms something I have always known: Notre Dame is a very special place with a very special mission.
N

otre Dame Law School has a long history of attracting students who express a desire to use their legal education to help those in need. By the time these students graduate, however, many feel compelled to enter private practice at large law firms that pay high salaries so that they can earn enough money to pay their student loans — which, for some, can total more than $50,000 for law school alone — or more than $100,000 including undergraduate loans. And because of the time demands and billable-hour pressures of such a practice, even the most dedicated and committed Notre Dame lawyer encounters difficulties in finding the time or the energy to perform pro bono work in the few hours that remain in the week. It is an old and familiar problem that, for years, has defied solution.

But through a unique partnership established this past fall, NDLS hopes to find at least a partial solution. NDLS has teamed up with Pro Bono Legal Solutions, Inc. (PBLs), the brainchild of Suzanne McMahon ‘91 J.D., to find ways to finance student-loan repayments for NDLS alumni engaged in pro bono work.

Suzanne formed PBLs in response to a challenge identified in an American Bar Association report entitled Agenda for Access: The American People and Civil Justice. The report, which resulted from the ABA’s national study entitled “Comprehensive Legal Needs Study on the American Justice System,” concluded that millions of Americans do not have the access to the legal services they need, and recommended 11 action steps to improve the access to justice for these individuals. PBLs, a not-for-profit IRS 501(c)(3) corporation, has accepted the goals outlined in Agenda for Access and has defined its mission as facilitating the provision of pro bono legal services to income-eligible civil litigants who do not benefit from legal services because they are not aware of or cannot afford needed services.

The program concept is relatively simple. PBLs secures funding from foundations and private donors who have expressed an interest in funding pro bono legal services programs. Partner law schools then promote the program among their alumni and provide some administrative support for the program. Once the funding and administrative structure are in place, graduates of partner law schools contract with PBLs to perform legal services for identified clients under the guidance of another attorney who serves as a preceptor. Contracted attorneys commit up to five hours per week for 50 weeks per year, to performing pro bono legal services. In exchange, PBLs pays the contracted attorney’s student-loan creditor $50 per hour of pro bono services performed, up to $12,500 annually.

In addition to securing funding to offset the educational debt for contracted attorneys, the PBLs partnership program includes an educational component and a community-outreach component. PBLs plans to teach contracted attorneys how to organize their cases through a pro bono practice course, and PBLs also plans to prepare an orientation package to introduce clients and local communities to PBLs services. In addition, PBLs intends to undertake a comprehensive effort to integrate the contracted attorney’s work into the attorney’s local legal community. PBLs aims to involve local private firms, bar associations and legal-services providers to build a community-based partnership to satisfy the legal needs of the poor in the contracted attorney’s local area and to ensure that pro bono providers do not compete with for-profit law firms. It will develop a local resources list for contracted attorneys to assist them in preparing their cases; and it will help contracted attorneys find and

work with a local mentor who will assume no liability, but who will act as a preceptor for the contracted attorney.

Currently, PBLs is in the process of securing a start-up grant to begin operations. Suzanne McMahon is confident that, after this initial grant is secured, funds to support the actual pro bono work will follow and PBLs can begin working with Notre Dame alumni as early as next fall.

Suzanne hopes that the program she has created will increase the availability of pro bono services by involving more practicing attorneys in such work, and that attorneys who participate will develop a habit of providing pro bono services throughout their legal careers, long after their educational debt has been paid. The program has the added benefit to NDLS of helping us maintain ties with our alumni who are performing such work and will make NDLS an integral part of a national legal-services network.

Certainly, those who cannot afford to pay for legal services will benefit a great deal from this program — especially if 80 NDLS alumni each year (and eventually, similar numbers of alumni from other partner law schools) commit to providing a total of 20,000 hours of pro bono legal services in their home towns. And receiving $12,500 (pre-tax) in loan-repayment income will help those whose educational debt can add up to more than $50,000 just for law school.

But more importantly, it will give our graduates a choice they have long needed — the choice between accepting a high-paying (but almost assuredly high-pressure) position to earn enough money to pay their loans, and accepting a lower-paying (and hopefully lower-pressured) position — along with committing an extra five hours each week to performing pro bono legal services — to secure some debt-repayment help. What a wonderful way for us to help our graduates practice what we teach!
For most lawyers who want to practice public-interest law today, the math is relatively easy; the cost of the ideal can present one of the greatest challenges. Too frequently, lawyers graduating from private law schools must begin their careers with more than $50,000 in student loan debt. In many instances, that debt must be repaid within 10 years.

They can expect to subtract their monthly student loan payments from an average annual salary of $60,000 at a large firm or from an average annual salary of $25,000 to $30,000 in many public-interest law offices. This difference may explain why the cost to society is too few lawyers dedicating their careers to public-interest law practice.

In the Notre Dame Legal Aid Clinic, for example, many students would like to work in public-interest positions after graduation. While the level of interest and the need for such professionals remain high, less than 2 percent of graduates actually enter public-interest law practice each year. Why?

Many simply cannot afford it. Tuition at the Law School for 1997-98 is more than $20,000 a year, exclusive of living expenses and books. The most economically needy students can borrow as much as $27,000 or more each year for tuition and living expenses. Although some fellowships are available, the average indebtedness of law graduates has been estimated at more than $30,000.

Thus, if two “financially average” students at the Law School marry, their combined debt before they begin a family or buy a home would be more than $100,000 for law school alone.

They could repay their individual loans over 10 years or consolidate them over 25 years — often forfeiting a lower interest rate. If they consolidate, they could still be paying for their own education when their children are in college.

One of my former students at the Legal Aid Clinic, who desperately wanted to be a public-interest lawyer, had accumulated $82,000 in student-loan debt ($72,000 of it for law school alone) when she graduated. As a public-interest lawyer, her starting salary was likely to be about $25,000. With an expected monthly take-home pay of $1,600, she would have less than $600 for rent, food, clothing, transportation and other expenses after making her $1,005-per-month student loan payment.

Although she was willing to live near the poverty level for a public-interest job, she worried about how she would handle a financial emergency.

The question that begs to be asked is obvious: How can top graduates be expected, economically, to forgo jobs in large firms in Chicago or New York with starting salaries of more than $80,000 in favor of public-interest jobs paying, on average, a third of that amount?

Laudably, a number of law schools, law firms, professional associations and others across the nation have fellowships, loan-forgiveness programs and other financial incentives for entering public service. Unfortunately, however, many of these programs can assist only a handful of lawyers each year.

The federal government funds a substantial loan-forgiveness program for physicians who agree to repay a portion of their student loans by practicing in locales that need doctors. Unfortunately, there is no similar program for lawyers who enter public-interest practice.

The Clinton Administration formed a National Service Legal Corps several years ago, which then involved a total of 42 professionals, including lawyers, working at 11 sites in such fields as domestic violence, community economic development and homelessness.

With a total budget of $2 million — half of it from federal funds — the corps’ only attempt at loan forgiveness was a post-service education award of $1,725. That is not even one year’s interest payment for a lawyer with more than $50,000 in student debt.

While the service corps is a worthwhile project, and perhaps an important first step, the real need is for comprehensive, federally funded loan forgiveness for public-interest lawyers; or, more realistically, from a political standpoint, a tax system that treats public-interest law practice more favorably and creates financial incentives for those engaged in it.

**Society’s Loss**

The cost of failing to adopt such a program is high. Without it, many graduates will not be able to afford to help the needy. Those who do will be forced to live at or below the poverty level themselves. The legal profession will lose an important opportunity to improve its image by demonstrating its commitment to serving society’s less fortunate members. Moreover, the poorest and most vulnerable members of society, who already lack adequate access to affordable legal services, will lose yet another important resource — the assistance of enthusiastic young lawyers willing to help them.

Such a result would be a real American tragedy, especially when so many lawyers want to serve.

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*William P. Hoye is associate vice president and counsel to the University of Notre Dame and a concurrent associate professor of law at NDLS. From 1993 to 1995, he was a supervising attorney in the Notre Dame Legal Aid Clinic. A version of this article appeared originally in the ABA Journal, January 1995.*
As I reflect on writing about Professor Tom Shaffer '61 J.D., to honor him on the occasion of his promotion to emeritus status at NDLS, I think about the many ways I have known him in the nearly 40 years since we first met. I have known him as a fellow student—we were Law School classmates. I have known him as a colleague—we have taught together on this faculty for the better part of the last 27 years. I have known him as my dean (from 1971 to 1975), and I have known him as his dean. We have been administrators together. And throughout these last four decades, he has been one of my best friends.

I could write about the impact Tom has had on my life through our various relationships. But the thread that runs through all of them is that he has been, more than anything, a wonderful role model—for me, for his colleagues, for our students. And the amazing thing is that he serves as a role model without even trying; he serves as a role model by being the person he knows he is supposed to be, and the rest of us want to emulate him because we know that we should want to be the same.

As a law student, Tom placed at the top of our class. And he got there by studying the law in a way that interested him. He is the only person I know who not only read all of the assigned texts, but who also read all of the footnotes, as well as most of the references within the footnotes. He has strong analytical skills—which not only benefited him in his studies, but which also benefited the rest of us as he asked questions of the professor in class or as we sat around studying and discussing various subjects after class.

We were students during the Dean O'Meara years—years in which many of our alumni will remember classes being shrunk unmercifully by, among other things, a tough grading system. Grades during those years were based on a scale of 0 to 100—and a score of 0 was always a possibility. The highest grade in a given class was usually around 80—a score of 81 or 82 was considered remarkable. Tom's grade-point average was well over 90. In fact, in Constitutional Law, the late Professor Roger Peters gave Tom a 100. I asked Professor Peters how someone merited a score of 100 in the context of that grading system. His reply typified the type of student Tom was: "Tom Shaffer doesn't know everything there is to know about constitutional law—which you might infer from a grade of 100. But I've been teaching the subject for over 20 years, and Tom knows more than I do about it, and I think that deserves a 100."
I am writing to offer a recollection of my good friend, Professor Tom Shaffer. . .
I had the pleasure of being a visiting professor at Notre Dame Law School during the 1988-89 academic year. That same year, Professor Shaffer returned to the Law School from several years at another law school.

Tom and I taught the two sections of Property Law that year. What struck me the most about him that year was that, despite his reputation as an internationally renowned scholar, his first interest was in his students. He gave me the courage to try small-group sessions in a large, first-year required course because he was willing to try it. He was also willing to offer a variety of opportunities for student feedback and paid particular attention to different techniques for student learning. We spent several delightful Fridays with small groups of first-year students in which virtually every student participated in a meaningful way.

I came away from that experience knowing that I had worked with an absolute master scholar and teacher. I will always remember him in that vein, but also as an individual who is capable of true concern and friendship for his students and colleagues.

I applaud you for profiling Tom Shaffer. He is one of the giants in legal education. I wish him well in his retirement years.

— Peter W. Salsich Jr.
McDonnell Professor of Justice
St. Louis University School of Law
It was with sadness for the present and future students of the Notre Dame Law School that I read that Professor Tom Shaffer [had retired] at the end of the 1996-97 academic year. It is difficult for me to put into words all that Tom Shaffer taught me. He is so articulate and for many years has sent me copies of various articles he has written. I have enjoyed reading them.

