Dear Notre Dame Lawyer,

AS YOU WILL READ ON PAGE 3 OF THIS MAGAZINE, this coming year will bring some dramatic changes for your law school with Dean David T. Link '58, '61 J.D. becoming dean emeritus and returning to full-time teaching and research.

I am sure you will agree with me that, in the last quarter-century, Dean Link has made Notre Dame a law school of which we can all be proud. He has taken a good teaching institution and made it a force for justice — not just in the United States but around the world. He became dean when the Law School conferred just one degree, the J.D., on approximately 140 students every year; today, the Law School annually confers the J.D. on approximately 180 students every year, but also confers two LL.M. degrees — one on campus through the Center for Civil and Human Rights and one in the London Law Programme — and one J.S.D. degree in international human rights on a total of two dozen or so international students every year. He has increased the size of the faculty by more than 30 percent, and under his leadership the quantity and quality of their scholarship has grown tremendously. He also has the distinction of being the longest-serving law-school dean in the country.

Whether as student, teacher, dean or friend, Dean Link has touched innumerable lives during his years at Notre Dame and through his community service and volunteer work with organizations such as Habitat for Humanity and the South Bend Center for the Homeless. In an upcoming issue of this magazine — perhaps as early as this summer — we will honor his life and his work.

If you have a story about Dean Link that you’d like to share — whether heartwarming or humorous, short or long — please send it to me in care of this magazine. I’d like to include as many personal stories about Dean Link as possible, to make that special issue of the magazine a fitting tribute to the man who has been our dynamic leader and creative visionary, and indeed, the driving force behind this Law School’s progression to greatness. No one can tell the story of what Dean Link has meant to Notre Dame better than the thousands of us who have known him. And I’m sure nothing would mean more to him than hearing from those whose lives he has touched.

I hope to hear from a lot of you. As always, you can contact me by phone, fax or e-mail as indicated below.

With best wishes for a happy holiday season and a healthy and peaceful new year, I remain

Yours in Notre Dame,

Cathy Pieronek, Editor

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PS. The insert at the centerfold contains a good synopsis of law school demographics as well as current programs and activities. You may want to save it for reference should you come in contact with a prospective student, potential employer or other person who might have an interest in the state of your law school.

1998-99 FALL/WINTER CALENDAR OF EVENTS

December 19, 1998, through January 10, 1999
Christmas Break (University offices closed from December 24 through January 3)

January 6, 1999
Notre Dame Lawyer Dinner
American Association of Law Schools Annual Meeting
New Orleans, Louisiana
(location TBA)

February 15, 1999
Deadline for submissions for Notre Dame Lawyer, spring 1999 issue

March 6-14, 1999
Spring Break

April 2-5, 1999
Easter Break (University offices closed)

April 21-24, 1999
University Alumni Senate Notre Dame Law Association Spring Meeting

May 13, 1999
Alumni Reception
Ohio State Bar Association Annual Convention
Renaissance Hotel
Cleveland, Ohio

May 14-16, 1999
Commencement Weekend

June 4-6, 1999
University Reunion ’99
Law School Continuing Legal Education Program

June 15, 1999
Deadline for submission for Notre Dame Lawyer, summer 1999 issue
A Different Kind of Ethics
— Lawyers as Healers and Peacemakers

Practical Ethics • The Ethics of the Death Penalty
The Center for Civil and Human Rights — Ethics on a Global Scale
Professor Tom Shaffer ’61 J.D.
Legal Research and Ethics • Social Justice and Professional Responsibility
Clinical Ethics — Ethics in the Law-Office Setting
Encouraging a Higher Standard

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Contributing authors: Deborah Bauer, Lisa M. Bolante, David T. Link, Heather M. Mericini, David M. Morrissey, Cathy Pieronek
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In June 1, 1998, I began my 24th year as dean of our law school. In 1995, when I agreed to continue as dean for a fifth term, I asked that this be my last term. Consistent with that intent, I have asked the provost to begin the search for my replacement.

People have asked me why I would retire when I still have so much energy and excitement for my work. The answer is, I have no intention of retiring any time in the near future. I have many good years and ideas in me, and I intend to work in the field of Catholic higher education for as long as I believe I can be effective. I am, however, anxious to pass on the baton of the deanship to someone else so that I can pursue some new and exciting opportunities.

From a personal standpoint, I am ready for some new challenges. I feel very good about the mission we put together for the Law School, as well as about the team we have assembled to fulfill our collective "dream" of being a great Catholic law school. I believe that our team of faculty, students, staff, University administrators, alumni and friends is so strong that the momentum established so far will inevitably continue to grow. But for me, it is time to answer other calls.

Institutionally, I believe it is also time for a new team leader. This institution has many positive attributes — a clear and challenging mission, a great faculty, a talented and committed student body, a supportive University plan, and, of course, loyal alumni and friends. The ninth dean of the Notre Dame Law School will inherit a strong institution that he or she can take to new heights in the next millennium.

The new dean will have a wonderful opportunity to lead a team already at the top of its game. I do appreciate the compliments paid by a number of you who have asked me to reconsider my decision that this be my last term as dean. On deep reflection and with prayerful guidance, however, I remain firmly resolved. Therefore, as noted above, I have asked the provost to begin a dean search with enough lead time so that the University can attract the very finest candidates and have an orderly transition without the awkwardness of appointing an interim dean. In response, Provost Nathan O. Hatch has appointed a committee consisting of himself as chair, and Associate Dean Fernand N. "Tex" Dutile '65 J.D., Vice President and Associate Provost and Professor of Law Carol Ann Mooney '77 J.D., and Professors Gerard V. Bradley, Alan Gunn and Jay Tidmarsh '79 as members. They have begun the process of looking for my successor, and I know they will welcome your input — either in identifying specific candidates or in conveying the personal and professional qualities you would like to see in the next dean of our law school.

I have not yet decided on what new challenges to pursue. But there is one opportunity that, considering the content of this issue of Notre Dame Lawyer, I want to share with you. For years, our Law School has enjoyed a reputation as being among the leaders in teaching the law with an emphasis on ethics — in educating lawyers who practice their art with, in the words of the late Dean Joseph A. O'Meara, "professional competence inspired by enduring values." I, personally, have taught applied ethics since the early days of my deanship. And in the last few years, I have written and spoken on a perspective of the law as a healing profession. So one of the projects that I will pursue with greater intensity as dean emeritus will be a scholarly undertaking that combines my decades of work in applied ethics with my research on law as a healing profession.

The University has agreed to establish an institute on the ethics of the legal profession. In addition, the Fetzer Institute of Kalamazoo, Michigan, which is well known for its work on "Healing and the Mind," has awarded me a grant to sponsor my research on "Healing and the Law." As you will see in my article beginning on page 4, I believe that returning the law to its roots as a healing profession necessarily will bring about a sea change in the ethical behavior and attitudes of many attorneys. Many of you have heard me speak on this subject. Now, many others will hear these ideas as well. Hopefully, my work at our law school will be a catalyst for much-needed change across our profession.

I will write to you further about my experiences as dean and my hopes for the future of our law school. For the present, suffice it to say that I love this place and all of the Notre Dame family. I love being dean, and I will continue to serve as long as it takes to install my successor. But I am looking forward to turning my experience into scholarship and my scholarship into practice as soon as possible. Not many people get the opportunity to bring about significant change in the ethos of their chosen profession. Thanks to the University and the Fetzer Institute, however, I'll soon have that opportunity.

In the coming months, I will elaborate upon my deep gratitude to all of you for making my service as dean so enjoyable and fulfilling. For now, however, I want to tell you how much I truly appreciate all you have done — not only to help me, but also and especially, to make Notre Dame Law School the great place it is.

With warm wishes for a Merry Christmas and a Happy New Year to you and your family, I remain

Yours in Notre Dame,

David T. Link
Dean and Professor of Law
a different kind of ethics

Lawyers as Healers and Peacemakers

Why did you become a lawyer?

I suspect that many of you, like many of our students today, chose to join the legal profession because of your altruistic sense of wanting to make a difference — whether by helping the less fortunate or by serving in the government or by guiding individuals, families and businesses in the proper direction.

By David T. Link '58, '61 J.D., Joseph A. Matson Dean and Professor of Law
I hope that you have found a way to pursue your dream. I know many of our alumni have. This magazine regularly features stories about Notre Dame lawyers whose success derives not just from winning big cases, but from finding ways to make a difference in their communities. This kind of satisfying success, however, increasingly appears to fall beyond the grasp of many in our profession — not because of lost dreams and forgotten altruism, but rather, because of lost hope. Pick up any current legal periodical or even the daily newspaper and you can read any number of articles about the unethical dealings of lawyers — such as "burn-and-destroy" trial tactics, questionable billing practices, harassing opponents, bringing frivolous actions, or even more simply, the general lack of civility among lawyers. And many lawyers are unhappy with their careers. It's difficult to maintain a dream when your chosen profession — in the eyes of many of its members as well as in the eyes of society — no longer appears honorable, and when lawyers are routinely vilified and derided in the popular press, on television and in nightclub stand-up routines.

what happened to a profession designed to protect rights and bring about justice?

Commentators in the legal profession and in legal education have written volumes on this subject. At Notre Dame, however, we believe the answer is rather simple. Many lawyers have lost their focus on our ancient origins as professional healers and peacemakers. Many in our profession have forgotten the meaning of the word "professional." Today, we speak of so many occupations as professions — for example, professional athlete, professional hairdresser — that we seem to have obscured the original meaning of the word.

Further, if we examine the roots of the legal profession, we see that the three ancient professions — medicine, ministry and the law — all have their origins in healing. In ancient villages, wise elders were chosen to solve problems that other individuals could not. Some had the responsibility for treating physical ills — the ancestors of the medical profession. Others treated spiritual problems — the original clergy. And still other wise elders kept peace in the village by settling social problems. Solomon-like persons determined how to divide the land, how to share the crops and wild animals, and how to treat social misbehaviors. These were the archetypes of the judge, the lawmaker and the lawyer. Note, too, that these
early practitioners of our profession did not cast themselves as adversaries, but rather, as peacemakers. Like the forerunners of today’s medical profession and clergy, the legal profession had its genesis in the public service of healing. Consider the accepted definition of the lawyer professional: “an expert in the law pursuing a learned art in service to clients and in the spirit of public service; and engaging in these pursuits as a part of a common calling to promote justice and the public good.” Note that professionals practice a learned art — something that requires both knowledge and prudential wisdom in contrast to engaging in a rigid mechanical science with immutable rules and theories. True professionals practice their art, not as an occupation, but in response to a calling to which they dedicate their entire lives. And at Notre Dame, we believe that this calling comes from God.

Finally, many in the profession confuse the various rules of professional conduct with ethics. Current codes or rules of professional responsibility largely tell lawyers what to do to keep their licenses — or more precisely, the conditions under which lawyers might lose their licenses or otherwise be disciplined. But ethical principles that

A number of NDLS faculty have incorporated ethical issues into their substantive courses and into their scholarship.

Matt Barrett ’82, ’85 J.D., associate professor of law, presented “Ethics for CPAs and Attorneys” at the Indiana Tax Institute in December of 1997, and “Tax Ethics” at the spring 1997 meeting of the Taxation Section of the Indiana State Bar Association. Both presentations highlighted the inherent ethical conflicts that exist in various practical applications of the tax code, and in particular, the concern that the standards for the preparation of returns differ between taxpayers and the professionals who prepare tax returns or advise taxpayers on how to report particular transactions or events.

Professor Barrett’s recently released casebook, ACCOUNTING FOR LAWYERS (Foundation Press, 1998), also introduces professionalism and ethics issues in several different contexts including internal controls, “tone-at-the-top,” financial frauds, income smoothing, the role of accounting and legal professionals in the savings-and-loan crisis, attorney responses to audit-inquiry letters, and the “big bath.”

J. Eric Smithburn, professor of law, has lectured extensively on the subject of antenuptial contracts, including both the practical aspects as well as the ethical aspects of such agreements.

John H. Robinson ’72 M.A., ’75 Ph.D., associate professor of law, has written and lectured extensively on medical ethics, including the highly debated subject of physician-assisted suicide and its interrelationship with alternate care strategies such as pain management and hospice care.

The Notre Dame Law School has been selected by the United States Court of Appeals for the Seventh Circuit as the site of that court’s death-penalty clinic. The focus of the clinic will be to train attorneys to handle death-penalty appeals. The clinic will benefit from the work of the faculty and students of the Center for Civil and Human Rights, who regularly protest executions at the Indiana State Prison at Michigan City as well as from the work of other faculty who are researching, writing and teaching on various aspects of the ethics of the death penalty.

John Garvey ’70, professor of law and one of the nation’s top law-and-religion scholars, has addressed the role that Catholic judges, and by extension Catholic lawyers, should play in capital cases. With Amy Coney ’97 J.D., he published CATHOLIC JUDGES IN CAPITAL CASES in the winter 1998 issue of the MARquette LAW REVIEW, and presented a paper developed from that article at the University of Chicago in the spring.

Rick Garnett, who will join the faculty in the fall of 1999 as an associate professor of law, has been researching the legal ethics of representing a death-row inmate who is “volunteering” for execution or who insists on waiving all appeals, despite possible errors in his case.
guide the profession cannot be reduced to a set of discrete rules. Professional ethics, instead, is a moral philosophy and a way of life for every lawyer.

At this point, it is appropriate to discuss briefly the idea of adversarial ethics, since many lawyers regard such ethics as the principal standards for the profession. But adversarial ethics are like the ethics of war. If a nation must go to war, there should, of course, be rules ensuring a "fair fight." Similarly, if a lawyer is in a situation as an adversary, that professional should represent clients zealously within the bounds of strong rules of adversarial ethics. But adversarial ethics should no more be the guiding principles of lawyering than the ethics of war should be the guiding principles of a nation's diplomacy. The origin of lawyering is in healing and peacemaking. And peacemaking ethics are as important, if not more important, than adversarial ethics.

Consequently, the problems of the legal profession today — characterized by a lack of public trust and lack of personal satisfaction among lawyers — stem from the fact that many in our profession seem to have lost any sense of connection to our origins or to a higher good that can guide our actions. Many have forgotten that we have been called to a learned art to promote justice and peace and the common good.

We've created appropriate rules for battle, and many lawyers have mistaken them for a complete system of ethics. In zealously representing clients, many lawyers have developed a "win-at-all-costs" attitude. Many have forgotten the traditional role of a lawyer as healer and peacemaker.

Legal professionals and legal educators around the country certainly have begun to recognize the problems with our profession. But too often their proposed solutions ignore the root cause of the problem — a collective lack of understanding among lawyers of the ancient origins of our profession. Instead, popular solutions focus only on the symptoms of the problem.

Bar associations attempt to dissuade practitioners from unethical conduct by mandating continuing legal education in ethics. Law schools attempt to train students to recognize and avoid ethical dilemmas by requiring a one-hour course in professional responsibility in which students can discuss the potential practical problems that arise under discrete provisions of various codes of professional responsibility.

But clearly, this approach isn't working. And it isn't working for one very good reason. By treating the symptom instead of the cause, by mandating attendance at programs and courses on professional responsibility, the profession has focused too narrowly on the ethics of battle and too little on ethics as a moral philosophy.

At the Notre Dame Law School, we've been trying something different for more than a century. Farther back than anyone can remember, we were the first and only law school in the country to require courses in legal ethics. To be sure, much of this early commitment to legal ethics can be traced to our institutional grounding in the natural law. We believe that the natural law gives us a framework within which we can evaluate whether human laws are just or unjust, as well as whether our actions under those laws are right or wrong. Solidly grounding our legal education in the Judeo-Christian moral philosophical tradition has served us well, carving for us a unique niche among the nation's law schools.