Tom Shaffer put real people and real-life situations behind the problems he presented in class. Those situations involved issues that a lawyer in a small-town practice faces. Many law-school courses use the casebook method and the only view of the people involved are as named plaintiffs and defendants. In his class, students interviewed individuals who had real-life concerns outside of the litigation area. Oftentimes I felt I was one of the few individuals in my class who was not headed to a big-firm practice. His insight into people and the general practice of law have been invaluable to me as a practicing lawyer in my hometown. He has a wonderful combination of great intellect and sincere compassion for other individuals, regardless of their station in life.

Tom Shaffer's teaching and writings revealed his goal to have students become members of a service profession with a strong moral and ethical foundation.

I am not the only person he influenced—I know there were many others. I wish him well in his retirement from teaching—now maybe he can come to South Dakota to visit.

Yours truly,

Jane M. Farrell '80 J.D.
Hot Springs, South Dakota

Tom is a wonderful colleague. For so many years here he has been at the center of a beautifully collegial environment that he helped create by being the kind of faculty member that he knows he should be—in short, by being a leader rather than by talking about being a leader or by talking as a leader. He doesn't impose his views on others; he listens, he shares—his ideas, his time, his experiences, his life. When colleagues have difficulty with their own scholarship, he invites them to work on a project with him—not because he needs the help nor even necessarily because the faculty member needs the help, but because he genuinely enjoys working with others. His own bibliography contains a number of works co-authored with members of our faculty, as well as with our students.

As a professor, he is among our most creative. He creates courses and other programs of instruction—such as those used in our Legal Aid Clinic—by bringing together faculty from other disciplines to teach students what they need to know. Law books do not constrain him. One notable course he created to teach law and genetics brought together scholars from around the University to team-teach the course. Tom shared the stage with Professor Stanley Hauerwas of the Department of Theology and Professor Harvey Bender of the Department of Biological Sciences. In the clinical programs, he has brought in psychology professors and counselors to teach our students—our future lawyers—how to counsel. As a full-time clinical faculty member, he teaches our students by thinking about what they need to know and then by finding the best people to teach it to them. And he, of course, is a wonderful teacher—showing our students how to be the best counselors and advocates they can be, by being the best counselor and advocate he knows how to be.

After Tom resigned the deanship in 1973, he left NDLS for a while. One of my goals as dean was to bring him back. In 1988, I finally succeeded. Since then, and in particular since 1991, he has been one of the driving forces behind the revitalization of our clinical-education programs.

Since the early 1960s, when NDLS began providing legal services to the poor in the South Bend community, there has been a constant tension between two seemingly incompatible aims of the work of legal aid: experiential learning for students and community service. Tom, however, believes that the legal-aid experience can satisfy both of these aims and more. Consequently, he has helped create a legal-aid program that provides students with practical experience that serves the community and that is integrated into the overall law-school learning process. Among other things, his reflective seminars, lectures and debriefings have turned legal aid into a true educational experience. And he did this not by setting out to revolutionize legal aid, but by being a good clinician—by deciding, with his colleagues in the clinic, what should be done and then getting it done.

I enjoy the time he spends with our students and with the clients. He has the time and the opportunity to put into effect his beliefs about ethics in the law office. The work entails a heavy personal commitment from him, both in serving clients and in teaching students. But it has been a wonderful opportunity for him, and a blessing for us that this brilliant scholar decided to devote his time to this worthwhile venture.

Tom announced his retirement from full-time teaching status at the end of the 1996-97 academic year. I, and his colleagues on the faculty, already miss having him as a constant part of us. But he has decided to remain as a volunteer supervising attorney at the clinic. And so I know, in his own inimitable way, he will continue to be a teacher, a role model, for our students. For that, I am grateful. And he will always be my friend. In that, I am truly blessed.
A Thank You to Professor Tom Shaffer

by Paul R. Mattingly '75 J.D.

I cannot claim to be Tom Shaffer's closest friend or best buddy, but our Class of 1975 was one of only a few to whom he was, throughout our tenure at the Law School, the "dean." My lasting impression is of his good-humored common sense and concern on just about every issue, all packaged as a bow-tied Hoosier lawyer any Indiana courthouse would be proud to host. Look a little further and there is definitely something else — living proof that there is indeed integrity in our profession.

My own anecdotal stories are never too far from memory. There was the incident when, as a first-year student on scholarship interested in the London program, the thought occurred to me that maybe the Law School wouldn't smile on paying for a "frivolous" year abroad. Without giving it a thought, I breezed in to share my concern with the dean. "Well," he said, looking across the top of his glasses and barely stifling a chuckle, "What would that have to do with anything?" We discussed it no further, and I vowed to act more intelligently in the future.

When our group returned a year later, I went to see him about London again, this time to assert our collective feeling that the London students felt somewhat abandoned by the administration in South Bend. "Well," he said, still looking across the top of those glasses, "What do you want to do about it?" After articulating a multi-point program that we were convinced would promote harmony within the Law School family, he smiled simply, nodded approval, and told us to take care of it with an announcement that the dean supported it. We did, and he did.

Nearing graduation, many in our rather small class decided it would be appropriate to dispense with the pomposity and expense of caps and gowns, graduation ceremonies, and the like. Mail us the diplomas, we urged. We have it, he said, still looking across the top of those glasses, "What do you want to do about it?" After articulating a multi-point program that we were convinced would promote harmony within the Law School family, he smiled simply, nodded approval, and told us to take care of it with an announcement that the dean supported it. We did, and he did.

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Distressed that no decision could be extracted from the dean, the positions hardened — until too many parents, friends and acquaintances objected to being excluded from a visit to Notre Dame in May for a graduation exercise. Gradually, the dean was vindicated. History repeated itself and the matter dried up and blew away like so much tumbleweed.

Over the years, I have spoken to Tom from time to time. On one occasion during his tenure at Washington & Lee University, I asked his advice in a round-about manner over lunch during a recruiting visit for my firm. A client had developed a tax-shelter program that became widely successful, especially after an economics writer for Newsweek magazine had characterized it as a legitimate program. Millions upon millions of dollars were involved. There was phenomenal interest in it, especially at the Internal Revenue Service and (it seemed) every state securities commission in the country. I had crisscrossed the country putting out regulatory fires and explaining the program's merits and legality to those threatening attempts to shut it down. Tired and particularly worn out from constant admonitions about how, whatever the merits of my client's program, I should be ashamed of keeping so much money out of the U.S. treasury, I told the story to Tom, wondering what he would think of me. At the end of my tale, he smiled as he always did.

It would be unfair to use quotes, because I cannot recall Tom's exact words. But the import of his response will always stay with me. Their questions and complaints, he analyzed, were the economic equivalent of the old layman's question about how counsel can represent a murderer when he "knows" the defendant is guilty. My duty was to be the best advocate I could be — to present my client's case in the strongest possible terms consistent with everything I knew to be correct, ethical and appropriate. All the better that I was personally convinced in the matter. Leave it to the other side to muster their arguments, and don't worry too much about what they think. Their judgmental concerns might even be a mask for a lack of intellectual integrity in the arguments they advanced. Do the job you signed up to do, and don't apologize for it.

Simple, straightforward and direct. Perhaps it was more meaningful to me because it was what I wanted or needed to hear, but I know too that it was correct. Considering the source, I was energized and confident about resuming the struggle. Of course, I lost in the end — my client's program was soon legislated out of existence by the Tax Reform Act of 1986 — condemned by name in committee reports and hearings by various luminaries who asserted that if it weren't "abusive" before, it would be after.

Tom Shaffer probably doesn't remember our conversation in that restaurant many years ago, or our numerous discussions when he was dean. He probably doesn't remember hundreds or thousands of conversations with hundreds or thousands of students, lawyers, clients and others. But rest assured that many who speak with Professor Shaffer remember him and what he has to say. Many have been and will continue to be guided by his wisdom, common sense and decency.

It is appropriate to wish him well as he retires from full-time teaching and to thank him for his many substantive contributions to, and continuing examples for, our professional lives.

Paul Mattingly, a member of the Notre Dame Law Association Board of Directors, is currently a partner with Dinsmore & Shohl, L.L.P., in Cincinnati, Ohio.
A Friend and Colleague Remembers

Professor Frank E. Booker, who was actively involved in Notre Dame's legal aid programs for most of his 26 years at the Law School, died this past May 8 from a stroke. The Spring 1997 issue of Notre Dame Lawyer, published in April, paid tribute to him on the occasion of his retirement in December 1996 with a series of remembrances by his former students and colleagues. It is fitting, however, that we pause to reflect on his passing in this issue, which concentrates on the Legal Aid Program of which he was an integral part for so many years.

Following is a tribute by his friend and colleague, NDLS Professor Charles E. Rice, read at Professor Booker's funeral in Edwardsburg, Michigan, on May 10, 1997.

By Charles E. Rice, Professor of Law
us a special strength of the Holy Spirit to spread and defend the faith by word and action as true witnesses of Christ, to confess the name of Christ boldly, and never to be ashamed of the Cross” (No. 1303). Frank Booker lived that spirit long before he received the special grace of Confirmation. That spirit permeated every aspect of his life.

In his profession, Frank was a real lawyer, in terms not only of competence but also of his concern for the common good and those in need. I could relate from my own knowledge cases in which Frank undertook, on his own initiative and without fee, the criminal defense of unpopular and even despised defendants who otherwise would have been bereft of competent representation. Other Law School colleagues could tell similar stories. And Frank never once issued a press release on himself.

As a teacher, Frank was one of a kind. For a few years, he and I were the Torts Department. However, there was no doubt: Frank was the boss. He could teach more real law with a few comments on a Far Side cartoon than I could in an hour of filibus-ttering. But Frank’s main concern in teaching was never the subject but always the students. I have seen him go to remarkable lengths, at personal sacrifice, to help students with academic or personal problems or both. From their first day in law school, he regarded his students as colleagues in a learning experience. And Frank went out of his way to stay in touch with them after graduation and to work with them in many practical ways. Bill Kemp ’76 J.D., for example, is with us today.

The circumstances of Frank’s death reminded me in an oblique way of Frank’s dedication to students and Notre Dame. When Frank was stricken, he was watching a boxing match on television. I don’t know what fight it was. But it reminded me that, for close to 20 years, Frank and I were the ringside timers for the Bengal Bouts. I have to admit that he was the brains of the outfit. He was the only one who could be relied upon to count to 10, consecutively, under stress.

And he was much better than I at picking winners. Frank developed what he called Booker’s Iron Law. Let me explain. In the bouts, we used two types of helmets, both of them adequate. The older type protected the sides of the head and forehead. But the new version was comparatively huge. It protected not only the head, but much of the middle and lower parts of the face. Booker’s Iron Law was: “The guy with the big helmet is going to lose.” A hulking guy wearing the big helmet would enter the ring. And a scrawny guy with the old-style helmet would enter. Frank would point at him and say, “That man is going to win this match.” “How do you know?” I would say. “Because,” said Frank, “he does not care what happens to his face. He is probably crazy — crazy enough to win the fight.” I would say, “You’re crazy.” But more often than not, he was right.

Frank helped with the Bengal Bouts, with his time and money, because he wanted to help both the student boxers and the poor in the Bengal Missions who receive the proceeds of the bouts. And again, he never sought credit for himself.

Frank Booker loved Notre Dame. And yet, he was vastly underappreciated by all of us there. Self-promotion was foreign to his nature. He had disdain for campus politics and for bureaucracies of whatever type — academic and otherwise. But he had unfailing geniality and kindness for all. He was the conscience of the faculty. In political and bureaucratic terms, Frank was not a mover and shaker. And he had no desire to be. But he moved hearts and he shook the assumptions of those who think that professional success can be achieved without competence or that justice can be achieved without God.

In 1979, Frank delivered to a conference at Notre Dame an address on “The Legalization of Killing for Private Convenience and the German Experience.” It was a riveting comparative analysis of the depersonalization of human beings involved in legalized abortion, the Holocaust, and racial oppression in this and other countries. I mention this because his address is worth reading, but especially because here, as elsewhere, Frank’s bottom line was trust in God. He said, “Many are discouraged about this and about where we may wind up. . . . But I am not. . . . I tell you, my experience is trust God, seek his guidance, do not despair, and under God’s guidance, we shall overcome again, as we have before.”

Frank Booker had the mind-set and faith of an early Christian. Trust in God was a persistent theme with Frank. He was familiar with a statement by Father Walter Ciszek, S.J., the American Jesuit who spent 23 years in Soviet prisons and the labor camps of Siberia. Father Ciszek, whose cause for beatification is under way, said, “God’s will was not hidden somewhere ‘out there’ in the situations in which I found myself: the situations themselves were his will for me. What he wanted was for me to accept these situations as his hands, to let go of the reins and place myself entirely at his disposal.” What God wants is “an act of total trust,” demanding “absolute faith: faith in God’s existence, in his providence, in his concern for the minutest detail, in his power to sustain me, and in his love protecting me” (Walter Ciszek, S.J., Hail Mary, 18, 1975).

Frank was of one mind with St. Maximilian Kolbe, the martyr of Auschwitz, who said, “God permits everything in view of a greater blessing” (St. Maximilian Kolbe, Writings 304, 935). This is the spirit in which we ought to approach the death of Frank Booker.

In this spirit Frank himself approached a great personal loss in the death of his mother, Eula Sherman Booker, in 1984. Frank, however, reacted with total faith that he would see her again. Tomorrow is Mother’s Day. In our hope we trust that Frank and his mother are now together with Christ and Mary, his mother and ours. And we trust that we shall join them in God’s own time.

Bishop Fulton J. Sheen, whose work Frank admired, wrote, “Death is meant to be our true birth, our beginning. Christianity, in contrast to paganism, always blesses her children’s spiritual birth into eternity . . . . The world celebrates a birthday on the day a person is born to physical life; the Church celebrates it when a person is born to eternal life” (Fulton J. Sheen, Place of Our Soul: 206-07, 1954). So it is, we pray, with Frank Booker.

And so we ask: Eternal rest grant unto him, O Lord, and let your perpetual light shine upon him. May his soul and the souls of all the faithful departed rest in peace. Amen.
Eileen's Recipe for Happiness

Begin with a successful and challenging career as the co-director of the Notre Dame Legal Aid Clinic.
Add three beautiful children.
Drop in one loving husband.
Spice liberally with non-stop volunteer and community-service activities.
Whisk with marathon running.
Combine with an unbridled sense of compassion for those less fortunate — especially children.
Fold in a love of gardening.
Mix in a tremendous talent for authentic Italian cooking.
Stir in a hefty dose of irrepressible energy.
Sprinkle with a dash of humor.
Serve immediately!
of Cooking!

A Recipe for Success: Eileen Doran

The piercing sound of the alarm clock is silenced by one swift motion of her hand. "After hours" for Eileen Doran '86 J.D., co-director of the Notre Dame Legal Aid Clinic, begins as she heads out the door for a brisk, five-mile run with a small group of loyal and dedicated running friends. Once back at her home, she and her husband Pat '83, '86 J.D., begin the task of wrestling their three young children — Colleen (age 8), Kevin (age 5) and Brian (6 months) — out of bed and off to school and day-care. Before heading to the clinic for a hectic day of counseling low-income clients, making court appearances, supervising students and teaching a course in children's rights, Eileen glances at the calendar taped to the refrigerator and tucked in between Colleen's spelling test and Kevin's latest art project: housing development corporation board meeting, soccer practice, and a pre-Cana counseling session. Penciled in on the side: "monthly dinner club — HERE!"

For many, the thought of planning and preparing a meal for eight guests would be overwhelming. For most, the thought of putting together a dinner party in one afternoon is downright crazy. Unless, of course, you happen to come from a family of nine children and have a passion for authentic Italian cuisine.

For Eileen Doran, it's all part of the routine in a typical day. In addition to her work in the clinic, Eileen serves on a number of committees and local boards in the South Bend area. She and Pat also volunteer as pre-Cana counselors to young couples contemplating marriage in the Catholic Church. Eileen is the homeroom mother for Colleen's third-grade class at St. Joseph Elementary School, and even finds time to be a "soccer mom" every Tuesday and Thursday.

Eileen's commitment to "serving" others takes on a different dimension, however, when she walks into the kitchen of her historic and stately home on the St. Joseph River. "I come from a huge family," says Eileen. "The heart of our home was in the kitchen." Eileen's mother and grandmother spent hours in the kitchen making delicious pastas, breads, pies and cookies. "It took more than two hands to feed us all. I guess you might say I learned to cook out of sheer necessity." In fact, Eileen began taking cooking "lessons" from her grandmother when she was only seven years old. "Nini lived right next door. I'd usually run over to her house after school looking for something to eat. I'd spend hours in her kitchen kneading dough and filling capellotti. Those afternoons I not only learned a lot about Italian cooking, but I learned a lot about life, too!" If she played her cards right, she'd even be allowed to stay and eat some of the creations. "I remember as a child trying to decide at whose house we wanted to eat. We'd check out the menu at Mom's and then decide if we were going to opt for an alternative at Nini's."

Anyone who has ever visited the Doran home knows that Eileen has carried on the family cooking tradition. On any given day, you might find freshly made tortellie drying on the counter, the smell of fresh basil being added to a pesto, or the sweet wafting aroma of Nini's torta recipe baking in the oven. "I've never really thought of myself as a 'gourmet' cook," says Eileen. "I pride myself more on being referred to as an 'authentic' Italian cook."

To that end, Eileen shops regularly at the farmer's market in South Bend and at a local Italian grocery to buy the freshest available ingredients for her pastas and pastries. The basil, thyme and oregano are grown in her own backyard. "It takes a bit of time to put it all together, but it's a lot of fun, too. I usually recruit the entire family to get into the act."

Grandmother Nini's special torta recipe:

- Combine flour, sugar and baking powder in large mixing bowl. Using a pastry mixer, add butter and blend until it forms a coarse mixture. Add anise extract to eggs, beat lightly, and incorporate egg mixture into flour mixture using hands. Work dough with hands until smooth consistency. Add chopped almonds. Pat into a 13x9x2 pan. Bake 1-1/2 hours at 300 degrees. Cut into diamond-shaped pieces. Great with coffee! Cover with plastic or foil and keep in a cool, dry place. Keeps for several days.

With all of the prefabribated, freeze-dried microwave "meals" created in an effort to save time, it might be wise to step back and take a lesson from Grandmother Nini. "My daughter, Colleen, loves to help stuff the capellotti," says Eileen. "It's funny," she adds. "We talk a little about recipes and Italian cooking, and a little about life."

Now... that sounds like a recipe for success... and happiness.
Matthew J. Barrett '82, '85 J.D., has joined with David R. Herwitz, Austin Wakeman Scott Professor at Harvard Law School, to publish the second edition of Accounting for Lawyers and the related teacher's manual (Foundation Press). The book's earliest predecessor, the first casebook on accounting for law students, dates back to 1948. In his 44-year teaching career at Harvard, Professor Herwitz has taught this subject to more than 13,000 students and has authored or co-authored three earlier versions of the casebook. Professors at 10 law schools in addition to Notre Dame and Harvard used the manuscript in their classes last spring or have adopted the casebook for courses this fall.

Designed for the law student or lawyer with little or no accounting background, the 785-page book identifies and emphasizes those accounting topics and issues most likely to confront lawyers as they enter the new millennium. The preface contains a listing of the 10 most important things that every lawyer should know about accounting. In the first section of each chapter, entitled “Importance to Lawyers,” the authors explain how the topics discussed in that chapter affect the practice of law. Other features of the book include cartoons from Ben & Jerry's 1992 annual report that explain the balance sheet and income statement, examples and problems using the names of former students, and a 21-page index.

Joseph Bauer, this past summer, completed the manuscripts for the 1998 supplements to the existing 10 volumes of the Kinter Antitrust Law treatise series. He has been on research leave during the fall semester to work on Volume 11 of the Kinter treatise, which will concentrate on private enforcement of the antitrust laws. This volume is scheduled for publication in the spring of 1998.

G. Robert Blakey '57, '60 J.D., has helped the State of Florida achieve a victory in the tobacco wars. Faced with a potential legal catastrophe, the major cigarette producers agreed to settle for $11.3 billion a smoking-related lawsuit brought by the governor of Florida and other officials of the state. The suit sought damages for medical costs incurred by the state, disgorgement of illicit profits on sales to children, and equity relief. Among the claims in the litigation was a prayer for relief under Florida RICO, a statute Professor Blakey drafted in 1977. He also designed the Florida complaint and commuted to West Palm Beach this past summer to argue successfully to uphold the complaint in pretrial skirmishes.

In September, Professor Blakey delivered the keynote address at the 1997 Orgazmed Crime Conference of the Canadian-American Law Enforcement Organization. The conference focused on the prosecution of organizations under United States and Canadian law, and in particular, under Bill C-95, the Criminal Organization Act, which was introduced in the Canadian Parliament by the current government in April. In addition, he participated in a seminar on business litigation in Chicago, where he spoke on RICO.

Also in September, with Professor Teresa Godwin Phelps, Professor Blakey discussed the current status of Battered Women’s Syndrome as a defense in criminal prosecutions at a program sponsored by the NDLS Women’s Legal Forum.

Gerard V. Bradley has been re-elected president of the Fellowship of Catholic Scholars, has been re-elected vice president of the American Public Philosophy Institute, and has been elected to the Board of Advisors of the Cardinal Newman Society.

As vice chair for programs of the Federalist Society’s Religious Liberties Practice Group, he organized a program on religious liberty for the Federalist Society’s Annual Lawyers Convention. He also helped organize and gave a lecture at the American Public Philosophy Institute’s June conference on homosexuality held at Georgetown University. He spoke on “Law and Morality” at St. Vincent’s College in Latrobe, Pennsylvania. And this summer, he taped six hours of lectures on “First Amendment Problems” for the International Catholic University.

He has published: A Case for Proposition 205 in the Notre Dame Journal of Law, Ethics & Public Policy; and a review of Justice Scalia’s book, A Matter of Interpretation, in CRISIS. His columns continue to appear regularly in Catholic Dossier.