Today, we still require more ethics courses than any other American law school — three required courses involving a total of five credit-hours. The first-year Ethics I course provides students with background material on ethical decision-making, exposes students to the important role of lawyers as independent counselors to their clients, and introduces students to the concept of justice. The third-year Ethics II...
course and its clinical equivalents focus more on applied ethics and the rules of professional conduct. The required course in jurisprudence examines moral philosophy as the framework within which lawyers make ethical decisions.

In our substantive courses as well, our professors teach not only the law, but also the ethical implications of the law. Scattered throughout these pages are examples of how our faculty have turned substantive courses into fertile ground for examining the ethical issues likely to arise during the course of a typical legal practice. In fact, our efforts have been recognized by the American Bar Association as the most notable example of a law school that has "elevated the twin concepts of the practice of law as a public service calling and the development of the capacity for reflective moral judgment to the same level as legal knowledge and traditional legal schools." And now, we're exploring new ways to build on our natural-law traditions and on our commitment to making ethics a pervasive part of our curriculum, to return law back to its roots as a healing and peacemaking profession.

Our new Institute on Law and Professional Ethics will be a national research facility that will provide a place for scholars to gather, research in-depth, communicate, collaborate and produce seminal scholarship on some of the most urgent moral problems of our times. Note the emphasis on the word moral. This is what will make the NDLS approach to professional ethics different from any other approach. Supported by our roots in the natural law, and firm in our belief that the practice of law is a vocation — a calling from God — we will approach the ethical problems of our profession from our completely different perspective.

The institute will facilitate the study of professional ethics — the ethics of law practice. Through this effort, we hope to restore among the public a sense of trust in the legal profession. While many individual lawyers practice ethically and professionally, a sizeable minority of lawyers engage in

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Professor Tom Shaffer '61 J.D., Robert and Marion Short Professor Emeritus of Law, is counted among a scant handful of the nation's leading legal-ethics scholars. His current research has concentrated on four aspects of what he describes as religious or theological legal ethics.

**Legal Ethics in the Roman Catholic Tradition**

Professor Shaffer's 1995 conversation with Professor Robert E. Rodes Jr., together with Professor Rodes' new book, Piacan Law, have formed the basis for an article Professor Shaffer will publish later this year in volume 74 of the Notre Dame Law Review.

In a similar vein, Professor Shaffer gave the annual Joseph Brennan Lecture at Georgetown University in March 1997 on "Nuclear Weapons, Lethal Injection, and Catholics in America." He is currently working on a version soon to be published.

**Ethics in the Theological Tradition of the Radical Reformation**


He is also completing work on two related essays, Forgiveness Disrupts Legal Order, to be published in the University of Wisconsin magazine Graven Images, and The Radical Reformation and the Politics of Forgiveness, to be published as a chapter in a book on theology and the law.

His article, The Jurisprudence of John Howard Yoder, was recently published in the Journal of Legal Studies, and he is currently working on an article or book comprised of his correspondence with the late professor of theology.

**Legal Ethics in the Work of Walter Brueggemann**

Professor Shaffer has engaged in a long-term project on the work of this Calvinist theologian and major scholar of Hebrew Scripture.

**Christian Legal Ethics and American Liberalism**

The Stanford Law Review has invited Professor Shaffer to contribute to a symposium issue based on a recent book by Professor William Simon. His working title is CAN A CHRISTIAN PACIFIST PURSUE SIMON'S NOTION OF JUSTICE IN AMERICA?
In her Advanced Legal Research course, Research Librarian Lucy Salsbury Payne '88 J.D. includes a component on researching ethics issues that discusses "A Tale of Two Lawyers," a chapter in THE LAWYER'S CALLING: CHRISTIAN FAITH AND LEGAL PRACTICE by Joe Allegretti (Paulist Press, 1996). She teaches students how to use sources that provide answers to ethical questions. She requires her students who prepare research guides on specific areas of the law to include in their work material that anticipates ethical issues that might arise within that specific area of the law. Students also confront some of the ethical questions attendant to legal research including a comparison of billing methods as well as the need for integrity in dealing with clients, colleagues, opponents and the judicial system.

As part of the institutional commitment to professionalism, the NDLS Public-Interest Law Committee is examining ways to educate students about their public-service obligations. The options explored by the committee include specialized courses about practicing law in the public interest or with an eye to social justice, encouraging and rewarding community service by students while in law school as well as by alumni throughout their professional lives, and finding ways to support others who choose to dedicate their lives to public-interest or social-justice law careers.

In reality, almost every legal question involves at least one ethical issue.
almost every legal question involves at least one ethical issue. We become involved in political ethics, medical ethics, business ethics and a seamless web of other moral questions through the course of our everyday practices. Many of these are difficult issues. Through the work of this institute, however, we hope to provide teachers, scholars and practitioners with appropriate tools for discerning and resolving such ethical and moral dilemmas.

The University has agreed to appoint me as the chaired director of this institute — a position that will enable me to continue my exploration of applied legal ethics in this new direction. The institute will also have a membership of fellows, including those NDLS faculty who already specialize in the field of law and ethics, along with ethicists from other disciplines on campus such as theology, philosophy, business and science. Exposing young Notre Dame faculty to these fellows, we believe, will add greatly to the quality of our teaching and research. While spreading the message from NDLS to other law schools as well as attracting top-notch ethicists to permanent positions on the NDLS faculty, we will bring to NDLS a number of visiting scholars who will engage in short- or long-term ethics-based research. A special scholar-in-residence program will bring a top-level scholar to NDLS to both teach our students and engage in research and discourse with other faculty members.

We are developing a grants program to provide seed money for fellows and other Notre Dame faculty exploring law-and-ethics aspects of various subjects. We are also developing a world-class professional-ethics library — to our knowledge, the only resource of its kind — where scholars and practitioners will be able to research all of the authority on professional ethics or on law and ethics. The grant that currently supports the program also provides funds for research assistants, allowing us to expose our law students directly to these important ideas and ideals.

At NDLS, we say that we are “a different kind of law school, educating a different kind of lawyer.” Until now, this mission has directly affected only our own graduates, who practice their art with the understanding that they are called to serve the public good no matter how they choose to engage in their profession. As the work of the institute spreads, however, we are confident that this “different kind of lawyer” label will spread throughout the profession, changing it for the good of us all.

1 Teaching and Learning Professionalism, Report of the Professionalism Committee of the American Bar Association Section of Legal Education and Admissions to the Bar, at 6 (August 1996).

2 Id. at 15.
John Finnis, Biochini Family Professor of Law and the world's foremost natural-law jurisprudence scholar, has been working on a paper entitled “The Lawyer's Duty to Promote the Common Good,” which he presented at a national conference on legal ethics at South Texas Law School in September.

Patrick J. Schiltz, associate professor of law, published Legal Ethics in Decline: The Elite Law Firm, the Elite Law School, and the Moral Formation of the Novice Attorney in the February 1998 edition of the Minnesota Law Review. This particular work focuses on the ethical obligations of law professors and practitioners to guide the moral formation of law students and novice attorneys. It calls for a renewed commitment among law faculty and practicing attorneys to spend time with law students and new attorneys, returning to a time when pressures to publish and pressures to bill astronomically high hours did not figure as prominently in the lives of legal professionals. Professor Schiltz is currently doing some follow-up research on job satisfaction and the physical and mental health of practicing attorneys — particularly those who practice in big law firms — and the impact of these factors on professional ethics.

Cathy Kaveny, associate professor of law, is writing a book on the “doctrine of cooperation,” in which she examines, among other things, whether a lawyer can ever justify acting in a way that helps someone else accomplish a morally impermissible end — for example, whether a lawyer can help someone secure a divorce settlement that is unfair to a spouse.

Research Librarian Lucy Salsbury Payne '88 J.D. is working on a bibliographic essay on teaching ethics by the pervasive method — that is, on teaching ethical norms through substantive courses — with tips for beginning teachers of law. Her essay posits that, in order to achieve success in teaching ethics by the pervasive method, the professor must address what it means to be a good person, not just a good lawyer. In her words, “The emphasis is on helping students anticipate ethical pressures they will face, sort of like you do with your teenager. That is, you will be better prepared to respond to this dilemma in practice if, first, you have already established the ethical contours of your life in terms of what is your underlying motivational force; and second, if you have thought about scenarios that will arise in your areas of practice.”

Many of her source materials go beyond ethics simply as a professional responsibility, and address leadership issues as well as jurisprudential issues.
As healers and peacemakers, attorneys are called upon to help their clients find justice and peace. And in that process, attorneys must often resort to nontraditional methods of resolving disputes.

Many lawyers understand that, while litigation may resolve disputes, it often does not lead to true healing and peace for a client, particularly when considering the costs to the client in terms of money, time and emotional or spiritual well-being. Consequently, to better serve their clients, attorneys are turning in greater numbers to alternative dispute resolution (ADR) processes — defined as all processes used to resolve disputes other than litigation, such as negotiation, mediation and arbitration. And some states, such as Indiana, require attorneys to try mediation before litigation in certain types of disputes.

Through the work of Professor Barbara Fick and others — such as Reverend Bruce Wells '96 J.D., former director of the Notre Dame Mediation Center, and other Notre Dame lawyers who work in their communities as arbitrators or mediators — Notre Dame has developed a reputation as a leader in the ADR community — both in South Bend and beyond.

Now, NDLS has found a new way to bring these ADR processes to lawyers across the country. Through a new affiliation with The Trillium Group, NDLS will provide ADR training to lawyers and non-lawyers throughout the United
States. And NDLS hopes that, just as its affiliation with the National Institute for Trial Advocacy strengthened the Law School's reputation in the area of trial advocacy, deposition and litigation skills, this new affiliation with The Trillium Group will strengthen the Law School's reputation in ADR.

Workshops conducted by The Trillium Group throughout the United States will focus on negotiation skills — that is, skills that attorneys use on a daily basis to help them achieve the results their clients desire — and mediation skills — that is, where a neutral third-party assists parties in dispute to work through their conflicts by helping them negotiate more effectively. Workshops will include a combination of role-plays, exercises, lectures and discussions, and will be led by experienced ADR negotiators and mediators who have conducted ADR workshops around the world. At the conclusion of the workshop, participants will receive a certificate of attendance from the Notre Dame Law School. Continuing Legal Education (CLE) credit will be available in individual states as required by the participants.

The tentative schedule for workshops in 1999 will include cities such as Atlanta, Charlotte, Chicago, Cincinnati, Cleveland, Indianapolis, Nashville, New Orleans, Philadelphia, Phoenix, Pittsburgh, Portland and St. Louis. We hope that all Notre Dame lawyers across the country will welcome the opportunity to develop new dispute resolution skills or hone their talents in this area, and will encourage their colleagues to do the same.

If you receive this magazine regularly, you will also receive notice of any workshops to be held in your geographic area. If you live outside one of these major cities but nevertheless would like information on the workshops and the schedule, please call The Trillium Group at (416) 307-0027.
Sometimes we would count different license plates, sometimes we would play the alphabet game with road signs. But for this trip, my father had a different way to occupy our time together. I was 11 years old. Our family had just returned from a year living in London while my dad taught in the Law School’s London Programme and we were embarking on our long drive home from New York to South Bend. My mother and brother drove in one car and my father and I drove home in a second. Somewhere along the Pennsylvania Turnpike, dad turned to me and asked if I would be willing to tear myself away from my ‘Sweet Valley Twins’ book so that we could have a conversation. I agreed, and found myself listening patiently as my father described to me the plight of dear, old Penny. Penny — from Pennsylvania — had been driving somewhere in Ohio when she suddenly collided with Indy — from Indiana. Poor Penny had sustained some injuries and decided that she had no choice but to take Indy to court. After finishing his story, dad sprung the question: If Penny were to sue Indy, should the trial be in Pennsylvania, Indiana or Ohio? This question was followed by much discussion and debate, but it was not until years later that I realized that this scenario concocted for a bored 11-year-old was based on the concept of personal jurisdiction — the topic of the first several weeks of my father’s Civil Procedure class.

Once a teacher, always a teacher. Although convention has placed him in the classroom, throughout the years my father has succeeded in discovering various methods of educating his daughter as well.

My dad’s father was German and his mother came from the German-speaking part of Switzerland. The combination of his ethnic heritage along with language classes taken in college, has made my dad fluent in German. Consequently, he revels in every opportunity to speak in his parents’ native tongue. In 1994, for example, he accepted a visiting professorship at the law school of the University of Innsbruck for two months, and was thrilled, not only to be
able to live in a charming Austrian city, but also to use and to hone his German skills. He thoroughly enjoyed his two-month stay, and upon his return to South Bend, was eager to continue with the language. With the installation of the Internet on our home computer came the thrill of getting on-line and reading Der Zeitung, a prominent German newspaper.

By watching him, I felt his enthusiasm — not only because he had succeeded in becoming bilingual, but also because this skill enabled him to strengthen his ties to his parents and their homeland. This enthusiasm inspired me to pursue German as well. So after my freshman year of high school, I studied German in addition to French, the language I had already studied for several years. Due to scheduling conflicts, I couldn’t take the first-year class. The teacher agreed, however, that because I already had a language background in French, the teacher agreed, however, that because I already had a language background in French, the second-year class — provided I spend time during my summer reviewing basic German grammar and vocabulary. For such a task I needed a teacher. Luckily enough, I already had one in residence. Twice a week, for that whole summer, my father and I sat down together with my German textbook. We would review the designated lessons — and he would throw in some of his own. The work was not difficult, but it required much patience on both of our parts. I was forced to repeat the same sound until my lips hurt, and he had to deal with me whining for him to hurry up! — not words in my father’s vocabulary — so that I could go out with my friends.

Despite minor frustrations, we made it through that summer. But even with two additional years of formal German classes prior to graduation, I credit his teaching for the majority of the linguistic knowledge that I have today. What I didn’t realize at the advent of my instruction, however, was that his lessons were not free. The price I would pay for his many words of wisdom was relegation to a daily dose of German conversation for the rest of my life. When I was in high school and still enrolled in the class, he would speak to me in German and not allow an English response — much to my dismay and often embarrassment, as my dad seems to have no regard for discretion in public places. Even now, I have become out of high school for almost a year and a half, I continue the tutorial. And although I answer him in English, he continues to rattle on in German whenever he feels so inspired.

Although he doesn’t give himself much credit for his ability to master a foreign language, he does enjoy talking about his ability to zip around a squash court in his (self-proclaimed) “old age.” Though he isn’t exactly what I would call a “natural athlete,” I don’t hesitate to recognize that he does indeed have squash skills. These, unfortunately, are not coupled with humility. I can recall many times he has come home bragging about being a “50-year-old man beating 23-year-old law students who had played squash in college.” As has been the pattern with many of his other passions in life, last year my father decided that it was time I learned his favorite game — especially before I went off to school on the east coast.

For so one week, I traded in my tennis racket for a squash racket, and went with dad to the Joyce Center for private lessons. My father doesn’t limit his agenda of what to teach me simply to sharing some of his talents. Because the two of us both spent this past summer at the Law School, we had time for a number of father-daughter lunches, during which I had the privilege of learning the intricate details of the stock market, discussing the impeachment of federal officers throughout our country’s 200-year history, receiving daily updates on the fighting in Kosovo, and much, much more.

I taught him how to drive (or so he thinks), taught him to appreciate all foreign cuisine, and taught him that it’s not a good idea to sing if you’re tone-deaf.