Associate Dean Fernand N. "Tex" Dutille '65 J.D., published Law and Governance Affecting the Resolution of Academic and Disciplinary Disputes at Scottish Universities: An American Perspective in the Indiana International and Comparative Law Review. The article stems from research Professor
Duille did while a senior visiting fellow at the University of Aberdeen, Scotland, during the summer of 1976. He has also been appointed as a faculty mentor in the Academic Honors Program for University student-athletes.

- **Barbara Fick** published *The Case for Maintaining and Encouraging the Use of Voluntary Affirmative Action in Private Sector Employment* in the *Notre Dame Journal of Law, Ethics & Public Policy*. In July, Professor Fick gave several television interviews regarding her new book, *ABA Guide to Workplace Law*, and workplace rights on "Fox on Money" on the Fox News Channel and on "CNN Morning News."

- **John Finnis** presented a paper on "Abortion and Public Reason" at a panel discussion at the annual meeting of the American Political Science Association in Washington, D.C., on August 30; at a Faculty Workshop at the Chicago-Kent College of Law on September 26; and at a Legal Theory faculty workshop at Columbia Law School, New York City, on October 6. He also presented a lecture on the natural law tradition to students and faculty at the Marquette University Law School, Milwaukee, Wisconsin, on September 29.

- **John H. Garvey** delivered a lecture entitled "What Are Freedoms For?" to the South Texas Law School in Houston, Texas, in September. In October, he gave a lecture on religious liberty at Indiana University, at the invitation of the Pointer Center for the Study of Ethics and American Institutions. He also gave a faculty colloquium at the Indiana University Law School, speaking on "Constraints on Freedom."

- **Jimmy Gurulé** appeared on "Court TV" to discuss the recent decision by the State of Washington in *Washington v. Martin Shaw Pang* (July 31, 1997). In Pang, the defendant was charged with one count of arson and four counts of first-degree murder. Four Seattle firefighters died while fighting the fire. The defendant fled to Brazil and was subsequently extradited to the United States to stand trial. In applying the doctrine of specialty, the Washington Supreme Court held that, because Brazil granted extradition on the arson count alone, the state court lacked jurisdiction to try him on the four murder counts. If convicted only on the arson charge, Pang likely would serve a term of 24 to 27 months. The decision has outraged the district attorney, who is seeking to have the case reviewed by the United States Supreme Court.

- On September 23, 1997, because of his leadership in the national Hispanic legal community, Professor Gurulé was invited to the White House to participate in a briefing given by Clinton Administration officials that addressed issues of importance to the national Hispanic community. Presenters included Secretary of Education Richard Riley, Deputy Attorney General Eric Holder, and Judith Wilson, executive director of the President’s Commission on Race Relations; topics addressed included immigration, crime, fast-track legislation and Latin-American trade.

- In early October, he was part of a four-member team that conducted workshops on public corruption and organized crime in Yerevan, Armenia. More than 150 federal prosecutors and other members of Armenia’s legal community attended the workshops, which were organized under the auspices of the Central and Eastern European Law Initiative—a joint project of the American Bar Association and the Department of Justice that assists in democratizing the criminal justice systems of former Soviet republics and members of the Warsaw Pact.

- Professor Gurulé has also been honored as one of 12 Hispanics nationwide named "Pillars of a Just Society," sponsored by the Miller Brewing Company, the honor recognizes professors, attorneys and judges who have served the cause of justice in the Hispanic community. He is featured in a 1997 commemorative calendar (as the October honoree), the proceeds of which benefit a scholarship fund for deserving Hispanic students.

- He has also published: 1997 *Supplement, Complex Criminal Litigation: Prosecuting Drug Enterprises and Organized Crime* (Michie); with Robert J. Goodwin, the teachers’ manual for *Criminal and Scientific Evidence: Cases, Materials and Problems* (Michie); and *Justice Delayed is Justice Denied: May a Prisoner’s Challenge to Parole Revocation Be Delayed until the Sentence Is Completed and then Dismissed as Moot? in Preview of United States Supreme Court Cases*, pp. 106-110.

- **Associate Dean Roger Jacobs** gave a presentation on the ABA Standards for Approval of Law Schools relating to faculty at a workshop for representatives of law schools scheduled for reinspection this academic year in Indianapolis in September. At the same workshop, he attended a seminar for designated chairs of this year’s ABA inspection teams.

- **M. Cathleen Kaveny** was quoted in a story entitled *Public Apology: Truly Repentant or Just PR?* an article exploring whether Mike Tyson really meant his apology in connection with the recent unpleasantness involving his boxing opponent’s ear, published in the July 2, 1997, edition of *The Indianapolis Star*. In October, she participated in a panel discussion entitled "Closures: Legal Issues," which is one of a four-part series of discussions on issues of death and dying addressed in a program called "Final Choices: Planning for the End of Life," sponsored by the Biomedical Ethics Committee at Elkhart General Hospital.

- She will teach at Georgetown University as a visiting professor during the spring 1998 semester.

- **William Kelley**, who earlier had indicated he would leave NDLS to return to private practice in Washington, D.C., has decided to remain at NDLS as an associate professor of law.

- **Douglas W. Kmiec**, has again been named the Straus Distinguished Professor at Pepperdine University for the 1997-98 academic year. This honor, previously held by Chief Justice Rehnquist, Justice Scalia, and Independent Counsel and Pepperdine Dean-designate Kenneth Starr, has never before been awarded twice to another full-time faculty member.

- He was an honored guest of the ABA in Washington, D.C., at a dinner tribute honoring the assistant attorneys general who have headed the Office of Legal Counsel. In addition to Professor Kmiec, who headed OLC during the second half of the Reagan Administration, honorees included the late Erin Griswold of the Harvard Law School, Chief Justice
Rehnquist (Nixon Administration), Justice Antonin Scalia (Ford Administration) and Walter Dellinger of the Duke Law School (Clinton Administration).

Professor Kirmse appeared twice on the nationally broadcast “Jim Lehrer NewsHour” this past summer — once to analyze the Supreme Court’s recent term in counterpoint to Harvard Professor Laurence Tribe, and later in a memorial program assessing the life and work of the late Justice William O. Brennan. In addition, with Kevin Hasson ’83 J.D., he spoke on the Supreme Court’s recent holding that the Religious Freedom Restoration Act violates the U.S. Constitution on NPR’s “Talk of the Nation” in early July.

He also submitted invited testimony to the House Subcommittee on the Constitution on the issue of religious freedom, and advised various members of the U.S. Senate on pending legislation pertaining to school choice. As counsel of record, he has filed a brief for Sharon Taxman on behalf of the Institute for Justice in the U.S. Supreme Court’s review of affirmative action in Taxman v. Princeton School Board, a case dealing with the scope of affirmative action or racial preference permitted under Title VII and the Equal Protection Clause.

He delivered a keynote address on the significance of natural law to modern constitutional interpretation at a conference hosted by Cato in Washington, D.C. Along with Professor Bob Ellickson of Yale and William Fischel of Dartmouth, he was invited to participate in a conference on collective property rights sponsored by George Mason University in Alexandria, Virginia, in early December. He also presented a scholar’s workshop lecture at Pepperdine University on methods of constitutional interpretation in late August; presented a talk on Christian perspectives and the first year of legal instruction at Pepperdine University in late September; and delivered a lecture on the compatibility of Catholicism and the Constitution in Chico, California, in late October.

In September, he was interviewed by Legal Times regarding the scope of authority of inspectors general in undercover operations within public housing. The interview involved his 1989 opinion for the Department of Justice as assistant attorney general, which remains the governing law on the subject.


Patricia A. Leonard ’75 J.D. delivered a seminar on writing law-school-application personal statements to members of the University’s Pre-Law Society in September.

Dean David T. Link ’58, ’61 J.D., gave his presentation entitled “A Return to the Roots of the Legal Profession: Lawyers as Healers and Peacemakers” at a Continuing Legal Education program hosted by the Notre Dame Club of San Diego in early August, and at two sessions of the Continuing Legal Education in Ethics program held on campus on September 20 and November 22, 1997.


Carol Mooney ’77 J.D. has been promoted by Chief Justice Rehnquist from reporter to member of the Advisory Committee on the Federal Rules of Appellate Procedure.

Honorable John T. Noonan Jr., visiting professor of law, discussed “Life in the Ninth Circuit” at a program co-sponsored by the Journal of Legislation and the Asian Law Students’ Association as part of the “Divinity in Law” series. He also spoke on “The New Crusade? The Global Campaign Against Corruption,” at a program co-sponsored by the Law School, the University’s Office of the Provost and the Departments of Theology and Philosophy in October.

Teresa Godwin Phelps presented a day-long writing workshop for the staff attorneys at the United States Court of Appeals for the Seventh Circuit in Chicago, Illinois, on September 12, 1997. Also in September, with Professor G. Robert Blakey, Professor Phelps discussed the current status of Battered Women’s Syndrome as a defense in criminal prosecutions at a program sponsored by the NDLs Women’s Legal Forum.

In November, she served on the faculty of the First Appellate Practice Skills Institute in Indianapolis, Indiana, a
program co-sponsored by the Indiana Continuing Legal Education Forum and the Appellate Practice Section of the Indiana State Bar Association.

- Lucy Salsbury Payne ’88 J.D. played a significant role in making the Indiana CLEO (Council for Legal Education Opportunity) program a reality. Earlier this year, she testified before a committee of the Indiana Assembly to express support for the program, which has now become law. The program is designed to assist Indiana minority, low-income or educationally disadvantaged college graduates who wish to pursue a law degree and a career in the Indiana legal and professional community. Beginning July 1, 1999, the state general fund will provide $555,000 annually to subsidize the annual summer program, which will be held at Indiana law schools.

- Charles Rice spoke on “Ethics and the Natural Law: Can Anything Be Unethical Any More?” at the September 20 Continuing Legal Education in Ethics program at NDLS.

- John Robinson spoke on “Ethics and End-of-Life Decisions” at the October 25 Continuing Legal Education in Ethics program at NDLS.

- Patrick Schiltz has been appointed by Chief Justice William Rehnquist to a three-year term as reporter to the Advisory Committee on the Federal Rules of Appellate Procedure, succeeding University Vice President and Associate Provost and Professor of Law Carol Mooney. Professor Schiltz also made a presentation on legal ethics at the annual convention of the Kentucky Bar Association in Louisville in June; and presented “Shaping Law Students and Novice Lawyers into Ethical Practitioners” at the October 25 Continuing Legal Education in Ethics Program at NDLS.

- James Seckinger ’68 J.D. has taught trial advocacy skills in a number of programs including: as a faculty member for the National Institute for Trial Advocacy (NITA) Teacher Training Program at the Harvard Law School in March, where he also gave a lecture to participants and Harvard faculty on effective teaching techniques; as program director and faculty member for the Alzheimer & Gray Deposition Skills Program in Chicago in April, where he also gave a series of lectures on deposition techniques; as program director and faculty member for the Pennie & Edmonds Deposition Skills Program in New York City in April, where he also gave a series of lectures on deposition techniques; as a faculty member for the OCAT Teacher Training Program at the University of Toronto (Canada) in April, where he also gave a lecture to participants and University faculty on effective teaching techniques; as the program director and faculty member for the Skadden, Arps, Slate, Meagher & Flom Trial Advocacy Skills Program in New York in late April and early May, where he also gave a series of lectures on deposition techniques; as a faculty member for an OCAT Advanced Trial Advocacy Program in Toronto, Canada, in June, where he also gave a lecture on expert testimony; as the program director and faculty member for the Fish & Neave Deposition Skills Program in New York City in June, where he also gave a series of lectures on deposition techniques; as a faculty member for the NITA Teacher Training Program at NDLS in June; as program director and a faculty member for the Fish & Neave Trial Advocacy Skills Program in New York City in late July and early August, where he also gave a series of lectures on trial-advocacy techniques; and as the program director and faculty member for a Litigation Skills Program for Summer Law Students at Skadden, Arps, Slate, Meagher & Flom in Chicago in August, where he also gave a series of lectures on trial and deposition techniques.

He presented a paper entitled “Impeachment and Rehabilitation of

**NDLS Welcomes Visiting Professors**

NDLS is pleased to welcome five visiting professors who will teach during the 1997-98 academic year.

Albert L. Clovis, visiting professor of law, will teach Secured Transactions and Commercial Law-Sales in the spring semester. He received his B.A. from Yale and his LL.B. from Harvard. He has taught law at the University of Virginia, William & Mary, and Ohio State University, where he is the Joseph S. Platt—Porter,Wright, Morris & Arthur Professor Emeritus. He is also the co-editor of three casebooks on commercial law.

Raymond E. Gallagher, visiting professor of law, will teach Sports Law and one section of Secured Transactions in the spring semester. He received his law degree from Fordham, where he was a member of the Fordham Law Review. Before beginning his teaching career, he was an associate at White & Case in New York City. He has taught law at Catholic University, Widener University, and most recently, Villanova University.

Dennis Hirsch, visiting associate professor of law, is teaching Property II during the fall semester and will teach Property I and a course on the practice of environmental law in the spring semester. He received his B.A. from Columbia and his J.D. from Yale, where he was an editor of the Yale Law Journal. After clerking at the U.S. Court of Appeals for the Second Circuit, he practised for four years with Sidley & Austin. Last year, he taught at Drake Law School. He is currently working on a problems book in environmental law, to be published by Carolina Academic Press.

Honorable John T. Noonan Jr., visiting professor of law, taught two seminars in the early part of the fall semester: Intention in Morals, Law and the Sacraments, and Religious Freedom: History, Present Constitutional Problems and Comparative Law. He earned his bachelor’s and law degrees from Harvard, and his doctoral degree from Catholic University. A familiar name among some of our alumni, Judge Noonan was a faculty member at NDLS before being appointed to the U.S. Court of Appeals for the Ninth Circuit. He is the author of several books.

Vincent D. Rougeau, visiting associate professor of law, will teach Contracts to 1Ls both semesters this year. He received his A.B. from Brown University and his J.D. from Harvard. While at Harvard, he served as articles editor for the Harvard Human Rights Journal. He worked as an associate at Morrison & Foerster in Washington, D.C., before joining the law faculty at Loyola University in Chicago.
Witnesses” at the Canadian Intensive Trial Advocacy Workshop at Osgoode Hall, York University in Toronto, Canada, in July. He was also quoted in an article concerning the growth of NITA, which he directed from 1979 to 1994, in the July 9, 1997, edition of the Indiana Lawyer.

He has published *Impeachment and Rehabilitation in Materials for Intensive Trial Advocacy Workshop* (Osgoode Hall, York University, Toronto, Canada, 1997).


- **J. Eric Smithbourn** is working on a new third volume to his two-volume treatise, *Indiana Family Law (West)*. On October 20, he presented a lecture to lawyers at a program at NDSL entitled “Evidence in CHINS & Delinquency Proceedings,” which was sponsored by Indiana Advocates for Children. In late October, he presented a week-long series of lectures on “Evidentiary Issues in Juvenile and Family Court” at the National College of Juvenile and Family Law in Reno, Nevada.

- **Jay Tidmarsh ’79 B.A.** has completed a 240-page study of mass-tort-settlement class actions, which he conducted at the request of the Federal Judicial Center. The study will be forwarded to the Advisory Committee on the Federal Rules of Civil Procedure, which is considering amendments to Rule 23 to permit settlement class actions. Prof. Tidmarsh drafted proposed language for the amended rule based on the results of the study.


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### Alumni Association Honors the Captain

Captain William O. McLean ’75 M.A. has been selected by the University’s Alumni Association as the recipient of the John Cardinal O’Hara, C.S.C., Award for 1998. The Alumni Association established the O’Hara Award in 1983 to honor a Notre Dame graduate who is a former employee of the University, who has performed outstanding services beyond what is ordinarily expected, and whose outstanding personal life reflects the principles for which Notre Dame stands.

Captain McLean joined NDSL in 1975, on loan from the ROTC program and recent duty in the financial aid office, as an assistant dean for a few months — a few months that extended to 19 years! During that time, he presided over major changes that dramatically influenced the direction of the Law School during the last two decades, including a major renovation/expansion of the Law School building, a marked and rapid increase in applicant numbers, and the acquisition of new computer technology. He was responsible for the budget, the admissions office, the Notre Dame Law Association, and a host of other areas that can’t be identified individually but that, collectively, bear the imprint of this special and talented administrator. He retired in 1994, but remains an active part of NDSL as an emeritus faculty member, still teaching Admiralty Law in the fall semester and serving as an ad hoc advisor and true and dear friend to many in the faculty and administration.

In a tribute to the Captain in the 1994-95 edition of *Notre Dame Lawyer*, Dean David T. Link remarked, “During my years as dean, I have been blessed with countless colleagues of great talent and service. I will offend none of them by noting that my most important appointment occurred when I designated Captain William McLean as assistant dean.” And in imagining a movie of the Captain’s service here, Dean Link commented, “I can imagine Henry Fonda in the title role: gentle but firm — a beacon of leadership, confidence and integrity.” We are thrilled that the Alumni Association has given the Captain this recognition, which he so richly deserves.

The Alumni Association will present Captain McLean with the award at the Reunion ’98 opening luncheon on Friday, June 5, 1998, in the Joyce Center. Those of you who are planning on coming to the Reunion ’98 festivities will want to make sure to attend this luncheon and show your support for the Captain.
Class of 1940

- Mario Pieroni and his wife, Jane, both of whom were blinded in childhood by congenital glaucoma, were featured in a July article in The (Raleigh, North Carolina) News and Observer. Mario was the first blind person to sit for, and pass, the Indiana Bar exam. He joined his brother in private practice and spent four years as a municipal court judge and served two four-year terms as a superior court judge. The inspiring article reported that the Pieronis “do just fine living independently,” and commented on their raising four children “without the help of sitters or a nanny.”

Class of 1952

- Robert Parker has been elected treasurer of the St. Joseph County (Indiana) Bar Association for 1997-98.

Class of 1954

- A. Samuel Adelo was featured in an article in the Summer 1997 issue of Experience, the magazine of the Senior Lawyers Division of the American Bar Association. The article was one in an intermittent series on second career options and choices of Senior Lawyers Division members, and explored Samuel’s second career as a court interpreter and interpretation instructor who ensures due process for defendants in court proceedings in federal court in New Mexico.

Class of 1955

- The life of the late John Houck, longtime professor of management at the University’s College of Business Administration, was honored with a dinner and presentation organized by the College of Business Administration students on campus in late September. Notre Dame students, alumni, faculty and staff joined Professor Houck’s family to reflect upon his many contributions to the University and community.

- James Roemer, director of community relations for the University and an adjunct professor of law at NDLS, has received the second annual Ed Dargis Community Leadership Award from the Michiana Coalition on Alcohol and Other Drugs. The award is named for the late community activist who devoted many years to the development of treatment programs for alcohol and other drug dependencies. Professor Roemer spearheaded the founding of the coalition at the request of University president Rev. Edward A. Malloy, C.S.C. More recently, Professor Roemer initiated the successful drive for a special drug court in St. Joseph County (Indiana), which is now headed by Honorable Roland Chamblee, Jr. ’77 J.D.

Class of 1957

- Karl E. Jorda, David Rines Professor of Intellectual Property Law and industrial innovation director, Germshausen Center, Franklin Pierce Law Center, received the 1996 Jefferson Medal of the New Jersey Intellectual Property Law Association, the United States’ highest honor in the field of intellectual property, for his “extraordinary contributions to the U.S. intellectual property law system” stemming from, among other things, his participation in World Intellectual Property Organization symposia around the world and from his work as a consultant to both the Indonesian and Bulgarian patent offices.

Class of 1959

- Patrick J. McCartan, managing partner at Jones, Day, Reavis & Pogue in Cleveland, Ohio, has been inducted into the Business Hall of Fame of Cleveland, which honors Clevelanders who have enhanced the economy and spirit of their community with their leadership and vision.

Class of 1963

- Bernard “Bud” Malone, owner of Malone Mortgage in Dallas, Texas, was featured in a July article in The Dallas Morning News on his interests in revitalizing his adopted city of Dallas through such ventures as arranging $175 million in financing for 16 commercial projects in 1996 and an anticipated $200 million in commercial loans for 1997.

Class of 1966

- James P. Bowers is counsel for the public works section in the United States Navy’s Public Works Center in Yokohama, Japan, working on the development of corporate ethics plans for companies that do business with the United States military.

Class of 1968

- Honorable Peter King, congressman for the state of New York, will release his novel, A Terrible Beauty, in the fall of 1998.

Class of 1969

- Thomas Demetrio, a member of the Law School Advisory Council and partner at Corboy & Demetrio of Chicago, earned one of only 21 “Honorable Mentions” in The National Law Journal’s listing of The 100 Most Influential Lawyers in America. This is the third time he has been recognized among the nation’s leading attorneys, and this year was the only personal-injury trial lawyer included on the list. Among his accomplishments was a $21-million verdict in a personal-injury case that, according to the Journal, was the largest jury award ever sustained by the Illinois Supreme Court.

Class of 1970

- Richard Slawson, a member of the firm of Slawson & Cunningham in Boca Raton, Florida, has been cited in The Best Lawyers in America for the seventh consecutive year for his work in the personal-injury field.
Michael L. Costello, an attorney with Tobin and Dempf in Albany, New York, has been appointed to the Committee on Character and Fitness for the Third Judicial District in New York.

James L. McCrystal Jr. has joined Martindale, Bryzina & Quick of Cleveland, Ohio, as a partner.

Tobin Land, Ohio, in a new firm, Canaryn & Quick of Cleveland, Ohio, has joined the opening of his own law office in Mishawaka, Indiana.

Timothy J. Walsh, formerly a shareholder, officer and director of Edward N. Kalamaras and Associates, has announced the opening of his own law office in Mishawaka, Indiana.

John Hund is a member of the faculty of law at the University of the North, Savenga, South Africa, where he teaches and writes in jurisprudence, international law and legal theory.

Gerard S. Brown has been appointed as a municipal court judge in San Bernardino by California governor Pete Wilson.