The most important thing that I learned from my father, however, is something that he never made a point to teach me — the importance of family and togetherness. Growing up, I observed both my dad and his dad trace the generations of our family. I loved to see the way that my father interacted with his parents, the respect he paid them and the care he had for them. I was intrigued at the way my dad and grandpa — both first-born sons — would fast together on the first morning of Passover each year. My grandfather reverently observed the traditions of his Jewish faith, and I loved to see the continuation of those traditions throughout generations — especially the traditions emphasizing family togetherness.

And those traditions continue today. Although we each lead busy lives, my parents, my brother and I still try our hardest to come together around the dinner table on Friday nights to observe the Sabbath. For as long as I can remember, we have reserved each Sunday for Bauer Family Dinner night, and the four of us take turns choosing a favorite restaurant each week. It is occasions like these — times taken out of our individual lives to come together as a family — that have had such a great impact on me. These are traditions that I hope to continue when I have a family of my own some day.

At one point this past summer, I had an assignment at work that involved my contacting an alumna of the Law School via e-mail. Upon seeing my last name, she asked me if I were any relation to Professor Bauer. When I answered that he was my father, she sent me a reply that made me realize just how special he is. She said, “Joe Bauer was (and probably still is!) one of the finest teachers I ever had. He taught me [civil] procedure. It is rare to find someone who is technically proficient but also has a real gift for communicating that knowledge to students. He also gave us the feeling that he cared about us. He was absolutely wonderful. I know you’re proud.” And she was right. Not only am I proud of the way he has taught and still teaches his students, but I’m especially proud of the way he has taught and continues to teach me.

On October 30, he presented “Accounting for Contingencies: Legal and Reporting Considerations — Trick or Treat?” to the University’s Accountancy Advisory Board.

He also has been elected the Law School’s representative to the University’s Faculty Board on Athletics.

• JOSEPH P. BAUER made an invited presentation based on a forthcoming article entitled The Erie Doctrine Revisited: Does a Conflicts Perspective Aid the Analysis? to a faculty colloquium at Seton Hall Law School in October.

• G. ROBERT BLAKEY ’57, ’60 J.D. continues his work on applying RICO statutes to tobacco litigation. In Florida and Texas, he helped the attorneys general design their successful RICO suits against the tobacco industry, which settled at the billion-dollar level. A recent ABA JOURNAL article discussing legal fees in that litigation prominently featured Professor Blakey.

He has also participated in several cases involving the Tift-Harley Act, which provides health and welfare benefits to workers throughout the nation. Some 80 lawsuits have been filed to recover for smoking-related medical costs. Professor Blakey has argued on behalf of distributing the funds in Texas, Ohio, New Jersey, Kentucky and New Mexico. His arguments succeeded in New Jersey and Ohio, but in Texas, Judge Thad Hartsfield rejected Professor Blakey’s federal RICO arguments; the decision will now be appealed to the Fifth Circuit.

In July, Professor Blakey testified before the House Committee on the Judiciary, Subcommittee on Crime, concerning proposed amendments to RICO. He argued United States v. Lynch before the Second Circuit in September. The case involved double-jeopardy issues: a trial-court judge had found not guilty of criminal contempt two individuals who prayed in front of an abortion clinic in violation of an earlier order issued by that same judge. The United States government appealed the “not guilty” verdict, claiming that the judge “should have” found the two guilty. Professor Blakey nevertheless argued that once the fact-finder found the two not guilty, the prosecution ended and the government had no right to appeal. Professor Blakey awaits the results of that case.

He also argued Humana, Inc. v. Fortyth, a case that addresses whether the McCarran-Ferguson Act, which deals with the relationship between state and federal laws covering the business of insurance, pre-empts civil RICO.

Professor Blakey spent most of the summer in Tucson, Arizona, reaching federal criminal law at the University of Arizona Law School.

• THE HONORABLE SANFORD M. BROOK, adjunct associate professor in the NDL’s trial-advocacy program, has been appointed by Indiana Governor Frank O’Bannon to the Indiana Court of Appeals. A South Bend native, Judge Brook has served on the St. Joseph County (Indiana) Superior Court since 1987.

He served on the faculty of a one-day workshop entitled “Mastering Indiana Evidence,” sponsored by the National Institute for Trial Advocacy in Indianapolis in September.

• PAOLO CAROZZA participated in a panel discussion on the topic, “Can Lawyers Get Into Heaven?: Doing Peace and Justice Work in the Legal Profession,” sponsored by the University’s Joan B. Kroc Institute for International Peace Studies in September. Provost Nathan O. Hatch has appointed Professor Carozza a fellow of the University’s Nanovic Institute for European Studies.

• BARBARA J. FICK taught a three-day seminar on “International Labor Standards and Worker Rights” to trade-union leaders in Sarajevo, Bosnia, and Tuzla, Bosnia, in August, through a program funded by the American Center for International Labor Solidarity.


She has also been elected to represent the Law School faculty on the University Grievance Committee.

• JOHN GARVEY ’70 participated in the Fall ’98 Continuing Legal Education program in October, speaking on the “Ethical Obligations of Catholic Judges and Lawyers in Death-Penalty Cases.”

• JIMMY GURULE took part in a September 13, 1998, panel discussion hosted by USA Today to discuss the Starr Report. Other participants included: Reverend Robert Drinan, S.J., former Democratic congressman from Massachusetts and now with the Georgetown University Law Center; Michael Gerhardt, professor of law at William & Mary Law School; and David Stewart, former impeachment lawyer and partner in the Washington, D.C., law firm of Ropes & Gray. Highlights from that discussion appeared in a full-page article in the September 14, 1998, edition of USA Today.

In October, he delivered an invited lecture “The 1988 UN. Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances — A Ten-Year Perspective: Is International Cooperation
Merely Illusory?" to the faculty at the University of Kentucky Law School. His article of the same title has been accepted for publication in the FORDHAM INTERNATIONAL LAW JOURNAL.

He also published a 180-page supplement to his book on complex criminal litigation entitled 1998 COMPREHENSIVE SUPPLEMENT TO COMPLEX CRIMINAL LITIGATION: PROSECUTING DRUG ENTERPRISES AND ORGANIZED CRIME (LEXIS Law Publishing).

L. KENT HULL, adjunct associate professor of law and an attorney with the Legal Services Program of Northern Indiana, served on the faculty of a program entitled "Recent Developments in Long Term Care" sponsored by the Indiana Continuing Legal Education Forum in Indianapolis in June.

ROGER F. JACOBS was honored by the Canadian Association of Law Libraries/Association Canadienne des Bibliothèques de Droit at its 35th annual meeting held in Hamilton, Ontario, this spring. While serving as director of the University of Windsor Faculty of Law Library, Dean Jacobs was instrumental in moving the Canadians from a regional chapter of the American Association of Law Libraries to an independent national association that, today, has almost 500 active members and has become a major force in the development, delivery and preservation of legal information across Canada.

CATHY KA VENY published Older: Women and Health Care in the magazine AMERICA, and Managed Care, Assisted Suicide, and Vulnerable Populations in the NOTRE DAME LAW REVIEW.

WILLIAM KELLEY worked with Independent Counsel Kenneth Starr over the summer, helping on briefs and with moot courts. He participated in a panel discussion on the topic, "Can Lawyers Get Into Heaven:" Doing Peace and Justice "Work in the Legal Profession." sponsored by the University's Joan B. Kroc Institute for International Peace Studies in September. He also participated in the Fall '98 Continuing Legal Education program in November, speaking on the "Ethical Obligations of a Government Lawyer in a Criminal Investigation."

DOUGLAS W. KMIPEC appeared on Ted Koppel's "Nightline" program on ABC Television on September 23, 1998, addressing "Grounds for Presidential Impeachment." He spoke on the same topic on CNBC Television on October 16, 1998. He has also co-authored with Stephen B. Presser, Raoul Berger Professor of Legal History at Northwestern University, three new books on the American Constitution. Published this fall by Anderson Publishing, each book provides an appraisal of modern constitutional development from historical and natural law perspectives.

The first volume, THE HISTORY, PHILOSOPHY AND STRUCTURE OF THE AMERICAN CONSTITUTION, begins with the continuing search for universal truth from Aristotle to Cicero to Augustine and Aquinas, and explores how the work of these writers became a part of the American tradition, especially in the structural features of the Constitution such as the separation of powers and federalism. The second book, INDIVIDUAL RIGHTS AND THE AMERICAN CONSTITUTION, begins with America's first freedom — the protection of vested rights of property and contract, speech, and guarantees of procedural due process. It concludes with constitutional and moral considerations dealing with the unalienable right to life, and includes discussions of Catholic social teaching in notes and analyses on the questions of family rights, abortion and assisted suicide. The third volume, THE AMERICAN CONSTITUTIONAL ORDER, combines elements of the first two books in an effort to provide teachers involved in the instruction of fundamental constitutional jurisprudence with a single volume containing structural as well as rights-based approaches.

DONALD P. KOMMERS delivered an address entitled "Kann das Deutsche Verfassungsrechtsdenken Vorbild für die Vereinigten Staaten sein?" — "Can German Constitutionalism Serve as a Model for the United States?" — at Heidelberg University in Germany in July.

GARTH MEINTJES '91 LL.M. participated in the Fall '98 Continuing Legal Education program in November, speaking on the "Ethical Obligations of All Attorneys to Incorporate the Universal Declaration of Human Rights into Their Work," in honor of the 50th anniversary of the adoption of that declaration.

LUCY SALSBURY PAYNE '88 J.D. participated in the Fall '98 Continuing Legal Education program in September, speaking on the "Ethics of Legal Research."

TERESA GODWIN PHELPS '73, '75 M.A., '80 PH.D. hosted a colloquium on Legal Discourse for legal-writing teachers on campus in July. Professor Phelps intended the colloquium to provide legal-writing teachers from other law schools with an intensive week of immersion in the substantive nature of legal writing. The 25 participants left with ideas to enrich their own teaching as well as with valuable ideas for their own writing and research. Professor Phelps presented a talk on "Theories of Legal Interpretation." Other speakers included Professor Linda Flower of the Rhetoric Program at Carnegie Mellon speaking on "Rhetoric and Inquiry"; Professor Lisa Ede of the Department of English at Oregon State speaking on "Collaborative Writing and the Concept of Authorship"; Professor Martha Nussbaum of the University of Chicago Law School speaking on "Narrative and the Law"; NDLS Professor Emeritus Tom Shaffer speaking on "On Teaching Legal Ethics With Stories"; and Professor L.H. LaRue of the Washington & Lee Law School speaking on "Writing and Jurisprudence."

She also presented a paper entitled "Empowering Your Legal Writing Students" at the bimetal conference of the Legal Writing Institute in Ann Arbor, Michigan, in June.
• PATRICK J. SCHILTZ participated in the Fall '98 Continuing Legal Education program in October, speaking on "Shaping Novice Lawyers into Ethical Practitioners."

• THOMAS L. SHAFFER ’61 J.D. published The Jurisprudence of John Howard Yoder in THE LEGAL STUDIES FORUM; Stories of Legal Order in American Business in THE MORAL IMAGINATION, a book edited by Reverend Oliver F. Williams, C.S.C., and published by the University of Notre Dame Press; and The Christian Jurisprudence of Robert E. Reder, Jr. in the NOTRE DAME LAW REVIEW.

He participated in the colloquium on Legal Discourse hosted by NDLS Professor Teresa Godwin Phelps on campus in July, speaking on "On Teaching Legal Ethics With Stories."

• DINAH SHELTON served as the keynote speaker at the Workshop on Multilateral Agreements Related to Biological Diversity held in Kushiro, Japan, in September. Sponsored by the United Nations Institute for Training and Research, the workshop included 50 government representatives from 35 Asian-Pacific countries. She also spoke on public participation and indigenous rights in regard to environmental protection at a symposium on Environmental Protection and Sustainable Development in Tokyo, Japan, in September.

• TOM SINGER, adjunct associate professor of law, served on the faculty of a one-day workshop entitled "Mastering Indicia of Juvenile and Family Law of the National Council of Juvenile and Family Court Judges" at the University of Nevada-Reno in October. Professor Smithburn designed the program, which incorporates the latest evidentiary developments affecting juvenile and family courts. The program targeted judges with juvenile or family court jurisdiction, commissioners, masters, hearing officers, referees and other judicial officers.

He also served on the planning committee for Youth, Justice and Citizenship Week in St. Joseph County, Indiana. He presented lectures on "Child Welfare Law in Indiana" at the St. Joseph County Juvenile Justice Center (JFC) in October. As part of that program, students in his Juvenile Law class performed a mock trial on juvenile delinquency at the JFC open house.

• JOSEPH W. THOMAS, associate librarian and head of technical services, chaired the Technical Services Special Interest Section Education Committee Meeting and 1998-99 Executive Board Meeting. He spoke at the section's business meeting as incoming chair, and led a roundtable discussion attended by heads of technical services at law libraries nationwide at the annual meeting of the American Association of Law Libraries in Anaheim, California, in July.

• JAY TIDMARSH ’79 published Complex Litigation and the Adversary System with Roger H. Transcript of George Washington University Law School (Fountain Press). He considers the comments and patience of his former students, who had used earlier drafts of the book, "invaluable in completing the case book."

• BRUCE WELLS ’96 J.D., who directed the Mediation Clinic, spoke on "The Practice of Mediation" to a class in Psychology and the Law at Saint Mary’s College. He has also been elected chair of the Michiana Association of Mediators, a local chapter of the Indiana Association of Mediators that works to promote the professional development of mediation in the Michiana area and to provide educational opportunities for mediators.
NDLS Faculty Trivia

1. Who worked as a cowboy and garbage collector before attending law school?
2. Who collects autographs from deceased members of the Baseball Hall of Fame and likes professional wrestling?
3. Who has expert knowledge of 1970s sitcoms, especially “The Brady Bunch”?
4. Who home-brews beer?
5. Who used to play guitar in a blues band?
6. Who used to fly a small, private plane?
7. Who flies model airplanes?
8. Who volunteers as an auctioneer for various charitable and educational institutions?
9. Who loves roller-coasters?
10. Who once accompanied Frankie Avalon on the piano?

a. Patrick J. Schiltz
b. Tex Dutile
c. Nicole Stelle Garnett
d. M. Cathleen Kaveny
e. Alan Gunn
f. J. Eric Smithburn
g. Joseph P. Bauer
h. Richard W. Garnett
i. Dean David T. Link
j. John Garvey

How well do you know our faculty? Can you match the NDLS faculty member with an interesting fact from that individual’s life?
any of us find ourselves devoted to one thing or another at some point in our lives — spouse and family, career or profession, prayer and religion, or perhaps alma mater. For many of us, these devotions shift and change as we grow and mature and accept the new responsibilities, challenges and gifts that God presents to us. And at times, many of us may find it difficult to keep alive even one of these devotions as we try to live our busy and complicated lives.

But Lancaster “Lank” Smith ’50 J.D. makes devotion look easy. An adoring husband (widowed now after nearly 45 years of marriage to “the prettiest girl [he’d] ever seen”), proud father of 10 sons and one daughter, former Notre Dame football great, and successful Dallas-area attorney, Mr. Smith loves everything important in life with an inspiringly reverent joy.

Clearly, his capacity for such devotion has its roots in his grade-school days in the 1930s with the Lorettine sisters at St. Augustine’s Elementary School in Lebanon, Kentucky. The sisters taught him, very simply, to pray for what he wanted — three rosaries a day for nine consecutive days, followed by three rosaries a day for nine more days in anticipation of receiving the gift and in thanksgiving. The sisters said that God would answer his prayers if he requested something meaningful — something God agreed he should receive.