Clark Durant, formerly of counsel to the Detroit law firm of Timmis and Inman, has joined Munder Capital Management, an employee-owned investment-advocacy firm, and one of America’s largest investment-management operations.

Vincent Johnson, professor of law at St. Mary’s University of San Antonio, Texas, and director of the Institute on World Legal Problems, has been appointed by Chief Justice William Rehnquist to the Judicial Fellows Commission for 1998-99. During 1998, he will be a Fulbright Professor in Beijing, China.

John Hurley, formerly a partner with the Buffalo, New York, law firm of Phillips, Lyle, Hitchcock, Blaine and Huber, has been named vice president and general counsel of Canisius College in Buffalo.

Mary Hasson and her 11-year-old son, Michael Patrick, were interviewed by CNN in May on the subject of home schooling.

John Maciejczyk, formerly director for publications at the National Institute for Trial Advocacy, has become an associate at the Elkhart, Indiana, office of Barnes & Thornburg.

Tom Ajamie, formerly special counsel to Baker & Botts, has joined the Houston, Texas, law firm of Zumber, Scherrmeister & Ajamie.

Kevin Hasson, with NDLs Professor Doug Kmiec, wrote on the Supreme Court’s recent holding that the Religious Freedom Restoration Act violates the U.S. Constitution on NPR’s “Talk of the Nation” on July 1.

Christine North has formed a new firm, Pond, North & Hugo, which will specialize in products liability, toxic torts and environmental contamination.

Cari Votava has now spent five years in Prague, Czech Republic, where she is legal advisor to a subsidiary of Citibank. She recently returned from Russia and St. Petersburg, where she conducted training sessions for bank branches.

Lawrence Durance, a licensed barrister and solicitor in New Zealand, is involved in fund-raising consulting work for non-profit organizations.

Michael Gotsch has been elected vice president of the St. Joseph County (Indiana) Bar Association for 1997-98.

Philip Kalamaras has been elected secretary of the St. Joseph County (Indiana) Bar Association for 1997-98. In an unrelated matter, he was quoted in a Chicago Tribune article on Notre Dame football. He responded to the question “Is the honeymoon over [for Bob Davie]?” with the comment, “There is no such thing as a honeymoon at Notre Dame. You either win or you’re in trouble. There has never been anything in between.”

Vinodhjaichand, LL.M., ’96 J.S.D., of Pretoria, South Africa, is the national director of Lawyers for Human Rights, which maintains nine regional offices throughout South Africa. His book, Reciprocity and the Right of Closer Contact: A Workbook, has just been published.

Brian S. Punnill has started his own firm, Catignani & Punnill, in Toledo, Ohio, in June. The firm specializes in civil business litigation, and in individual, small and intermediate representation of all kinds.

Jacqueline Sells Homann has joined Jones, Obenchain, Ford, Pankow, Lewis & Woods in South Bend, Indiana.

Ginny Mikita, an associate at Smith, Haughey, Rice & Roegge in Grand Rapids, Michigan, published The Animal Law Section: An Advocate for Michigan’s Animal Population in the Michigan Bar Journal. She has worked as associate counsel for People for the Ethical Treatment of Animals and as a staff attorney with the Animal Legal Defense Fund in Washington, D.C. She is the
co-founder and chair of the Animal Law Section of the State Bar of Michigan.

- **Morrison Warren** has rejoined Chapman and Culler in Chicago as an associate in the Corporate and Securities practice group.

**Class of 1992**

- John F. Crowley earned his M.B.A. degree with honors from Harvard Business School in June, and was selected from his graduating class of 800 to give the commencement address. After a brief assignment in Turkey for Turkish Airlines, he accepted a position as a consultant for Marakon Associates in Stamford, Connecticut.

- David Gorman has joined the Chicago office of International Management Group, the largest sports- and event-marketing company in the world, with core business in managing the careers of athletes, artists, models and broadcasters, managing or representing worldwide sports and cultural events, and managing the world's largest independent producer of sports television programming.

**Class of 1993**

- Julie Briscoe, a member of the state bars of California and Michigan, is now registered as an investment broker with A.G. Edwards in Santa Barbara, California.

**Class of 1994**

- Ronald Ochaet, LL.M., director of the Roman Catholic Church’s human-rights office in Guatemala City, was quoted in an article entitled *Guatemala Digs Up Its Army’s Secret Cemeteries* in the June 7, 1997, edition of THE NEW YORK TIMES.

- Daniel Roberts has joined the firm of Pierce Atwood in Portland, Maine; his work will focus on general corporate and commercial law, including mergers and acquisitions.

**Class of 1995**

- Julia Meister, with Professor Tom Shaffer, published *Is This Appropriate?* in the DUKE LAW JOURNAL.

- Brian Sagrestano, formerly of Luma, Denis, Drasco, Positan and Kleinberg in Roseland, New Jersey, spent the spring of 1997 running political campaigns in connection with local township committee elections; and in June he joined the Law Offices of Diane McNeill in Oldwick, New Jersey, where his practice focuses on estate planning and administration, with some small litigation matters and occasional real-estate closings. He and his wife, Christine, also have purchased Flood Search of New Jersey, Inc., a firm that performs flood hazard certifications for real-estate transactions in New Jersey.

**Class of 1996**

- Catherine C. Chavez has joined the firm of Kemp, Smith, Duncan & Hammond of El Paso, Texas, as an associate; her work will focus on corporate law.

- Amy Coney, who is currently a clerk to Hon. Lawrence Silverman of the U.S. Court of Appeals for the District of Columbia Circuit, has accepted a position as law clerk for U.S. Supreme Court Justice Antonin Scalia, beginning in the fall of 1998.

**Class of 1997**

- Mark A. Molloy was featured in an article in the *Buffalo (New York) News* in August for his work as a human-rights lawyer in Northern Ireland with the firm of Madden and Finucane from August 1996 to May 1997. After he completes a clerkship for a federal judge in Fort Lauderdale, Florida, in August of 1998, he intends to return to Northern Ireland to continue his work with clients who are accused of terrorism and who are denied basic civil and human rights.

- Paul E. Noonan Jr., currently residence director of the University’s London Programme, served as a special correspondent to the SOUTH BEND TRIBUNE in September, reporting on London’s reaction to the death of Princess Diana.

- Martin Ols, LL.M., published *Non-Governmental Organizations in Regional Human Rights Systems* in the COLUMBIA HUMAN RIGHTS LAW REVIEW.

**In Memoriam**

John A. Bitter ’32 of San Antonio, Texas, died July 13, 1997
Maurice F. Quinn ’38 of Cheektowaga, New York, died August 22, 1997
Hon. Samuel L. Devine ’40 of Naples, Florida, died June 27, 1997
Cecil E Jordan ’43 of Colorado Springs, Colorado, died June 12, 1997
Hon. Clarkson S. Fisher Sr. ’45 of West Long Branch, New Jersey, died July 27, 1997
David S. Landis ’45 of North Bethesda, Maryland, died May 27, 1997
James F. Burke ’49 of Singer Island, Florida, died July 1, 1997
Mason D. Sullivan ’51 of Oak Park, Illinois, died August 17, 1997
Ronald J. Mastaj ’66 of Detroit, Michigan, died September 11, 1997
Raymond W. Starmann Jr. ’66 of Lake Forest, Illinois, died August 12, 1997

We have also received belated notification that Kenneth G. Freitas ’78 of Las Vegas, Nevada, passed away last year.

Please remember these alumni and their families in your prayers.
NDLS graduates whose class years end in "3" or "8"—mark your calendars for Reunion '98, to be held on campus the weekend of June 4-7, 1998. In addition to the seminars, programs and opportunities for socializing scheduled by the University, NDLS will host an all-classes dinner on Friday night and a Mass, continental breakfast and Law School open house on Saturday morning. Watch your mail in early 1998 for more details!

Class of 1959
40th Reunion
- Members of the Class of 1959, who will be celebrating their 40th reunion in 1999, are planning a special class reunion for a fall 1999 home-football weekend to be announced. To help with the planning, please contact Bill Harte at (312) 726-5015.

Class of 1968
30th Reunion
- Members of the Class of 1968, who will be celebrating their 30th reunion in 1998, are planning a special class reunion on the weekend of October 3, 1998 — the Notre Dame-Stanford home football game weekend. To help with the planning, please contact Tom Curtin at (201) 292-1700.

Class of 1973
25th Reunion
- Members of the Class of 1973, who will be celebrating their 25th reunion in 1998, are hoping for a large turnout from the class at the University's Reunion '98 weekend, June 4-7, 1998. A committee consisting of Tom Kronk, Ron Basso and Jim Viventi has begun planning activities for the silver anniversary class in addition to the activities already planned for that weekend by the University and the Law School. For more information, please contact Tom Kronk at (517) 321-4560.

Class of 1988
10th Reunion
- Members of the Class of 1988, who will be celebrating their 10th reunion in 1998, are planning a class reunion for a fall 1998 home-football weekend to be announced. For more information or to help with the planning, please contact Tim Murphy at (207) 284-2060.

London LL.M.
Class of 1988
10th Reunion
- Plans continue 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 '88 LL.M. by phone at (716) 667-7018, by fax at (716) 876-1354, or by e-mail at pillig@habaco.com.

Reunion '98 CLE Program
Again this year, NDLS will offer a Continuing Legal Education program for those returning to campus for Reunion '98. Watch your mail in early March for information on the Law School's CLE program, to be held June 4-5, 1998. All alumni, spouses and other guests are welcome to attend.
Approximately 50 members of the NDLS Class of 1972, their spouses, guests and children — some of whom are current Notre Dame students — attended a class reunion on campus on the weekend of the Notre Dame-Michigan State game, September 19-21, 1997. Joe McFadden of Drexel Hill, Pennsylvania, spearheaded the drive to bring back as many of his 129 classmates as could make the trip. Some came from as far away as Southern California and as near as South Bend to participate in the weekend’s activities, which included a Friday evening cocktail reception at the Snite Museum, a Saturday morning continental breakfast at the Law School, the ND-MSU game, and a Saturday evening dinner at the Morris Inn.

Several professors participated in all or part of the festivities including Dean David Link, Associate Dean Tex Dutile, and Professors Bob Rodes, Con Kellenberg and Charlie Rice, who gave the invocation at the Saturday dinner. Surprise visitors at the festivities included former NDLS professors Frank Beytagh, in for the game from Columbus, Ohio, and Granville Cleveland, who still lives in the South Bend area.

As a result of Joe McFadden’s leadership, the class decided to work together toward a class gift to benefit the Professor Edward J. Murphy Fellowship Fund. As of the time this magazine went to press in late November, the gift total for the Class of ’72 stood at approximately $100,000 — including one anonymous gift of just over $50,000 and another gift from classmates Robert and Patricia C. Bobb of Chicago, Illinois, in the amount of $25,000. At the reunion dinner, Dean Link thanked those who contributed, commenting that the class could not have found a more fitting way to commemorate the life of one of its most beloved professors than by helping students in perpetuity through endowing the Murphy Fellowship.

Everyone had a great time, and we at the Law School look forward to this class coming back for its 30th reunion — in 2002!
The People (of Notre Dame) v. Anthony Davis

A group of Notre Dame lawyers in Los Angeles found a clever (and legal) way to kick off the 1997 football season: prosecute University of Southern California running back Anthony Davis for crimes against the University. The mock trial also served as a pre-season pep rally and scholarship fund raiser for the Notre Dame Club of Los Angeles.

Long-time football fans will remember the two tragic ND-USC match-ups in 1972 and 1974 in which Davis scored a total of 10 touchdowns against the Irish - in the 1972 contest bringing the Trojans back from a 23-0 deficit by scoring six touchdowns, and then in 1974, scoring four touchdowns to defeat the Irish 53-24 in yet another come-from-behind victory.

To avenge these "crimes" against the University, California Attorney General Dan Lungren '68 B.A. prosecuted Davis under three different sections of the California Penal Code: section 603, for breaking and entering - the end zone of the Irish against their will (multiple times, demonstrating that Davis was a repeat offender); Lungren argued that Davis inflicted "cruel and unusual punishment" against Notre Dame and showed "blatant disregard for the feelings of [Notre Dame] faithful."

Los Angeles County District Attorney Gil Garcetti (USC '65) defended Davis - the first time in his 28-year career arguing the defendant's side in a criminal case. "When I heard [Davis] was being charged, I knew I had to defend him. I know he's innocent, and if there's an honest jury, we'll win it. But as with any high-profile case, there's always a question...."

Judge Bernie LeSage '71 B.A. denied Garcetti's request for a change of venue, even though the trial was held on the lawn of Notre Dame High School in Sherman Oaks, California, before a jury of Notre Dame alumni. Forced to proceed in a hostile environment, Garcetti based his theory of the case on Davis' temporary insanity and self-defense, explaining that Davis "knew that [the Irish] were out there to kill him, [and] that's why he kept running." Perhaps out of desperation, Garcetti put Davis himself on the stand, and he appeared to score some sympathy points with the jurors when he told his side of the story. He stated that he was "a kid" of only 19 years old at the time; that Notre Dame had history, height and weight on its side; and, in Davis' own words, that USC "took a lot of abuse that day [and] I did what I could to protect myself. When a bully hits you, you have to react. My poor mother was crying at home." Nevertheless, the jury convicted Davis of all three counts after only a few seconds of deliberation.

Davis was sentenced to life in prison without parole, and was given the additional punishment of having to watch replays of ND-USC football games from 1983 to 1995, when USC went winless in 13 contests. State Insurance Commissioner Chuck Quackenbush '76 B.A. testified on Davis' suitability for bail, pointing out that he should not be released pending incarceration because Davis was an obvious "flight risk."

In a moment of compassion, Lungren—who is expected to run for governor of California in 1998—granted Davis clemency. Lungren was convinced that Davis would suffer more humiliation in public than in prison because, as a USC alumnus, "Davis will be subjected to [the] eternal scar of at least another [13-game] winless streak against Notre Dame."

Hopefully, next year will provide the beginning of Davis' punishment!
NDLS Welcomes Class of 2000

No...we didn't over-admit! Believe it or not, this year's LIs will graduate in May of the year 2000. The class consists of 180 students from 38 different states and four foreign countries, and represents 123 different undergraduate institutions. The class composition includes 21.3 percent ethnic minorities and 36.1 percent women.

As usual, the students come to us with a wide range of undergraduate majors and work experience including the military, law enforcement and public-policy-oriented internships. In addition, the individuals admitted this fall have participated in significant volunteer and community service activities including special-education ministries, pro-life work, leadership in Amnesty International, and work with the Capuchins, Habitat for Humanity, Legal Services, the Peace Corps, the Jesuit Volunteer Corps, Andre House, and English as a Second Language programs.

NDLS welcomed these students with an orientation weekend full of activities including the pre-orientation mixer on the evening of Friday, August 22, a well-organized orientation program on the morning of Saturday, August 23, a Law School Mass at the Grotto on the evening of Sunday, August 24, and the traditional dean's picnic at the Link home on Saturday, August 30.

Again this year, the Student Bar Association and the 2L Orientation Committee — led by Kevin McGinnis '99 of Elmhurst, Illinois, Jennifer Schell '99 of Fairport, New York, and Michelle Colman '99 of King of Prussia, Pennsylvania — did an excellent job of acquainting these new Notre Dame lawyers with the Law School and the campus and of making them feel like part of our Notre Dame family.

Center for Civil and Human Rights Welcomes 15 Graduate Students

This year, the Center for Civil and Human Rights has admitted 15 students to its graduate programs in international civil and human rights. The 13 LL.M. candidates include two students who earned J.D. degrees from NDLS in 1997 — John Blakeley of South Bend and Michael Nader of Fair Oaks, California — as well as individuals with a variety of legal education and work experience from Argentina, Chile, Costa Rica, El Salvador, Korea, Malawi, Nepal, Nigeria, South Africa and the Ukraine. The two J.S.D. candidates are Pablo Saavedra '96 LL.M. of Chile, who recently completed an internship with the InterAmerican Commission on Human Rights where he worked on the conclusion of an agreement establishing an annual internship program with the Organization of American States, and George Mugwanya, a Ugandan lawyer whose doctoral work will involve a comparison of human rights in Uganda and South Africa. The University welcomed these students in the classic Notre Dame fashion with a reception at the Morris Inn attended by NDLS administration and faculty as well as University president emeritus Rev. Theodore M. Hesburgh, C.S.C.
Student Leaders for 1997-98

With a round of elections last spring and this fall, NDLS is pleased to announce the leaders of student organizations for 1997-98. If you are an alumnus or alumnna of one of these organizations, or feel you could offer to help in any way, e.g., as a guest lecturer or mentor to the group, don’t hesitate to contact the student in charge to offer your services.

Student Bar Association 1997-98 Officers

Jonathan "JC" Coury ’98, of Phoenix, Arizona, president; Bill Ford ’98 of South Bend, Indiana, secretary; Greg Butrus ’99 of Birmingham, Alabama, vice president; and Joan Seidler ’99 of Modesto, California, treasurer

3L Reps: Nicole Byrd of South Bend, Indiana
Burke Harr of Omaha, Nebraska
Margaret Roterast of Valencia, California

2L Reps: Traci Griffith of Tallahassee, Florida
Jennifer Healey of Scottsdale, Arizona
Jay VanHandel of Neenah, Wisconsin

1L Reps: Shazhad Nassef of Chicago, Illinois
Marisa Salarz of San Antonio, Texas
Dion Spencer of Detroit, Michigan

Honor Council

3L Reps: Steve Hearne of Aberdeen, New Jersey
Julie Seaman of McKees Rocks, Pennsylvania
David Walters of Burbank, Illinois

2L Reps: Thomas Keough of Staten Island, New York
John Rosenthal of El Cerrito, California
Eric Wycoff of Estherville, Iowa

1L Reps: Laura Alexander of Richland, Washington
Mark Busby of Ras Tafari, Saudi Arabia
Anastasia Kilian of Carmel, Indiana

The presidents of the various student organizations active during the 1997-98 academic year include:

Asian Law Students Association
Maribelle Estrella ’98 of Walnut, California

Black Law Students Association
Kimberly Esmond ’99 of Fairburn, Georgia

Christian Legal Society
Gus Kallergis ’99 of Akron, Ohio

Environmental Law Society
Sarah Stancati ’98 of Kalamazoo, Michigan

Federalist Society
Kevin O’Scannlain ’98 of Portland, Oregon

Hispanic Law Students Association
Ariel Rodriguez ’98 of Hialeah, Florida

International Law Society
Paul Bohn ’99 of Lenexa, Kansas

Irish Forum
Mark Kromkowski ’98 of Baltimore, Maryland

Irish Law Society
Eileen Skuse ’99 of Flushing, New York

Married Students Association
John Wilcox ’99 of Notre Dame, Indiana

Military Law Students Association
Thomas Keough ’99 of Staten Island, New York

Native American Law Students Association
Basil Buchholz ’99 of Ironwood, Michigan

Phi Alpha Delta
Peter Yarbro ’99 of Wisconsin Rapids, Wisconsin

Public Interest Law Forum
Timothy Church ’98 of Syosset, New York

Right to Life — Jus Vitae
Scott Gaylord ’99 of South Bend, Indiana

St. Athanasius Debating Society
Jen Trock ’98 of Jenison, Michigan
Karen White ’98 of Berkeley, California

St. Thomas More Society
Patricia Bors ’99 of Overland Park, Kansas

Social Justice Forum
Karen DuBay ’99 of Troy, Michigan

Women’s Legal Forum
Cynthia Morgan ’99 of East China, Michigan
Public Interest Law Foundation

The NDLS Public Interest Law Foundation (PILF) received an award from the National Association for Public Interest Law (NAPIL) for the largest percentage increase in student-based fund raising among the small-campus chapters. Marisa Salazar ’00 of San Antonio, Texas, accepted the award on behalf of PILF from Attorney General Janet Reno at the annual NAPIL conference in Washington, D.C., in mid-October.

Over the course of the 1996-97 academic year, NDLS PILF students raised $16,615, an increase of 260 percent over last year. The students held a variety of fund-raising activities including the annual student pledge drive in support of Student Funded Fellowships, and received some matching funds from the Law School and local law firms.

The money raised by PILF supports students who work in public-interest positions during the summer months. During the summer of 1997, PILF funding assisted a total of 10 NDLS students who worked in a variety of positions around the country (see Notre Dame Lawyer, Summer 1997, page 42).

The law students and faculty competed in a law-school softball tournament on October 11, 1997. The 3Ls defeated the 1L and 2L teams to win the tournament. The faculty team reported no permanent injuries. The community-spirit weekend concluded the following day with the semi-annual family Mass and breakfast in the Law School student lounge.
Visiting Foreign Scholars

Each year, NDLS hosts two visiting scholars from Japan. These individuals, who are involved in the public practice of law in Japan in one form or another, take classes and otherwise participate in the life of the Law School for a year. This year NDLS has welcomed Yasushi Iijima, of the Yokohama District Public Prosecutor’s Office, and Judge Risuko Mizokuni, of the Yokohama District Court. Yasushi Iijima was appointed public prosecutor for the Tokyo district in April of 1992 and has served in other districts before accepting his current appointment in April of 1997. Judge Mizokuni was appointed a judge in 1993, and first served in family court, handling juvenile delinquency and family-affairs conciliation cases before her promotion in April of 1997.

- Marc Bossuyt, judge of the Belgian Constitutional Court, former Belgian High Commissioner for Refugees and professor of international law at the University of Antwerp (Belgium), visited NDLS in early September. Professor Bossuyt has been elected president of the United Nations Human Rights Commission, is a member of the United Nations Sub-Commission on the Prevention of Discrimination and Protection of Minorities, and is a leading author on the subject of discrimination and the United Nations human-rights system.

- Professor Donald Kommers hosted two visiting European scholars earlier this semester. Laszlo Solyom, president of Hungary’s Constitutional Court and considered Hungary’s most outstanding constitutional scholar and jurist, visited Notre Dame following his participation in the Yale Law School’s “Global Constitutionalism Project,” and spoke to Professor Kommers’ comparative constitutional law seminar in late September. And Dr. Werner Meng, one of Germany’s leading international public lawyers and dean of the law faculty at Halle University, spent a week at NDLS in late September and early October to meet with faculty interested in his area of expertise — the international implications of energy and environmental law — and to give a public lecture on the European perspective on the Helms-Burton Act.