Mr. Smith’s first test of the sisters’ advice resulted in a pony. But even as a kid, he realized that he had to combine his prayers with preparation. He earned that pony by helping his father, expert horseman William Lancaster Smith, care for the saddle horses the elder Mr. Smith took to area county fairs. And Lank Smith never forgot to express gratitude for prayers answered — through the “required” prayers of thanksgiving, as well as, and perhaps more importantly, through devotion to and care for the gifts he received.

Lank Smith never forgot to express gratitude for prayers answered — through the “required” prayers of thanksgiving, as well as, and perhaps more importantly, through devotion to and care for the gifts he received.
Like many Catholic youths in the 1930s, Mr. Smith loved Notre Dame football, and prayed his rosaries for the chance to attend the University. Again, God answered his prayers. He hitchhiked to campus, arriving in the fall of 1942, and financed his education with $1,000 his father had borrowed from a local bank and with income from two campus jobs, in the cafeteria and in the office of Reverend J. Leonard Carrico, C.S.C., then director of studies.

He interrupted his studies to volunteer with the U.S. Army Air Force at the start of World War II, but returned to Notre Dame in 1946 to complete his education.

Mr. Smith says that when he first set foot on campus after his trek from Kentucky, he prayed for three things: "that I would do well in school; that I wouldn't get hurt in football; and that I would meet the right girl." God answered all of those prayers as well.

Lank Smith certainly did well in school. He liked his professors, he listened to them, he absorbed what they had to tell him and he did well academically. He recalls with fondness Professor W.D. Rollison, a tall, grey-haired, courtly southern gentleman who taught torts and who personified "all that ever was meant by the term 'the reasonable prudent man.'" He remembers Professor Elton Richter, with the bearing and looks of an all-pro tackle, who taught contracts. Professor Richter 'owned' a coal business in South Bend, and so his lectures sometimes were spiced with advice that came not entirely from the books. A serious and most fair man, he could fill the room with his laughter that came sometimes in a roar." Mr. Smith, a southern gentleman himself, took what he learned in the classroom from these inspiring teachers, and incorporated it into his law practice. "In practice, when I drafted any contract, I was always inclined to ask myself, 'What would a coal dealer do in a case like this?'"

And he has always been thankful for his Notre Dame education — an undergraduate degree and a law degree both earned in 1950. He has continued to serve his alma mater with devotion — as a devoted son of Notre Dame, Mr. Smith became involved in the Notre Dame Club of Dallas after graduation, earning "Man of the Year" honors in 1954 and serving as the club's president in 1958; as an elected member of the University's national Alumni Association board of directors in 1963; and as the alumni board's president in 1965-66.

Lank Smith didn't get hurt playing football. A walk-on to legendary coach Frank Leahy's freshman team in 1941, he played alongside future Heisman Trophy winner Johnny Lujack and College Football Hall-of-Famer Emil Sitko. After leaving the service in 1946, he turned down the opportunity to play football at Kentucky for Paul "Bear" Bryant, preferring instead to return to Notre Dame to play football where his
of Coach Leahy's undefeated teams — the
arship, and played defensive safety on three
career, and played defensive safety on three
career, and played defensive safety on three
championship, and the 1948 team that fin-
ished second behind Michigan.

Lank Smith did "meet the right girl" —
Jacquelyn Hillbert, daughter of a prominent
South Bend physician. A classmate of Mr.
Smith, Jim Miller, worked as a lifeguard at
the South Bend Country Club. One week-
end, Mr. Miller told Mr. Smith that he was
really interested in dating this beautiful girl
who came to the pool nearly every Saturday
that summer of 1947. Miller asked Smith if
he would like to meet the girl's sister, and
set up a double date. Jackie Hillbert so im-
pressed Lank Smith upon their first meeting
that he knew she was the one for him. He
proposed to her inside the Log Chapel on
campus in March 1948, and they married in
St. Patrick's Church in South Bend that
June.

Jackie Smith passed away in January
1993, just a half-year shy of their 45th wed-
ding anniversary. Her husband certainly
misses her, but he has never stopped thank-
ing God for the gift of his wife. Every day
he is in Dallas, he visits her crypt. He con-
tinues their daily practice of walking for an
hour, saying the rosary — something they
began after Mrs. Smith recovered from a
terrible illness. He has established a memo-
rinal to her on campus, funding the installa-
tion of a bench outside the Log Chapel,
inscribed: "In loving memory of my won-
derful wife and a heavenly mother,
Jacquelyn Ann Smith, The Lancaster Smith
Family; engaged March 24, 1946." It stands
today as a permanent tribute to lifelong love
and in thanksgiving for a most precious gift.
Lank Smith certainly has been blessed
in other ways as well. He and his wife
raised 11 children. Four sons attended
Notre Dame as undergraduates, and three
sons practiced law — two with their father at
Smith, Smith and Smith, an insurance-
defense firm in Dallas. His large family has
presented him with some lifelong chal-
enges, however. His first child was born
during his last year at NDLS. One son
died several weeks after birth. His youngest
son has Down's Syndrome. At one point, the
Smiths had six children in college at the
same time. But Mr. Smith never looked
upon these circumstances as anything but a
blessing. "The great thing about it was,
things always got better and better and
better. God has been so good to us."

Mr. Smith's legal career flourished as
well, after a brief detour as a football coach.
Upon graduation from NDLS, he accepted
a position coaching football at Jesuit High
School in Dallas; his 1954 team won the
coveted Texas state championship and his
1955 team finished second. But he also
practiced law part-time during the sum-
mers, working for the Dallas assistant dis-
trict attorney handling misdemeanors in
1954, moving to the handling of felonies
in 1955.

He turned down several offers to coach
at the college level, including one at Notre
Dame, and a pro coaching offer from the
Baltimore Colts. Soon he realized that he
had to make a decision — he either had to
move up in the coaching ranks, or leave
coaching entirely and concentrate on his
legal career. Not wanting to leave Dallas, a
city he and his wife had grown to love, Mr.
Smith gave up football in 1956, and for
nearly 40 years, until Mrs. Smith's death, he
engaged in active law practice in Dallas.

His successes in the courtroom mir-
rored his successes on the gridiron — like
Coach Leahy's teams that won 39 consecu-
tive games during his playing days, Mr.
Smith won his first 39 trials. His disci-
plined approach to football, which kept him
free from serious injury, served him well in
his practice. He notes, "Every case I tried,
I felt I was better prepared than anybody
I ever went against, especially on facts. I
loved the competitive part of trying
lawsuits."

That preparation manifested itself in a
string of courtroom victories that included
several high-profile cases with extensive media coverage, and several cases that resulted in one-of-a-kind verdicts or largest-ever settlements of a particular type in the state of Texas. He boasts a 35-year unbroken string of victories for Chubb & Sons Insurance — a string that his law-partner sons Scott and Pat continue today.

Mr. Smith never forgot to be thankful for his professional successes, which he attributes to the preparation he received at Notre Dame. Last year, he established the Smith-Doheny Legal Ethics Award at NDLS, which honors student scholarship in the field of legal ethics. He established the award in memory of his wife, as well as in memory of Monsignor William Doheny, who taught legal ethics at Notre Dame and who gave religious instruction to Mrs. Smith and baptized her a Catholic before they married.

The award provides for two prizes — a $500 prize to the Notre Dame law student with the best paper on the subject of legal ethics, and a $1,000 prize to the winner of a national legal ethics writing competition sponsored by NDLS. The winners' names are engraved on a plaque outside room 112, which is where Monsignor Doheny taught. The winners' names are engraved on a plaque outside room 112, which is where Monsignor Doheny taught. The winners' names are engraved on a plaque outside room 112, which is where Monsignor Doheny taught.

When asked about the inspiration for the award, Mr. Smith first mentions his desire to honor his wife and Monsignor Doheny. In particular, Monsignor Doheny's class had an impact on him for many years. "Something about that class kept tapping me in the back of the head for years and years, and I finally found a way to thank Notre Dame for my education and honor the monsignor for his work." Mr. Smith sees the importance of returning ethics into law practice, and wants to see Notre Dame as the leader in that reform — much as Notre Dame led the way back in 1948 with its compulsory legal ethics class. When he approached Dean Link with his idea, the dean pronounced the award "a perfect fit with what we're trying to do here — that is, in becoming the leadership institution for the study of law and ethics."

Mr. Smith's life clearly has evolved from his days helping his father tend horses, to playing Notre Dame football on those amazing late-1940s teams, to becoming a husband and father, to establishing his successful law practice in Dallas. But he has never wavered in his devotions — to his faith, to his wife and family, to his profession and to his alma mater. The many blessings he has received stand as testimony to the power of faithful prayer — both as sincere supplication and as joyful thanksgiving. He stands as the perfect example of how it is possible to be a man of faith, a Christian gentleman and a successful lawyer.
This year, Grand Rapids, Michigan, attorney Jim Flickinger ‘71 J.D. will take a couple of trips to Europe and South America, and will have an extended lunch once a week in a downtown Grand Rapids park with some friends. To many lawyers with busy lives, this sounds like an ideal plan for relaxation and fun.

But Jim Flickinger doesn’t travel abroad for rest and relaxation. And he doesn’t take two-and-a-half hours out of his workday every Tuesday because he likes to eat his lunch on a park bench. Rather, these activities are his way of helping out those in need — whether in his own backyard or halfway around the world.

He takes medical supplies to war-torn Bosnia, funds a school and visits lepers in the poverty-stricken Amazon jungles of

BY CATHY PIERONEK ‘84, ‘95 J.D.
DIRECTOR, LAW SCHOOL RELATIONS
Brazil and shares hot dogs and chili with those living on the streets of Grand Rapids. More than just bringing the necessities of life to those in need, he shares his life with them as much as he shares in their lives. More than just providing physical help, he provides spiritual nourishment to those whose lives seem to many, to be utterly hopeless because of war, poverty, or physical or mental illnesses. More than just healing the problems of their bodies, he helps heal the problems of their spirits.

Mr. Flickinger's early life and the beginnings of his career resemble the path of many Notre Dame lawyers. Born in Grand Rapids, his family moved north to Traverse City when he was young, and he attended both grade school and high school there. He moved back to Grand Rapids to attend Aquinas College in the mid-1960s, and from there went directly to the Notre Dame Law School. He graduated among the top of his class, and served as editor-in-chief of the law review. After graduation, he returned to Grand Rapids as an associate with a large law firm, and eight years later established his own firm. Today, Flickinger & Plachta is a thriving practice specializing in business law, estate planning and real-estate transactions.

He says that he has always actively participated in community-service work. Among other things, he has shared in the community-service work of the Notre Dame Club of Grand Rapids and has worked with Habitat for Humanity. But his interest in helping others intensified — to global proportions, actually — in the early 1990s when war broke out in Bosnia. He had the opportunity to participate in a program to send medical supplies to hospitals and refugee camps. With several others, he collected a quarter-million-dollars' worth of medical supplies — enough to fill a semi-truck. The shipment, which included supplies donated by hospitals, pharmaceutical companies and X-ray supply companies, completely overwhelmed the recipients in Bosnia. When he realized that the shipment might not reach those who needed it most, Mr. Flickinger traveled to Bosnia himself to distribute the supplies.

He has made 14 such trips since the early 1990s, ensuring that every shipment of supplies has arrived safely at its destination. He is also understandably proud of the fact that all cash donations to the 501(c)(3) entity he established, Bright Light, Inc., have been used to purchase medical supplies — not a penny has been diverted to administrative costs.

He has a lot of stories about his Bosnian adventures. The scarier moments include driving through the streets of Sarajevo amidst gunfire to deliver a donation of five vans and an ambulance. He comments matter-of-factly, "You realize right then that you could lose your life doing this. But then you also realize that if you succeed, you will save lives."

The sweeter moments occur on a smaller scale — like when he visits a refugee camp and the people come streaming out asking him to hug them and talk to them. He believes that he's the only person who comes to visit these refugees just to talk to them, to give hope to their spirits.

The more spiritual moments come as well. In March of this year, he took a Catholic priest with him on his visit to Bosnia. The priest said Mass for a throng of people, most of whom had not been able to attend a Mass in over two years. He works with people on all sides of the conflict. When in Sarajevo, he stays
with a Muslim soldier and his wife, a doctor who has visited with the Flickinger family on their travels to the United States. In other parts of the country, he stays with Croatian families.

Jim Flickinger notes one of the more remarkable things about his visits is that, when he talks to the people who have been victimized by the conflict, they all want to work together toward peace, no matter what their nationality. And he is able to encourage them to work together. One of his most successful projects involved the construction of a playground in a section of Sarajevo accessible to members of all three ethnic/religious groups. The area, called the "front line," had been littered with land-mines, but members of all three national groups came together to clear the area for the children. He hopes that this park will help keep the peace. "Children are often quicker to forgive and forget than we adults are. But we've also provided park benches and picnic tables for the adults to congregate — so that they can find a way to forgive each other as well."

His most recent visit to Bosnia this fall again ensured that the much-needed medical supplies have reached their proper destinations. But the visit also helped him to continue the work he has done in bringing together all sides in this conflict, and helped him to maintain the personal connections he has made with the individuals he encounters.

President Bill Clinton invited Mr. Flickinger to the White House in December 1996, to honor him for his work as an outstanding humanitarian, and to discuss with him the situation in Bosnia from a non-governmental perspective. After a conversation with President and Mrs. Clinton that lasted almost an hour, Mr. Flickinger got the sense that the president understood what so many diplomats and the press have failed to understand about that conflict — that the people themselves want peace.

Shortly thereafter, the president ordered troops into Bosnia to help sustain the peace. For many, an effort of this magnitude seems unimaginable. For Jim Flickinger, it was only the beginning. In 1994, a client who had been corresponding for nearly two decades with a priest in the Amazon jungles of Brazil told Mr. Flickinger that this priest expressed a desperate need for clothing for the children who attended his school. Mr. Flickinger told the client that he'd take a trip to Brazil to see the situation for himself and to see how he could help.

When he arrived, he encountered poverty like he'd never seen before. He recalls the atrocious conditions: "Fifteen to 30 people living in a shack no bigger than a one-car garage, sleeping on hammocks hung in all directions, with raw sewage flowing underneath" the ramshackle structures. He found small children who were so poor and hungry they couldn't learn — children who, unable to count and unable to learn colors, could not attend Brazil's schools and pull themselves out of poverty. He found older children who sniffed glue to kill severe hunger pangs or who sold themselves into prostitution for food.

He found his client's priest-friend, who had started a school for these desperately impoverished children, to educate them sufficiently to move them into the Brazilian school system, from which they could secure good jobs. The priest taught those children reading, writing, arithmetic, gardening and hygiene. He educated and fed all 250 students with the help of a staff of 12 teachers, gardeners and cooks. The school cost $30,000 per year to run. A German man had been sending $10,000 per year, but when he decided to become a missionary, that source of financing dried up. The Brazilian government had contributed $15,000 per year for a number of years, but recently had inexplicably and abruptly discontinued the funding.

When Jim Flickinger arrived in Brazil, the school had $5,000 in its bank account and was preparing to close after two more months when the money ran out. Mr. Flickinger immediately guaranteed the priest the $25,000 needed to keep the school open another year. Upon his return to Grand Rapids, he found a number of sponsors who have since donated enough money to keep that school open and to fund another school. Now, the priest can feed and educate 475 young children each year. Seventy-five percent of those children matriculate to the Brazilian school system and break the cycle of poverty into which they were born. One hundred percent of the funds collected go into a bank account in Michigan, and the priest can write checks directly off the account, eliminating all administrative costs.