- NDLS, together with the University’s Center for Civil and Human Rights, Reilly Center for Science, Technology and Values, and Nanovic Institute for European Studies, hosted Professor Ludger Honnefelder, professor of philosophy and director of the Institute of Science and Ethics at the University of Bonn (Germany), who spoke on the “Convention of the Council of Europe on Human Rights and Biomedicine” in early October. A member of the Council of Europe’s steering committee on bioethics, Professor Honnefelder discussed the recent approval of the Human Rights and Biomedicine Convention by 35 of the council’s 40 nations. The convention establishes throughout Europe a common, uniform set of ethical norms and regulations to govern many of the most pressing questions in medicine today, including genetic tests for purposes of choosing a child’s sex, genetic testing and discrimination, the protection of human research subjects, and the creation of human embryos solely for research. Professor Honnefelder and his colleagues on the bioethics steering committee recently proposed an addition to the convention that would ban the cloning of humans.
Receptions Around the Country

The Law School Relations Office, with the help of some very active and involved local alumni, had a busy summer and early fall hosting receptions at various locations around the country for NDLS alumni and friends — primarily in conjunction with bar association events.

At the time of the American Bar Association’s annual meeting in San Francisco in early August, Dean David T. Link and the Notre Dame Law Association, headed by NDLA president Jim Gilleece ’69 J.D., hosted approximately 40 alumni at an evening cocktail reception at the Post Street Pavilion. A week later, at the time of the Colorado Bar Association’s Centennial Celebration, Dean Link, along with hosts Carl Eibergen ’52, ’54 J.D., and Brian Bates ’79, ’86 J.D., welcomed nearly 30 of Colorado’s Notre Dame lawyers at a breakfast reception at the Denver Hyatt. And in mid-September, at the time of the Missouri State Bar Association’s annual meeting in St. Louis, Charles Weiss ’65, ’68 J.D., hosted 45 of Missouri’s Notre Dame lawyers at a luncheon reception at the Adam’s Mark Hotel.

If your state bar association or another similar group is meeting and you would like to organize a reception for the Notre Dame lawyers in your area, contact the Law School Relations Office. We can help in lots of ways and have a number of tried-and-true ideas for making your local event as successful as some of these others have been.

Continuing Legal Education

On Campus: Fall ’97 CLE and Home Football Weekends

Although the 1997 football season didn’t shape up to be what most of us had hoped for, the fall 1997 series of Continuing Legal Education in Ethics programs — held on the mornings of select home-football Saturdays — has been well-received by alumni, friends and others desperate for those last few ethics credits before the end of the year. Each of this year’s three programs has been attended by approximately 40 attorneys from all around the country.

Many of those who attended expressed appreciation that these ethics programs are different from those traditionally offered by local and state bar associations or other continuing legal education providers. In particular, participants were pleased — and in some cases, surprised — that these legal ethics courses integrated faith and morality into the ethical obligations inherent in the secular practice of law. And with the slate of presenters, it’s no wonder that the programs were so popular.

September 20, 1997
Dean David T. Link, “A Return to the Roots of the Legal Profession: Lawyers as Healers and Peacemakers”
Professor Charles Rice, “Ethics and the Natural Law: Can Anything Be Unethical Any More?”

October 25, 1997
Professor John Robinson, “Ethics and End-of-Life Decisions”
Professor Pat Schilts, “Shaping Law Students and Novice Lawyers into Ethical Practitioners”

November 22, 1997
Dean David T. Link, “A Return to the Roots of the Legal Profession: Lawyers as Healers and Peacemakers”
William Hoge, Associate Vice President and General Counsel, “Navigating the Bermuda Triangle: Mediation Ethics”

CLE Around the Country

Dean David T. Link gave a one-hour CLE in Ethics presentation in San Diego, California, in early August. Organized by Frank Kros ’93 J.D., and co-sponsored by the Notre Dame Club of San Diego, the law firm of Lace, Forward, Hamilton & Scripps, and Coopers & Lybrand, the event attracted some 70 San Diego attorneys to the presentation. After the program, participants had the opportunity to mingle at a mixer hosted by the sponsors. The event served as a fund raiser for the Notre Dame Club of San Diego’s Summer Service Program.

Dean Link and other faculty members are more than happy to travel to your city to give similar programs — especially if the proceeds are used to benefit charitable causes. If you have an idea for a particular CLE program, please contact the Law School Relations Office.

For More Information

If you have ideas, suggestions or questions about NDLS alumni relations, or if you want to help us in some way, contact: Cathy Pieronek, Associate Director; Law School Relations Office, 118 Law School, Notre Dame, IN 46556, phone (219) 631-6891, fax (219) 631-4789 or e-mail catherine.pieronek.1@nd.edu.
The phones have been ringing off the hook at the Career Services Office (CSO) this fall. The number of employers visiting NDLS for on-campus interviews increased 25 percent over this same time last year. At a time when many employers are tightening their belts and many schools are losing employers from their schedules, our CSO staff had to scramble to find interview rooms. Lisa Bolanz, associate director of career services, was often heard over the phone, "Professor, will you be needing your office today?"

As a consequence of this wonderful response by potential employers, attorneys found themselves interviewing students not only in the usual study rooms in the Krege Library and the interview rooms in the undergraduate Career Services Center in the Hesburgh Library, but also in more unusual spaces such as faculty offices, classrooms, the courtroom -- and even in associate deans' offices. But clearly, this is one problem we love to have to solve.

In addition to the increase in on-campus interviews, the CSO is experiencing a surge in the number of job postings and résumé requests. "It's all good news," says Lisa. "We are in an enviable position to say the least. We are certainly not going to turn people away!"

The Law School's strong reputation, consistent top-25 ranking and increased employer-outreach efforts account for much of the activity. "We have more than doubled our employer database," says Lisa. "We are in contact with employers of all sizes, all around the country." But make no mistake about it, when it comes right down to it, what sells NDLS to employers is the quality of our students and alumni. "Employers consistently comment on the high caliber of our students," notes Lisa. "I had one hiring attorney comment that the best interview of his career took place at Notre Dame."

"A number of the employers who have added to our schedule have had a student in their summer program, or recently have hired a Notre Dame attorney in the office," says Kitty Cooney Hoye, director of career services. "The employers have commented that the students are not only bright, but have exceptional people skills and a social conscience, too."

Some analysts report that, for the first time in many years, the legal market is turning around. There is more business and many law offices are hiring at a rate double that of last year. "Whether it is a change in the employment market or a change in our marketing strategies," notes Kitty, "I'm ecstatic that the employers are choosing Notre Dame!"

The 1998 edition of the Princeton Review ranks NDLS teaching faculty fifth in the nation, based on student responses to a survey on quality of teaching. The law school guidebook also ranks NDLS among the bottom 10 on its competition scale for its relative lack of "cut-throat competitiveness."
Public Interest Practice a Tough Sell

By David M. Morrissey, Director, International and Public Policy Advancement

The Notre Dame Law School faces a difficult task in the area of public-interest law. As a Catholic law school committed to achieving justice within the legal system, NDLS strives to attract applicants who believe they want to work in public-interest law after graduation, and maintains a curriculum in which public-service values are woven throughout most of the course work. However, soon after beginning law school, many of these students realize that a public-interest practice is not realistic because practice in this field is not sufficiently remunerative to cover the monumental debt incurred by most students — debt in the area of $50,000 or more in loans that must be repaid within 10 years after graduation. Clearly, this is one of the significant reasons why the need to provide greater financial assistance in the form of fellowships ranks as the Law School’s highest funding priority.

There currently exists in the Law School a special fund to provide financial aid to students who express an interest in public-interest law. Since its establishment in 1987, the Public Interest Fellowship Fund has attracted contributions from more than 350 donors who have given a total of $70,000 to aid deserving students. The fund is set up so that contributions are expended annually in the form of grants to individual students. While this support certainly has benefited the recipients, considerably more is required in the way of fellowships if Notre Dame graduates are to make a major impact in the public-service area of the law. Endowed fellowships provide the long-term, permanent solution to meeting the general financial aid crisis affecting many, if not most, of our Law School’s graduates.

To fully endow and name a fellowship to benefit NDLS students requires funding of $400,000. However, recognizing the urgent need to dramatically increase financial aid for law students, the University has agreed to provide $100,000 toward the funding of every endowed fellowship up to 10 full-tuition fellowships, if a donor will commit to providing the balance of $300,000 per fellowship. As is true of all commitments, the benefactor can fulfill the pledge over an agreed-upon period of time. These most prestigious grants, currently called “Dean’s Fellowships” and entirely merit-based, could certainly have a tremendous influence on someone considering public-interest practice after graduation. Please consider supporting this important program as you evaluate your ability to contribute to the Law School this year.
Lost Alumni

Here's the annual update on our lost alumni — 202 in total, or about 3.5 percent of our alumni. And for clarification, our definition of "lost" means that the University's Alumni Files Office does not have on file a valid mailing address for a particular individual.

A number of you have called over the course of the last year to inquire if someone could be considered "lost" if that person had an address listed in the 1997 Notre Dame Law Association Legal Directory. Here's the explanation. Within the last year or two, the Law School decided to discontinue our own alumni address files, and decided instead to rely solely on the University's Alumni Files Office to provide us with accurate addresses of all of our alumni and friends. The information contained in the Legal Directory was assembled during this transition, and therefore, contains some addresses based on University files and some addresses based on the Law School's now-non-existent files — we used the best addresses we could find. These Legal Directory addresses may or may not be valid, but nevertheless, do not match with information in the University's files, and we need the correct information to update the University's files.

In other cases, an individual may be in transition and could have sent an address update to the University, but the date the change arrived at the University came after the date this list was assembled (some time in mid-October).

We have followed up on prior leads you've provided, but in some cases, still weren't successful in locating particular individuals. So, we still need your assistance.

If you can help us find your classmates, please inform the Law School Relations Office by phone, (219) 631-6891; or by fax, (219) 631-6479; by e-mail, catherine1@nd.edu; or by mail, 118 Law School, Notre Dame, IN 46556.
It's hard to think about public service when you have over $50,000 in loans to pay.

That's the average amount of indebtedness among newly graduated Notre Dame lawyers. So even those who would like to do public-service law are sometimes compelled to look into more lucrative opportunities first.

We are pleased that the Notre Dame Law School is ranked among the top law schools in the nation. But there's no getting around it — excellence is an expensive proposition.

Your gift to the Law School Annual Fund helps in so many ways. By supporting superior teaching and scholarship. By reducing the rate of tuition increases. And most importantly, by providing much-needed financial aid.

Which, in turn, enables these new Notre Dame lawyers to go out into the world and devote their attention to law first, and student loans second.

You can help even more by becoming a member of the Order of St. Thomas More. For information, please contact:

Order of St. Thomas More
Notre Dame Law School
Notre Dame, Indiana 46556
(219) 631-4083