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Jim Flickinger. Through that same priest, person. "I learned that many of these people person he met "had no face:' But instead of dealing with that individual as a person with a disease, Mr. Flickinger dealt with him as a person. "A lot of professionals in downtown Grand Rapids would just as soon walk around the Veterans Memorial Park rather than walk through it, not knowing what they might encounter. We went to the park that Tuesday in July 1996 not knowing what we would encounter either. We set up a folding table and a camp stove, and started cooking hot dogs. People wandered by to see what we were up to, and we invited them to lunch. We started talking to them, and by the end of lunch told them that we'd be back the following Tuesday. We figured it would taper off by winter, but the group just kept growing. We've never missed a Tuesday.'

Mr. Flickinger describes his role in the Tuesday lunches — which have attracted a growing number of regulars, both volunteers and patrons — as mingling. "I like to spend time just talking to people. During the fall, we talk about Notre Dame football. At other times, someone will ask me to pray with him or her. And sometimes, we find ways to help these people out of their desperate circumstances:' He's found alcohol and drug rehabilitation treatment for some, a way out of prostitution for others and jobs for still others. Last year, he brought a group from the park to Notre Dame for a tour and lunch. In June, he took others on a fishing trip. And sometimes, apart from Tuesdays, he arranges ice-cream socials, pizza dinners and movie-watching parties. People in his own backyard and half-way around the world have come to depend on the food and other necessities of life he and the other volunteers provide. But what's most interesting to Jim Flickinger is that, whether he's in Bosnia or the Amazon or a downtown Grand Rapids park, people everywhere want the same thing — someone to spend time with them, someone to help them and someone to give them hope by showing that someone cares about them.

Jim Flickinger has invested a great deal of time in his efforts to help others — time away from his thriving practice and time away from his family. But when asked how he manages to achieve everything he's done and still maintain some balance in his life, he responds in a matter-of-fact manner. "The Tuesday lunches are scheduled on the calendar every week from 11:30 a.m. to 2 p.m. We don't lose any clients because we can't meet with them during that time. We just schedule around that commitment:' And those trips to Bosnia and South America? He schedules those just like any other professional commitment or vacation. "Many lawyers take four weeks of vacation a year. I take three of those abroad, and spend the fourth week on a family vacation:" He'd like to have more vacation time with his wife, Lois, and their five children, but the close-knit family makes special efforts to spend a lot of weekend time together.

He began his work because he wanted to give something of himself to help others. But, he acknowledges, he has gotten so much more back in return. The people he helps 'certainly appreciate the material goods that I provide. But what is even more significant is that they truly appreciate the time I spend with them. The love that radiates from these people is overpowering.' Mr. Flickinger has also learned that the people he helps want to give something back to him. So, he asks them to pray for him. He attends Mass every day and prays for those he helps as well. But he is awestruck at the thought of so many people worldwide who have promised to pray for him. "I truly need their prayers, and I am truly grateful for all that they have brought into my life:'

Jim Flickinger nurtures life among the less fortunate. He feeds and clothes their bodies. He brings them supplies to heal their wounds. He builds them schools and parks and community centers. And he spends time with those in need — talking to them, nourishing their spirit and giving them hope of a better life.

But even that hasn't been enough for Jim Flickinger. Through that same priest, he encountered lepers living in colonies and leprosaria. "I didn't even know that we still had any lepers in the world today:' The first person he met "had no face:' But instead of dealing with that individual as a person with a disease, Mr. Flickinger dealt with him as a person. "I learned that many of these people have been ostracized by society, and even by their families. They are so happy just to have someone visit them and talk to them and pray with them:'

His current project involves building a community center where the leprosy sufferers and their children can take religious-education classes — something that, he discovered, is very important to them. Even with these projects well established, he returned to South America for a fifth visit this year, to continue the personal contacts he has established with those he helps.

In his own backyard, Mr. Flickinger has found a way to help those in need. While at lunch one day in an upscale Grand Rapids restaurant, his law partner Brian Plachta remarked on how amazing it was that they were having "all of this food:' But just a couple of blocks away in the park, people were starving. Finding yet another way to show compassion to the less fortunate, the law partners decided to go to the park the following Tuesday and share their lunch with those who inhabit the park.

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CLASS OF 1954

Carl F. Eiberger received mention in the September 19, 1998, edition of The Denver Post for his diligent work in fending off developers from 473 acres atop South Table Mountain, the urban gateway to the Rockies. Mr. Eiberger, a dedicated conservationist, provided his legal services free of charge to help Jefferson County, Colorado, and conservationist groups protect the land from development into a rock quarry or corporate complex.

CLASS OF 1955

James Roemer was honored at the annual President’s Staff Recognition Dinner in May for his 25 years of service to the University.

CLASS OF 1958

Charles Roemer, of Roemer & Mintz in South Bend, was selected as a member of the new advisory board to the Indiana Equal Justice Fund. He also served on the faculty of a program entitled “Estate Planning for the Professional,” sponsored by the Indiana Continuing Legal Education Forum in both Elkhart and Fort Wayne in October.

CLASS OF 1964

The Honorable John Leahy retired from 23 years of judicial service in March. He and his wife plan to retire to Lake Arrowhead, California, but he will remain available for judicial assignments.

CLASS OF 1966

Paul Pelking, general counsel of NationsBank, presented a joint statement of NationsBank and Bank of America at a hearing on the subject of financial services consolidation held by the House Judiciary Committee in Washington.

ADVISORY COUNCIL APPOINTMENTS

University President Reverend Edward A. Malloy, C.S.C., has appointed two new members to the Law School Advisory Council Honorable Emilio M. Garza ’69 B.A., ’70 M.A., U.I.; Appellate Court Judge for the Fifth Circuit in San Antonio; and Robert J. Wilczek ’68 J.D., partner at the Chicago law firm of Gardner, Curton & Douglas.

CLASS OF 1968

John A. Burgess, a partner at Barnes & Thornburg in South Bend, was elected as a new board member of the Indiana Equal Justice Fund.

John J. Coyle Jr., a general practitioner in Phillipsburg, New Jersey, has been reappointed to a two-year term on the New Jersey State Bar Association Board of Trustees.

The Honorable Peter T. King, Republican congressman from Long Island, New York, together with Patrick Hennessy, political counselor for the Irish embassy in Washington, discussed the Irish peace process at a forum sponsored by the NDSL Irish Law Society in October.

CLASS OF 1969

James P. Gillece Jr., formerly with Miles & Stockbridge in Baltimore, has joined McGuire, Woods, Battle & Boothe, L.L.R., as a partner in the firm’s Baltimore office; his practice will concentrate on labor and employment matters.

CLASS OF 1970

Richard Slawson, senior partner at Slawson Cunningham Whalen & Stewart in Palm Beach Gardens, Florida, received the B.J. Masterson Award for Professionalism at the annual convention of the Academy of Florida Trial Lawyers in June. The award honors his high degree of ethical professionalism during this legal career, which has spanned more than 27 years in Palm Beach County. For seven consecutive years, he has been listed in Best Lawyers in America in the personal injury field, considered a notable distinction conferred on attorneys by their peers.

CLASS OF 1972

Patricia Bobb has been named by Chicago Mayor Richard Daley as a member of the Chicago Police Board. The nine-member board hears disciplinary cases, assists the police superintendent and submits the annual Police Department budget to the city budget director.

She also spoke at the Chicago Bar Association’s Annual Boot Camp for Aspiring Litigators in August.

James D. Friedman, a partner in the Milwaukee-based law firm of Quarles & Brady, has been re-elected to the State Bar of Wisconsin Board of Governors, and has been elected to the State Bar’s Executive Committee and as director of the Wisconsin Bar Foundation. He also currently serves as an elected member of the State Bar’s Finance Committee, Investment Subcommittee and Strategic Planning Task Force. He has also been elected a director of Concours Motors, Inc., Wisconsin’s largest Mercedes and BMW dealer.

CLASS OF 1973

T. Clifford Fleming has joined the northwest Indiana law firm of Burke, Costanza & Cuppy.
Class of 1975
- Michael Thiel has announced his candidacy for the newly established Division H Judgeship in Louisiana’s 21st Judicial District.

Class of 1976
- Dale S. Recinella was named an Exemplar by the Notre Dame Club of Tallahassee, Florida, in recognition of his exceptional community-service activities.

Class of 1977
- Sheila A. Murphy has become associated with Porzio, Bromberg & Hewman of Morristown, New Jersey, and New York City; her practice focuses on litigation, with an emphasis on pharmaceutical product liability.
- Richard Nussbaum II, formerly city attorney for South Bend, has become general counsel to Indiana Lieutenant Governor Joe Kernan.

Class of 1978
- Patrick A. Salvi recently settled a $3.9 million case in Lake County, Illinois, arising from negligent medical care during childbirth that led to the birth of a brain-damaged infant. In the same week, he settled a $5 million case in Phoenix, Arizona, arising from negligence in a road-construction project that caused a fiery car crash resulting in permanent head injuries and burns to the passenger in the car. Mr. Salvi’s six-attorney law firm based in Waukegan, Illinois, Salvi & Schostok, P.C., has been recognized in several publications for its plaintiffs’ work in the areas of personal injury and medical malpractice work. Several Chicago-area publications that count Illinois settlements of $1 million or more between July 1, 1997, and June 30, 1998, note that Salvi & Schostok ranked seventh in dollar-amount settlements — seven cases totaling $21.15 million. In addition to the firm’s seventh-place ranking in the Chicago area, the firm also ranked number one in Illinois on a list of 26 downside million-dollar settlements with an $11.35 million settlement in January 1998.
- Bruce Belzer earned his M.D. from the University of Washington School of Medicine in June. He will work with the UND Family Practice Center in Bismarck, North Dakota.
- Daniel Pfeifer, a partner at Sweeney, Pfeifer & Morgan in South Bend, served as a member of the faculty for a conference on “Mastering Medical Litigation Concepts” sponsored by the Indiana Continuing Legal Education Forum in Indianapolis in July.
- S. David Worbacht announced his candidacy for the Ohio House of Representatives. He entered the race just 60 days before the election when his party’s candidate pulled out.

Class of 1979
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Class of 1980
- John P. Hendrickson, a partner at McDermott, Will & Emery in Chicago, was featured in an article entitled Who’s Who in Employment Benefits Law. The article noted that he serves as counsel on employee-benefit programs to several of the country’s largest corporations including the Sara Lee Corporation; Sears, Roebuck & Co.; and NRT, Inc. (Coldwell Banker).
- The Honorable Kathleen Kearney, a circuit judge in Broward County, Florida, and a member of the Notre Dame Law School Advisory Council, received the Alumnus/Alumna of the Year Award from the Notre Dame Club of Fort Lauderdale. The club honored her at a dinner to benefit Providence Place, a facility for homeless mothers and their children run by the Diocese of Miami. She became involved in family and child issues while a law student. In her continuing efforts to protect the rights of children she has taught judges in 12 states about the problems attendant to child-abuse cases, and has helped members

Please remember the following deceased alumni and their families in your prayers.
- Robert T. Fanning ’47 J.D., Oak Park, Illinois; September 18, 1998
- David M. Thornton ’53 J.D., Tulsa, Oklahoma; September 23, 1998
- Clair O. Trinkley ’55 J.D., Palos Verdes Estates, California; August 7, 1998
- Karen E. Werme ’84 J.D., Kalamazoo, Michigan; September 1998
- Gregory W. Wulczak ’88 J.D., Rosedale, Ohio; August 9, 1998
of Congress draft the Adoption and Safe Families Act, which was signed into law last year.

• Daina B. VanDervort has been elected a principal at Climaco Lefkowitz & Garofoli in Cleveland.

Class of 1981

• Tim Rastello, a partner at Holland Hart in Denver, was featured in the May 25, 1998, edition of THE NATIONAL LAW JOURNAL, concerning DeLew v. Wagner, a case in which the Ninth Circuit held that a civil-rights violation results if police cover-up evidence that plaintiffs need to make their case. The case carried personal meaning for Mr. Rastello. In 1989, his father sued police, claiming a conspiracy to protect an off-duty officer who had been drinking before his car struck and killed Mr. Rastello’s brother.

Class of 1983

• John L. Sullivan, formerly vice president and general counsel at Silicon Graphics in Palo Alto, California, has become vice president, general counsel and corporate secretary of Imation Corporation in Minnesota.

Class of 1985

• Jenny Pitts Manier, formerly general counsel to Indiana Lieutenant Governor Joe Kernan, has been appointed a judge through the year 2000 in St. Joseph County (Indiana) Superior Court. She replaces the Honorable Jeanne Jourdan ’75 J.D., who retired earlier this year. Governor Frank O’Bannon selected Judge Manier from a field of five finalists chosen by the St. Joseph Superior Court Judicial Nominating Commission.

Class of 1987

• Thomas F. “Chip” Lewis III, an associate at the South Bend law firm of Jones, Oenbichen, Fod, Pankow, Lewis & Woods, has been appointed to the board of directors of South Bend Public Transportation Corporation.

Class of 1990

• Carl Livingston Jr., a professor at Seattle Central Community College, published Affirmative Action on Trial: The Retraction of Affirmative Action and the Case for Its Retention, in the HOWARD LAW JOURNAL.

• G. David Porter has become a partner at Burnstein, Beck & Thomas in Kansas City; his litigation practice focuses on labor and employment.

• David J. Zampa has become a partner in the Chicago office of Sidley & Austin. He practices in the firm’s Corporate and Securities group, where he focuses on public and private mergers, acquisitions and dispositions and corporate finance transactions including public and private equity and debt offerings.

Class of 1991

• Shang-jen Chiang, LL.M., has joined the Taipei, Taiwan, office of Jones, Day, Reavis & Pogue as an associate.

• Katheryne L. Zelenock, a shareholder at Simpson Zelenock in Birmingham, Michigan, has been re-elected to the Board of Directors of the Notre Dame Club of Detroit for a term ending in the year 2001. She also chaired this year’s Universal Notre Dame Night for the club, at which University Vice President for Student Affairs and Professor of Law Patricia A. O’Hara ’74 J.D. delivered an extremely well-received talk.

Class of 1993

• Ryan K. Crayne has accepted a position as senior associate with the St. Paul, Minnesota, law firm of Winthrop & Weinstine, P.A., in the firm’s estate-planning department.

• Robert A. McMahon, formerly of Rieck and Crotty, P.C., is Chicago, has joined the Cincinnati office of Thompson Hine & Flery, L.L.P.; his practice will concentrate on commercial litigation and corporate law including employment, restrictive covenants, shareholder and partnership disputes, bankruptcy, and commercial torts.

Class of 1994

• Jeffrey C. Urban has become a shareholder of Simpson Zelenock in Birmingham, Michigan. His practice focuses on real-estate finance, business, corporate and securities law. As part of that practice, he has acted as lender’s counsel for approximately 100 commercial real-estate transactions totaling more than $400 million in loan closings across the country.

Class of 1996

• Stefania-Aurora Cioca, LL.M., is teaching courses in International Law and the Juridical Protection of Human Rights at the Mihai Kogalniceanu University in Romania, and has published a new book on bioethics and human rights.

• Linda Callahan McCaslin, currently deputy prosecutor for King County, Washington, has announced her candidacy for the Supreme Court of Washington. She has served as a judge pro tem for Snohomish
A L U M N I  N O T E S

County’s South District Court and as counsel to the State Senate.

• Catherine Schmidt has been elected treasurer of the Williamson County (Tennessee) Bar Association for next year. She currently serves as assistant vice president and estate settlement officer at First American Bank, and focuses her practice on estate planning, estate administration and probate law, conservatorships and elder law.

CLASS OF 1997


• AnnaMarie Bena currently serves as a member of the United Nations delegation evaluating the Rwandan refugee situation in Zambia — an assignment of considerable personal risk given the instability of that region.

• Noelle P. Ries has become an associate at the Cherry Hill, New Jersey, office of Marshall, Dennishey, Warner, Coleman & Goggin, a regional defense-litigation firm; her practice will concentrate in the general liability area.

• Michelle Suchovsky has joined the Grand Rapids, Michigan, law firm of Strash, Seaman & Allen as an associate.

• Lingze Wang, who has become fluent in German, is practicing law with the Wessing and Berenberg-Gossler firm in Hamburg, Germany.

CLASS OF 1998

• William J. Bligh has joined Harris Kessler & Goldstein in Chicago as an associate; his work will concentrate on the firm’s established business-transaction, real-estate and health-care practices.

• Heath Weaver was featured in a June 14, 1998, article in the SOUTH BEND TRIBUNE. The article noted that Weaver, who had dropped out of South Bend Adams High School but earned his GED while in the Army, recently returned to Adams to teach a section of the Law School’s “Street Law” course and to coach the Adams mock-trial team. Adams High School awarded him an honorary high school diploma at this year’s spring graduation ceremonies in recognition of how he inspired the students with his story.

NEW ADDITIONS

Please welcome the newest additions to the NDLS family, and keep them in your prayers.

John Dunn ’93 J.D. and his wife, Nadine, announce the birth of their son Thomas Michael, on August 20, 1998, in Modesto, California.


W. David Winstead ’95 J.D. and his wife, Tammy, announce the birth of their daughter Hannah Iris, on September 17, 1998, at Scott A.F.B., Illinois.

Jennifer (Fraley) Hieatt ’96 J.D. and Steven Hieatt ’96 J.D. announce the birth of their daughter Mary Katherine, in Cincinnati, Ohio.

Steve Malynn ’96 J.D. and his wife, Jennifer, announce the birth of their daughter, in Akron, Ohio.
Continuing Legal Education

Home-Football Weekends

The Fall 1998 Continuing Legal Education in Ethics programs attracted approximately 100 people total to campus on three football weekends for enlightening programs exploring various ethical issues in the law. Participants in the September 26 program heard Associate Professor John Robinson '72 M.A., '75 Ph.D. address "Ethics and End-of-Life Decisions" and Research Librarian Lucy Payne '88 J.D. talk about "Ethical Issues in Legal Research." At the October 24 program, participants heard Associate Professor Patrick J. Schiltz talk about "Shaping Novice Lawyers into Ethical Practitioners" and Professor John Garvey discuss the role of "Catholic Judges and Catholic Lawyers in Capital Cases." And at the November 21 program, Associate Professor William K. Kelley discussed the "Ethical Obligations of a Government Prosecutor in a Criminal Investigation," and Associate Director of the Center for Civil and Human Rights Garth Meintjes '91 LL.M. addressed the "Ethical Obligations of All Attorneys With Regard to the Universal Declaration of Human Rights.

These faculty members and others are also available to conduct CLE programs at locations around the country. If you're looking for someone to speak to your local bar association or other professional organization, please consider inviting one of our terrific professors.

NEXT FALL, NDLS will again offer three programs on select home-football weekends — tentatively scheduled for these Saturdays:

- Oklahoma (October 2, 1999)
- Navy (October 30, 1999)
- Boston College (November 20, 1999)

If you did not receive information on this year's program but would like to receive next year's mailing, please notify the Law School Relations Office.

Alumni Receptions Around the World

The Notre Dame Law School hosted an alumni reception at the time of the American Bar Association annual meeting in Toronto, Ontario, on August 3, 1998. Approximately 50 guests attended the cocktail party at the Royal Ontario Museum Tomb Room, which provided an interesting and educational backdrop to the occasion. Dean David T. Link '88, '91 J.D., Associate Professor of Law Matt Barrett '82, '85 J.D., and Director of Law School Relations Cathy Pieronek '84, '95 J.D., represented the Law School at the event. Special thanks to Renee Fertman, assistant to Notre Dame Law Association President James P. Gillice Jr. '89 J.D., who coordinated the arrangements with the museum.

UPCOMING EVENTS

Mark your calendar now for the NDLS reception at the time of next year's ABA annual meeting in early August in Atlanta, Georgia.

The Law School also hopes to host a reception in London, England, at the same time the University dedicates the new London facility, in February. The spring '99 issue of Notre Dame Lawyer will feature the dedication and our international programs, so those of you who can't make it "across the pond" for the ceremonies will have the chance to see the marvelous new facility, which the University has leased from the Crown for 99 years.

On the domestic front, we plan to host a reception in Cleveland, Ohio, at the Ohio State Bar Association's annual convention at the Renaissance Hotel on Thursday, May 13, 1999. And building on the success of last year's reception at the State Bar of Arizona's annual convention in Tucson, we hope to host an even better attended reception at the annual meeting this June in Phoenix.

If you would like the Law School Relations Office to help you coordinate a reception for Notre Dame lawyers at your state's next annual bar convention or meeting, please contact the Law School Relations Office at least six months prior to the event, to allow sufficient time to schedule a reception site.

Reunion ’99 CLE

This spring, in conjunction with the University’s Reunion ’99, the Law School will be offering a Continuing Legal Education program on Friday, June 3, 1999. The three-hour program will be held in the morning to allow participants to begin the weekend festivities with Friday's reunion kickoff luncheon. All alumni and their guests are invited to attend. All NDLS alumni and friends eligible to participate in Reunion ’99 will receive a special mailing regarding the program in February or March. For more information, please contact the Law School Relations Office.

FOR MORE INFORMATION

If you need any information about Law School programs or activities either on campus or in your local area, if you have an address change, or don't know who else to call to help you with your particular needs, please contact Cathy Pieronek, director of Law School Relations:

by phone (219) 631-4675
by fax (219) 631-4789
by e-mail catherine.f.pieronek.l@nd.edu

News from Law School Relations
As part of the NDLA board restructuring process, we will hold our first-ever elections for board representatives in January 1999. Modeled after the elections run by the Notre Dame Alumni Association, each year the alumni and friends of the Law School will elect five or six directors to three-year terms. This January, NDLA members will receive ballots to elect representatives in the following regions:

- **Region 1:** Washington
- **Region 2:** Washington, D.C., Maryland, Virginia and West Virginia
- **Region 3:** West Virginia and Western Pennsylvania
- **Region 4:** Ohio, West Virginia and Western Pennsylvania
- **Region 5:** Minnesota
- **Region 6:** Northern New York (outside metropolitan New York City)
- **Region 7:** New York City
- **Region 8:** New York City (excluding Metropolitan New York City)
- **Region 9:** New Jersey, Southern New Jersey, Southern New York
- **Region 10:** New Jersey, Southern New Jersey, Southern New York
- **Region 11:** New Jersey, Southern New Jersey, Southern New York
- **Region 12:** Pennsylvania, Maryland, Virginia and Washington, D.C.
- **Region 13/14:** Tennessee, Alabama, Mississippi, Louisiana, Arkansas, Texas and Oklahoma
- **Region 15:** Arizona, Mexico, Southern California and Southern Nevada
- **Region 16:** Western Canada (Calgary)
- **Region 17:** Phoenix, Arizona, Southern California
- **Region 18:** New York City (excluding Metropolitan New York City), New Jersey, Southern New Jersey, Southern New York
- **Region 19:** Southern New York

The ballots for the 1999 elections had not been set at the time this magazine went to press, but will be mailed immediately after Christmas, with elections concluding in February.

Five more regions will hold elections in January 2000 for terms commencing on July 1, 2000, including:

- **Region 1:** Alaska, Hawaii, Idaho, Northern California, Northern Nevada, Oregon and Washington
- **Region 2:** Montana, New Mexico, Utah, Wyoming and Western Canada (Calgary)
- **Region 3:** Arizona, Mexico, Southern California and Southern Nevada
- **Region 7:** Michigan
- **Region 10:** New Jersey, Southern New Jersey, Southern New York
- **Region 12:** Delaware, Eastern Pennsylvania, Maryland, Virginia and Washington, D.C.
- **Region 13/14:** Alabama, Arkansas, Louisiana, Mississippi, Oklahoma, Tennessee and Texas

If you are interested in representing NDLS alumni and friends from one of these geographic regions, contact the chair of the Nominating Committee, Carl Eiberger '54 J.D., or your current regional representative.
Dear Mr. Jordan:

I would like to thank you for enabling me to work for the Center for Legal Education Advocacy and Defense Assistance (LEADA). LEADA exposed me to creative and committed lawyers working on the front lines of the criminal justice system. In concrete and vivid detail I experienced the law as something organic, growing case by case, argument by argument. I came away from this summer with a deepened respect for the legal profession. The lawyers I encountered at LEADA and at the neighboring Federal Capital Habeas Unit were skilled analytically but more importantly, were deeply committed to their clients and to their craft. Through the media, I had heard so much about lawyer job dissatisfaction and unethical conduct, it was uplifting to find lawyers who enjoyed what they were doing and who were conscientious in considering the ethical underpinnings and consequences of their acts.

In particular, I most admire Robert Brett Dunham, the executive director of LEADA. Rob proved to me that the gentleman-lawyer is alive and well. Even more than his creativity or analytical precision, I was impressed by the dignity with which he comportped himself, the courtesy he showed his adversaries, and the respect he had for the good law and good lawyers.

Rob proved to be not only a model, but also a mentor. First, Rob taught me about the strategic and tactical dimensions of advocacy. Second, he shared with me the ethical dilemmas involved in representing many clients. I was able to see first-hand how conscientious lawyers balance serious ethical demands in their day-to-day work. Third, through Rob's example and through his critiques of my work, I learned a great deal about crafting legal arguments; for example, I worked closely with him on appeals of judgments, stays of execution and motions for new sentencing hearings. Fourth, he allowed me to develop claims on my own and encouraged me to think less linearly and more creatively. Finally Rob allowed me to take over numerous research projects from various attorneys, which gave me a chance to explore a wide variety of legal topics, such as the Interstate Agreement on Detainers, the relaxed waiver rule, and penalty-phase mitigating factors, among other topics.

Working at LEADA also enabled me to see the judicial system in action. I was able to witness the Court of Common Pleas, the Pennsylvania Supreme Court and the Third Circuit at work. Finally I was also able to accompany a federal investigator to Graterford State Correctional Institute where we interviewed two of LEADA's clients on death row. One of the inmates was under a death warrant and his motion for a stay had just been denied. The fear in his face will always stay with me. In that encounter, all of the legal procedures and argument was brought down to earth for me. (Fortunately the Pennsylvania Supreme Court later vacated the denial of that stay.)

I hope that one day I can return the favor to another Notre Dame law student by offering that person an opportunity like I had to see attorneys working at their very best.

Very truly yours,

Perry DeLay '00
Opportunities for Alumni Involvement — the NDLS Network

The Admissions and Career Services Advisory Committees, in particular, will need help from lots of volunteers in all areas of the country. As a start, we plan to mobilize the “NDLS Network” — a group of alumni and friends who have volunteered to serve as local contacts for the Admissions, Career Services and Law School Relations Offices. Each committee chair will work through the NDLS regional representatives to contact those alumni and friends who have volunteered. For the 238 of you who have volunteered to help over the last two years, expect more contact from your regional representative as these advisory committees gear up to support, in particular, the student-recruitment and job-search processes in the spring.

In many regions across the country, we have a large number of volunteers to support our activities, but could always use more so that a few key individuals are not responsible for all of the work in a particular geographic location. But in a few regions, our number of volunteers is critically low, especially:

- Region 4: Minnesota, North Dakota, South Dakota and Wisconsin
- Region 5: Iowa, Kansas, Missouri and Nebraska
- Region 6: Illinois (outside of the Chicago metropolitan area) and Northwest Indiana
- Region 16: Chicago metropolitan area
- Region 18: New York (outside of the New York City metropolitan area) and Eastern Canada

If you would like to volunteer to help, please contact Cathy Pieronek at the Law School Relations Office. In any correspondence, please include your preferred mailing address and phone number, fax number and e-mail address, if you have one. We plan to begin communicating with our NDLS Network volunteers on a regular basis, and would like to use the most efficient means available.

NDLS DIRECTORS AND COMMITTEES

If you need any information on any of the activities described on these pages, or if you would like to volunteer to help coordinate activities in your region, please contact your regional director, the chair of the committee in which you would like to become involved, or the Law School Relations Office.

NOTRE DAME LAW ASSOCIATION BOARD OF DIRECTORS FOR 1998-99

Officers
President, 1998-99
- James F. Gillespie ’93 J.D.
  (410) 637-4400
President-elect, 1998-99
- Richard O. Conradson ’82, ’83 J.D.
  (973) 355-0200

Directors
Region 1: Alaska, Hawaii, Idaho, Northern California, Northern Nevada, Oregon, Washington
- Diane R. Coletti ’88, ’89 J.D.
  (415) 402-0700

Region 2: Colorado, Montana, New Mexico, Utah, Wyoming, Western Canada
- Carl F. Eborge ’72, ’74 J.D.
  (303) 837-1111

Region 3: Arizona, Southern California, Southern Nevada, Mexico
- Paul J. Meyer ’71 J.D.
  (602) 610-5706

Region 4: Minnesota, North Dakota, South Dakota, Wisconsin
- The Honorable N. Patrick Crooks ’63 J.D.
  (608) 266-1888

Region 5: Iowa, Kansas, Missouri, Nebraska
- Charles A. Weiss ’65, ’68 J.D.
  (312) 225-2000

Region 6: Illinois (excluding Cook County), Northwest Indiana
- Scott C. Sullivan ’76, ’79 J.D.
  (815) 987-8976

Region 7: Michigan
- Robert S. Krause ’66 J.D.
  (313) 232-3300

Region 8: Indiana (excluding northwest Indiana), Kentucky
- Scott C. Sullivan ’76, ’79 J.D.
  (815) 987-8976

Region 9: Ohio, West Virginia, Western Pennsylvania
- S. David Worhatch ’79 J.D.
  (724) 661-6000

- Thomas R. Curtis ’88 J.D.
  (973) 292-1700

Region 11: Maine, Massachusetts, New Hampshire, Northern Connecticut, Rhode Island, Vermont
- Catherine Bolduc Gregory ’90 J.D.
  (860) 277-6153

Region 12: Delaware, Eastern Pennsylvania, Maryland, Virginia, Washington, D.C.
- David M. Burtas ’91
  (202) 726-0888

Region 13/14: Alabama, Arkansas, Louisiana, Mississippi, Oklahoma, Tennessee, Texas
- Lee E. Forester ’63
  (910) 332-7000

Region 15/17: Florida, Georgia, North Carolina, South Carolina, Puerto Rico
- Douglas W. Kenyon ’76, ’79 J.D.
  (919) 899-3076

Region 16: Chicago (Cook County)
- Timothy J. Carty ’73, ’80 J.D.
  (312) 845-3300

Region 18: Western New York, Eastern Canada
- Robert M. Greene ’91 J.D.
  (716) 847-7338

Minority Group Liaisons
Asian-Pacific Alumni Liaison
- Robert M. Greene ’91 J.D.
  (716) 847-7338

Black Alumni Liaison
- Floydl Ewing ’95 J.D.
  (312) 274-7628, x 196

Hispanic Alumni Liaison
- Anacostia Cummings ’94 J.D.
  (202) 728-0888

Executive Advisory Committee

- Thomas F. Fitzgerald ’74, ’79 J.D.
  (312) 358-6645

- Paul Ellinoff ’72 J.D.
  (215) 727-2214

- William J. Harper ’69 J.D.
  (812) 726-0525

- Richard M. Jordan 70 J.D.
  (215) 464-7866

- Michael J. Jordan 70 J.D.
  (215) 464-7866

- Marilyn P. Medlen ’73 J.D.
  (214) 299-2100

- Paul Messing ’75 J.D.
  (513) 577-5515

- H. Gregory Nolte 67 J.D.
  (702) 839-9113

- Daniel F. Novakov ’72, ’74 J.D.
  (212) 922-7583

- Bishop Harold Ray Jr. ’41 J.D.
  (516) 832-6077
The "small but proud" NDLS Class of 1958 celebrated their 40th reunion this past July with a weekend of activities on campus and in South Bend. Organized by John Murray, approximately 20 of the 28 surviving members of the class — which originally had only 32 members — attended, some with their spouses. The award for the longest distance traveled to attend goes to Ray Tam, who came all the way from Honolulu.

The classmates attended a breakfast and open house at the Law School hosted by Associate Dean Roger E. Jacobs and Law School Relations Director Cathy Pieronek '84, '95 J.D., a class Mass at the O'Neill Hall Chapel, and a class dinner at LaSalle Grille on Saturday, July 18. Class members Ed Gray and Chuck Roemer apparently have volunteered to co-chair the 45th reunion in 2003, so keep in touch with the Law School and with Mr. Murray, your class secretary, to ensure that you receive information on that special event.

The Class of 1978 held its 20th reunion during the weekend of the ND-Army game. Although only about 20 class members and their guests made it back to campus for the event, those who came committed themselves to ensuring that the class has a large turnout for the 25th reunion. Organized by Joe Cari and Pat Sabri, the weekend consisted of a Friday evening cocktail party and Saturday evening dinner at the Faculty Dining Room of South Dining Hall, Saturday and Sunday morning continental breakfasts in the Law School Student Lounge, and plenty of time to reconnect with friends. Mr. Cari and Ms. Sabri, together with George Adelo, have vowed to keep class notes coming in Notre Dame magazine, to ensure that the class feels connected and inspired to attend the next reunion — the 25th — in 2003.

The weather held out, and the ND-Purdue weekend was the nicest in recent memory, providing a wonderful weekend for the Class of 1988 to celebrate its 10th reunion. Organized by Tim Murphy and NDLS Research Librarian Lucy Salisbury Payne, the class held a family-friendly event that included a Friday evening cocktail reception at the Faculty Dining Room of South Dining Hall, a Saturday morning continental breakfast at the Law School Student Lounge, and a Saturday evening picnic at the Sacred Heart Parish Center on the north side of St. Joseph's Lake. Approximately 35 members of the class, along with spouses and a number of young children, attended most of the weekend's activities.
Over the ND-Stanford football weekend, the Law School hosted approximately 35 members of the Class of '68 — another small class of only 52 graduates — for a weekend full of reunion festivities. Organized by Tom Curtin, Charlie Weiss, J.C. Coyle and Tim Woods, the weekend began with a cocktail party at the Granger, Indiana, home of Mr. Woods, which lasted well into the early-morning hours. The success of that event made it difficult for some members of the class to make it to the class breakfast and photo on Saturday morning, but nevertheless, many braved the early-morning drizzle to re-create the class photo taken 30 years ago. Saturday evening featured a dinner at Basil's On the Race, a new South Bend restaurant, at which each class member recalled something significant about their three years at the Law School. On Sunday morning many gathered for a class Mass in the Law School Student Lounge celebrated by NDLS Professor Reverend John H. Pearson, C.S.C., '68, '71 M.Th., who reminisced that he knew many of the men in this class because of their stay at Moreau Seminary after law students had been evicted from Fisher Hall. Dean David T. Link '58, '61 J.D. gave a brief address on the current state of the Law School during the continental breakfast that followed.

CLASS OF '68 — 30TH

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CLASS OF 1949 — 50TH REUNION

Harold Cook, Earl Meagley Jr. and Tom Broden want to encourage a big turnout of the Class of 1949 for their 50th reunion during Reunion '99, June 4-6, 1999. They've planned a special class dinner at Sunny Italy Restaurant for Saturday night, June 5. If you have suggestions or questions, please call Mr. Cook at (219) 285-0083.

CLASS OF 1959 — 40TH REUNION

Members of the Class of 1959, who will be celebrating their 40th reunion in 1999, are planning a special celebration 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 1964 — 35TH REUNION

Those interested in attending the Class of 1964 35th reunion during Reunion '99, June 4-6, 1999, please contact the Honourable John Leahy at (909) 336-3001.

CLASS OF 1969 — 30TH REUNION

Class secretary Scott Atwell has indicated that he and George Rice have begun planning for the 30th reunion for the Class of 1969, hopefully for a football weekend in the fall. To help with the planning, please contact Scott Atwell at (303) 220-7700, or by e-mail at sja@lawyernet.com.

CLASS OF 1989 — 10TH REUNION

Class secretary Jennifer E. (O'Leary) Smith reminds everyone that her husband Jim Smith and Mike Luzum expect a large turnout for the Class of 1989's 10th reunion at the University's spring Reunion '99, June 4-6, 1999. The Law School's Reunion '99 program will feature a three-hour Continuing Legal Education program on Friday morning (three or four hours of CLE credit), so this is a great opportunity to get some CLE credit and reconnect with friends. To help plan special activities for your class and to confirm your attendance, please call Jim Smith at (800) 826-3501, or by e-mail at jsmith@clausen.com.

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### Student Scholarship

- **Heather McShane '99** of Fort Wayne, Indiana, earned first place in the 1998 Howard C. Schwab Memorial Essay Contest in Family Law, sponsored by the Family Law Section of the American Bar Association. Her article critically analyzed covenant marriage statutes in the United States. According to Professor J. Eric Smithburn, who served as Ms. McShane's faculty advisor for the article, the competition is the most prestigious writing competition for students in family law, with applicants from virtually every American law school. Ms. McShane's article will be published in an upcoming issue of Family Law Quarterly, and she received a cash prize of $700.

### Student Leaders

Last spring and this fall, students elected class officers, organizational leaders and journal editors to lead the Law School for the 1998-99 academic year.

#### SBA Class Representatives

- **3Ls**
  - Steve Boetinger of Pittsburgh, Pennsylvania
  - Charlie Chau of Jacksonville, Florida

- **2Ls**
  - Mark Busby of Ras Tanura, Saudi Arabia
  - Kevin Pinkofer of Eggertsville, New York
  - Sarah Shive of Minneapolis, Minnesota

- **1Ls**
  - William McMurtie of Bethesda, Maryland
  - Rudy Montefiore of Bloomington, California
  - Karen Sugden of Charlotte, Michigan

#### Honor Council

- **3Ls**
  - Thomas Keough of Staten Island, New York
  - Sarah Stancati of Notre Dame, Indiana
  - Eric Wycoff of Estherville, Iowa

- **2Ls**
  - Laura Alexander of Richland, Washington
  - Jordan Carlson of Mishawaka, Indiana
  - Chris Regan of Rochester, New York

- **1Ls**
  - Sarah Banister of Dubuque, Iowa
  - Eric Martin of Green Bay, Wisconsin
  - Sara Obedin of Bloomfield Hills, Michigan

#### Journal Editors

- **Notre Dame Law Review**
  - Jesse Barrett '99 of South Bend, Indiana
  - Michelle Colman '99 of King of Prussia, Pennsylvania

- **Journal of College & University Law**
  - Jeff Matura '99 of South Bend, Indiana

- **Journal of Legislation**
  - Michael Haworth '99 of Aliso Viejo, California

#### Student Organization Leaders

- **Asian Law Students Association**
  - Michael Haworth '99 of Aliso Viejo, California

- **Black Law Students Association**
  - Kimberly I Hart '99 of Dallas, Texas

- **Business Law Forum**
  - Deanna Butler '99 of Ann Arbor, Michigan

- **Christian Legal Society**
  - Gus Kallergis '99 of Akron, Ohio

- **Environmental Law Society**
  - Sarah Stancati '99 of Notre Dame, Indiana

- **Federalist Society**
  - Edward Heath '99 of Pembroke Pines, Florida

- **Hispanic Law Students Association**
  - George Perez '99 of Notre Dame, Indiana

- **International Law Society**
  - Paul Bohr '99 of Lenexa, Kansas

- **Irish Law Society**
  - Eileen Skase '99 of Dublin, New York

- **Married Students Organization**
  - Christopher Muggia '99 of Austin, Texas

- **Military Law Students Organization**
  - Kathleen M. Kenney '99 of Tualatin, Florida

- **Native-American Law Students Association**
  - Marcus Payson '99 of South Bend, Indiana

- **Phi Alpha Delta**
  - Daniel Hardwick '99 of Lansing, Michigan

- **Public Interest Law Forum**
  - Cynthia Morgan '99 of East China, Michigan

- **St. Thomas More Society**
  - Gary B. Raikes '99 of South Bend, Indiana

- **Social Justice Forum**
  - Karen Huber '99 of Troy, Michigan

- **Women's Legal Forum**
  - Kristine Sullivan '00 of Bellevue, Nebraska
News from the Clinics

Programs at the Legal Aid Clinic, Immigration Clinic and Mediation Clinic continue to attract a great deal of interest from students who appreciate the value of service to the surrounding South Bend community. This past summer, 10 students chose service at the Legal Aid Clinic over more remunerative employment in private practice. They devoted themselves to the more than 200 cases opened over the course of the summer.

This fall, the clinical programs have 36 students — 21 3Ls and 15 2Ls — working on a wide variety of activities with clinical faculty and volunteer supervising attorneys. Through the Legal Aid Clinic, students represented clients on matters such as contested adoptions, child-custody cases, bankruptcy, consumer-credit issues and housing discrimination. Students in the Immigration Clinic have helped clients from Poland, Hungary, Iran, Mexico, Central and South America, and the African nations of Rwanda, Burundi, Nigeria and Kenya. Students, supported by several Notre Dame undergraduates who served as translators and research assistants, successfully tried three asylum cases and two suspension-deportation cases in federal court in Chicago. In the Mediation Clinic, students conducted a paternity mediation to ensure that parents could agree on visitation for their child, and participated in several landlord-tenant mediations involving the implied warranty of habitability, tenancy termination and outstanding rent.

The dedicated clinical faculty — co-directors Eileen Doran '86 J.D., Barbara Szweda, Judy Fox '93 J.D., Sister Deborah Cerullo, S.S.N.D., and Reverend Bruce Wells '96 J.D. — provided much-needed guidance and support for the interns, who learn much about law-office procedures, court practice, client counseling and, of course, community service.
Speakers of Note

- Mark Chopko, general counsel for the United States Catholic Conference, spoke on "Practicing Law with a Faith Perspective" on October 2, 1998. Mr. Chopko serves as chief legal officer to the conference and supervises a staff that provides comprehensive corporate legal services. The Catholic bishops organized the conference to provide a framework through which they can address important issues of national policy and matters of Church life with one voice.

- Representative Peter King '68 J.D. (R-New York) and Patrick Hennessey, political counselor for the Irish embassy in Washington, D.C., discussed the Irish peace process on October 2, 1998, at a program sponsored by the NDLS Irish Law Society.

- Presenters at the monthly "Faculty Colloquium" series this fall semester included: David Skeel of the Temple University Law School, speaking on "Bankruptcy Lawyers and the Shape of American Bankruptcy Law" in September; Theresa Ghildarducci of Notre Dame's Department of Economics, speaking on "Should Workers Be on Pension Fund Boards?" in October; Kristin Shroder-Frechet of Notre Dame's Department of Philosophy, speaking on "Low Level Ionizing Radiation" in November; and NDLS Professor Teresa Godwin Phelps ‘73, ’75 M.A., ’80 Ph.D., speaking on "Discourse, Theory and Legal Writing." A similarly engaging set of programs is planned for the spring semester.


PRINCETON REVIEW Rates NDLS

In its latest guide to The Best Law Schools, the Princeton Review notes a number of the strengths of the NDLS program including quality of teaching (rated fifth among all ABA-accredited law schools), and notes that the NDLS program ranks among the 10 least "cut-throat competitive" nationwide. The survey, which polls law students across the country, notes that "students at Notre Dame Law School are among the most satisfied in the nation. Students certainly appreciated the high quality of academic instruction, but most reserved their highest praise for the atmosphere the Law School engenders." The survey noted that NDLS students also expressed high praise for the staff of the Keough Law Library.

Lawyer's Communications Network

With the generous cooperation of the American Bar Association, NDLS has joined the Lawyer's Communication Network (LCN). As a member, the Law School will receive news and continuing-education programming via LCN's worldwide satellite network. These programs will be available to faculty members for their personal continuing education use and as supplemental classroom material.

The Law School is also authorized to use the programming for continuing legal education offerings. In addition to the downlinked programming, NDLS will receive study materials in either electronic or print form.

NDLS expects to have this programming available as soon as the satellite dish can be installed on the Law School roof and the appropriate electronics can be situated within the building.
On Wednesday, September 30, 1998, the Law School hosted a one-man, two-act play entitled "Clarence Darrow: Crimes, Causes and the Courtroom." Written by Anna Marie Thatcher and performed by Graham Thatcher, who together make up Periaktos Productions, the play explored the life of famed advocate Clarence Darrow through a series of sketches covering many of the high-profile criminal cases in which the so-called "Attorney for the Damned" became involved. First-year students attended as part of Dean Link's Ethics I class, and other members of the community who attended enjoyed the production as well.

This is the second in a series of three plays by Periaktos Productions of Rapid City, South Dakota. Last year, they presented "Maxims, Monarchy and St. Thomas More," a one-man, two-act play about the final few hours before More's execution. Next year, they plan to bring "Impeach Justice Douglas!" to NDLS as well.

The Law School held its semi-annual family Mass and brunch for Law School students, faculty, administrators and their families on Sunday, November 8, 1998. NDLS faculty member Reverend John H. Pearson '68, '71 M.Th. presided at the Mass, which was followed by a breakfast of home-baked goodies.

Administration and Staff News

Dana Ruth has joined the Law School staff as a secretary in Dean Link's office.

Amy Shirk has joined the staff of the Kresge Law Library in Access Services, filling a position vacated by Sue Wiegand, who completed her master's degree in library science last year and subsequently accepted a position as professional librarian for reference and instruction at Valparaiso University's Moellering Library.

Staff members recently honored for service to the University include faculty secretaries Lois Plawecki and Jackie Weiler (20 years); and in the Kresge Law Library, Administrative Assistant Terril Welty and Day Access Services Supervisor Mary Cowart (20 years), and Cataloging Coordinator Barb Ritty (15 years).

Chilean Human- Rights Abuses Documented

In light of the recent arrest in Britain of former Chilean dictator General Augusto Pinochet, attention is once again drawn to the English-language edition of "The Report of the Committee on Truth and Reconciliation." Sponsored by the Center for Civil and Human Rights and published by the University of Notre Dame Press in 1993, the report provides a detailed account of some 3,000 extrajudicial killings and "disappearances" in Chile during the 1970s.

For More Information

To learn more about the work of the Center for Civil and Human Rights, check out the center's website at: http://www.nd.edu/~cchr.

Notre Dame Advocates

The Center for Civil and Human Rights is exploring the possibility of establishing an alumni-support group called "Notre Dame Advocates." The center's associate director, Gareth Meintjes '91 L.L.M., with the help of John Blakeley '97 J.D., '98 L.L.M., who is completing his one-year post-LL.M. internship with the center, hopes that the program will serve two purposes. First, with nearly 100 graduates of the center's programs scattered throughout the world, the program should serve as a networking resource and support mechanism so that human-rights lawyers around the world can share the stories of their successes and failures with each other, thereby learning how best to proceed in the intricate world of human-rights law. Second, with nearly 6,000 Notre Dame lawyers in the United States, the program should serve as a means by which lawyers in other practice areas can become involved in international human-rights work — in particular, by providing research assistance, brief-writing service, and much-needed moral and emotional support to lawyers who work in difficult conditions in all corners of the world.

The spring 1999 issue of this magazine will feature more detailed information on the plans for this important program. If you are interested in receiving more information in the meantime, please contact either Mr. Meintjes or Mr. Blakeley at the center:

Center for Civil and Human Rights
140 Law School
Notre Dame, IN 46556
phone: (219) 631-8555
fax: (219) 631-8702
e-mail: meintjes.1@nd.edu
blakeley.1@nd.edu

Human-Rights Roundtable

The Center for Civil and Human Rights sponsored its first Human-Rights Roundtable discussion of the year in September. The program featured Professor George Lopez, a member of the center's Advisory Council and a professor in the University's Department of Government and International Studies. He spoke on "The Good, the Bad and the Ugly: Economic Sanctions and Human Rights."
THE CENTER FOR CIVIL AND HUMAN RIGHTS WELCOMED THIS YEAR'S PROGRAM PARTICIPANTS AT AN AUGUST 24, 1998, RECEPTION AT THE MORRIS INN. AS IN YEARS PAST, THE CURRENT GROUP OF STUDENTS HAILS FROM MORE THAN 15 COUNTRIES PLUS THE UNITED STATES.

In 1992, the Center for Civil and Human Rights began a J.S.D. program for individuals who have earned an L.L.M. degree who wish to further their studies in the field of human rights. Those accepted into the program must show substantial potential for writing a thesis of publishable quality that will be a significant scholarly contribution to the field in which it is written. Since May 1995, the University has conferred only three J.S.D. degrees, but this year, seven students are participating in the program. Their fields of expertise, prior work experience and intended areas of study certainly will contribute significantly to the human-rights work of the Notre Dame Law School and the center, as well as throughout the world.

Pedro Cavallero of Buenos Aires, Argentina, has worked actively in human-rights programs in his home country, and has taught in the area of human-rights at the University of Belgrano and at the University of Buenos Aires Law School, and in constitutional law at the Catholic University of Argentina Law School in Buenos Aires. Upon completion of his studies, he hopes to develop a graduate program in international law and human rights at one of the universities in Buenos Aires. He has entitled his proposed thesis "Human Rights in Emergencies: A Comparison of Experiences in Columbia and Peru."

George Mugwanya of Kampala, Uganda, is a lecturer in the Department of Public and Comparative Law in the Faculty of Law at Makerere University in his native Uganda. He has worked with the Uganda Human Rights Office as a legal officer, offering free legal counseling, aid and education. His thesis will cover "Human Rights in Africa in a Comparative Perspective: Enhancing Human Rights on the African Continent Through the African Regional Human Rights System."

Margarat Munalulu of Livingstone, Zambia, a Fulbright Scholar, has worked as a magistrates and in banking, and now serves as a lecturer at the University of Zambia Law School. Her research has concentrated on human rights, and in particular, on women's issues and the law. In addition to her J.S.D. studies, she is working on her Ph.D. in law and development at the University of Zambia. In her thesis, "The Legitimacy of Sovereign Debt: A Case Study of Zambia," she intends to analyze the impact of sovereign external indebtedness on the "right to development," both as a concept under the international law of human rights, as well as a "contractual expectation" between the state and society.

Tatsuo Muto of Tokyo, Japan, is an associate professor of international law at Kanto Gakuin University School of Law in Odawara, Japan, where he teaches public international law and advanced seminars on international law. During his one-year sabatical at NDLS, he will study human-rights processes in the United States and compare them with human-rights processes in Japan, to help him contribute to the full realization of human rights in Japan.

Ali Qazibasha '97 L.L.M. of Lahore, Pakistan, is a human rights lawyer and activist in his home country. He is currently working on a briefing-resource kit dealing with United Nations human-rights mechanisms for non-governmental organizations and affected communities. He is actively involved with Pakistani human-rights organizations. His studies will concentrate on the relationship between protecting human rights and protecting the environment, especially in South Asian countries.

Luc Reydams of Mol, Belgium, has represented indigent clients for the Homeless Action Center in Berkeley, California, and for the Center for Legal Advice and Defense of the Bar of Brussels. He also worked on political-refugee cases as a staff attorney of the legal clinic Mason Droit Quart-Monde. He has interned with the South Africa Truth and Reconciliation Commission, and most recently, has interned in Trial Chamber 1 of the International Criminal Tribunal for Rwanda, where he helped write the tribunal's first judgment.

Pablo Savaedra '96 L.L.M. of Santiago, Chile, has taught constitutional law at the Universidad Andres Bello and as a member of the Comision Nacional de Reparacion y Reconcilliation, an organization established by Chilean law to continue the work of the National Commission on Truth and Reconciliation. He represented Chile at the United Nations Conference on Environment and Development, has interned with the Law Commission on Human Rights, and currently serves as legal counsel to that commission on issues relating to migrant workers in the western hemisphere. His thesis will cover "Human Rights Environment and Development in Latin America."

This year's L.L.M. program in International Human Rights has 11 participants from eight countries. Each has already earned a law degree and has chosen to engage in this specialized study to learn about implementing human-rights programs in their home countries around the world. After completing their studies, each will participate in a one-year internship engaging in human-rights work.

Sharelle Aitchison of Auckland, New Zealand, has most recently worked as a refugee determination officer at the Refugee Status Branch in Auckland.

Abiola Akinyode of Ogun, Nigeria, has worked in private practice and as a part-time lecturer in Nigeria, and has volunteered her time and services as the national coordinator for the Campaign for the Rights of the Disabled, and as legal advisor for the Censer for Free Speech, the National Association for People with Disabilities and the Spinal Cord Injuries Association of Nigeria.

Patricia Ferreira of Salvador, Brazil, has most recently worked as the assistant advisor of Human Rights Affairs in Brazil's Ministry of Justice.

Malose Mahloko of Pietensburg, South Africa, comes to NDLS as a Bradlow Scholar. He has studied political science, private law and development studies, and hopes to contribute to the development of South Africa's constitution to ensure that it complies with international human-rights laws.
Jennifer Miano of Nairobi, Kenya, had worked as a private practitioner before finding her true calling working with street children in Nairobi. She most recently worked at the Legal Advice Centre in Nairobi as a legal officer serving the disadvantaged public, with her primary interests in protecting the rights of women and children.

Mary Margaret Penrose of the United States, earned her J.D. from Pepperdine University. She has a particular interest in civil rights violations suffered by prison inmates. As a staff attorney for the Honorable Jane J. Boyle, a U.S. Magistrate in the Northern District of Texas — which, incidentally, handles more inmate litigation than any other court in the country — Ms. Penrose screened and authored opinions in both civil rights and habeas corpus cases, including death-penalty motions.

Paul Simo of Cameroon, West Africa, has worked most recently as an intern with Article 19, the International Centre Against Censorship in London, where he researched and wrote briefs and submissions to United Nations human rights bodies. He plans to concentrate his human rights studies on environmental and technological issues relating to the protection of human rights.

Peter Tomas-Morgan '90, '98 J.D. of the United States, has exhibited a particularly strong commitment to helping the poor. While a J.D. candidate, he interned at the Notre Dame Legal Aid Clinic. Currently he serves as a board member for Neighborhood Housing Services, Inc., which promotes community development, home ownership and housing rehabilitation in South Bend's inner-city neighborhoods.

Claudio Lins de Vasconcelos of Brasilia, Brazil, planned and coordinated a research project entitled "Projeto Rua da Paz" — Peace Street Project — that assisted approximately 50 street children by exploring the cooperation between non-governmental organizations and private companies. Most recently, he served as assistant advisor of International Affairs in the Brazilian Ministry of Justice, where he dealt with a number of international matters involving human rights and other global issues.

Cesar Victoria of Montevideo, Uruguay, has worked most recently as a lawyer for the Committee of Public Accounts and as the law courses coordinator at the Catholic University of Uruguay. His interest in human rights stems from human rights violations that occurred during the military dictatorships in Uruguay and throughout Latin America.

Justin Wylie of Johannesburg, South Africa, comes to NDLS as a Bradlow Scholar. In addition to serving as a clerk at the Johannesburg Supreme Court, Mr. Wylie is a qualified lawyer and has participated in the All-African Human Rights Moot Court Competition.
News from the Admissions Office

Heather M. Moriconi, assistant director of admissions, recently completed her master’s degree in Counseling and Human Services at Indiana University. The university awarded her an M.S. in education with academic honors, at the May 1998 commencement exercises. As part of her program, she served as a counseling intern at the South Bend Center for the Homeless during the fall 1997 semester, working with groups and individual clients.

The Next Generation of Peacemakers

This year’s first-year class brings a variety of strengths and experiences to the Notre Dame Law School, but leadership and service are two common traits shared by all the members of the Class of 2001. As one of the nation’s leaders in training lawyers to be healers and peacemakers, we feel a special responsibility to enroll students who desire to contribute to the welfare of others and the good of society, and who strive to foster peace and social justice. And overall, this class consists of individuals who come to us ready to be transformed into the next generation of society’s peacemakers. The applications and résumés of those admitted to this class reveal that most of our first-year students developed strong records of service well before they considered attending law school. Better than half of those enrolled in this class have volunteered for organizations such as Habitat for Humanity and Big Brother/Big Sister Programs, as well as at homeless shelters, soup kitchens and other community-service agencies.

The word “diverse” aptly describes the individuals who make up the NDLS Class of 2001. The 185 J.D. candidates represent 39 states, the District of Columbia and four foreign countries. They hail from 119 undergraduate institutions. The class boasts the Law School’s highest-ever percentage of women at 44.6 percent, and 14 percent of the class identifies themselves as a member of an ethnic-minority group. Ten percent of the class holds advanced degrees.

Academically, this class is as strong as any in recent memory, with statistics that place NDLS in the category of “highly selective” law schools. The median LSAT for the class is in the 90th percentile, the median undergraduate GPA is over 3.4 on a 4.0 scale, and over 71 percent of the class earned academic honors at their undergraduate institutions.

The class includes many well-rounded individuals, who have found ways to balance work, athletics, leadership, service and academics. DANIEL ADAM, of Hales Corners, Wisconsin, graduated cum laude from Harvard in 1997. While an undergraduate, he was a Harvard Honors Student, a scholar-athlete with the varsity football program, a community volunteer, a student leader and a Leland Fellow. He directed the local "Hunger Action" Soup Kitchen Program, held a part-time job and served on the board of directors of one of the world’s largest student-run nonprofit corporations, Phillips Brooks House Association, Inc.

Mr. Adam’s undergraduate experiences inspired him to continue his service to society. As one of 17 Mickey Leland Hunger Fellows, in a program sponsored by the Congressional Hunger Center, he worked and lived on a Northern Cheyenne Indian Reservation in remote Lame Deer, Montana, for six months. That experience inspired him to attend law school and use his education to advocate for constructive reform in society. He notes, “I have pledged to do my part to help communities develop the capacity to take back their streets from hunger, poverty and crime.”

LISA BRUNO majored in Spanish and studied in Salamanca and Madrid, Spain, while an undergraduate at Northern Arizona University. She also spent two semesters working with Spanish-speaking clients at Coconino County (Arizona) Legal Aid. After graduating magna cum laude from NAU, she interned for the Mohave County (Arizona) Superior Court, where she worked to make the court system more accessible to the public by implementing the Mohave County Self-Service Center for parties representing themselves. She sees law school as an opportunity to use her education to aid others, and with her NDLS education, Ms. Bruno hopes to “help others
through diligent, focused, honest and responsible representation.”

Also committed to a life of helping others, KELLY COX spent two years after her graduation from Notre Dame in 1996 in the University’s Alliance for Catholic Education Program as a volunteer teacher, while also earning her master’s degree in teaching from the University of Portland. She now knows she wants to use her talents and experiences in combination with a law degree to “bring the best resources to the children and parents in need of the most help.”

NDLS attracted DAVE O’GUINN as a place where he knew he would thrive “because of its strong commitment [to] and focus on shaping students to be more than just attorneys but instead to be excellent citizens in a world community.” Mr. O’Guinn served as a public affairs intern in the White House during his undergraduate tenure at DePauw University. Following college, he became actively involved in community-service activities, worked in higher education in the area of student activities, and earned a master of science degree in college student personnel. He hopes to one day return to higher education to serve as a college counselor, student-affairs officer or dean of students.

SUSAN LYNDRUP has taken her “love of the outdoors and molded it into a career interest.” Ms. Lyndrup graduated from the University of Michigan in 1997 with a major in Environmental Policy and Economics. She notes that “environmental issues are not solved in a vacuum, but are a complex web of diverse needs and perspectives that impact people whether in the mountains or in a skyscraper.” Ms. Lyndrup served as a public policy intern for the National Audubon Society in Washington, D.C., and as a legal intern at the United States Environmental Protection Agency.

While completing his master’s degree in philosophy at Franciscan University of Steubenville, Ohio, RICHARD GORDON studied topics that play a significant role in law such as the dignity of the human person, natural rights and the common good. Mr. Gordon states, “It is the nature of law to regulate man’s actions and his relations with other persons.” He led a student outreach program at an orphanage in the Steubenville area, co-founded a teen-crisis hotline, and served as a resident assistant at Franciscan University’s campus in Austria. He is a strong role model for his three-month-old daughter.

NOTRE DAME’S Catholic tradition attracted BASEL BARAKAT. For the greater part of his life, Mr. Barakat faced discrimination as a Roman Catholic living in the West Bank area, a place, he notes, “where humans have no rights.” The discrimination he experienced strengthened his attachment to and pride in his faith, and developed his desire to study at Notre Dame. He has a deep appreciation for and commitment to justice, and would like to practice law in the Middle East, where he could serve his native community.

“A passion for people and a hunger for social justice” define SEAN O’BRIEN, a 1995 Notre Dame graduate. A Notre Dame Summer Service Project working with homeless teenagers in Fort Lauderdale, Florida, constituted the first of many extensive volunteer experiences that strengthened his desire to strive for justice. He has served as a volunteer with Notre Dame’s Holy Cross Associates Program in the Office of Peace and Justice in the Diocese of Phoenix. Besides writing and editing Framework, a peace and justice journal, he volunteered at a shelter for Central American refugees seeking political asylum in the United States. He then spent a year as a kindergarten teacher in a rural Honduran orphanage. With the practical skills he will develop earning his law degree, Mr. O’Brien will strive to “unite himself with others in the struggle for opportunity and justice.”

ANNMARIE DEVITA realized the positive effect public policy activism can have on changing society during her undergraduate career. While at the University of Illinois, her work for the Illinois Department of Rehabilitation Services as a technical reader/writer for a law student with cerebral palsy fueled her desire to attend law school. She is interested in “improving the social conditions of those in under-represented groups, especially the disabled,” and wants to “focus on changing social conditions, and ultimately, changing lives.”

CHRIS ZORICH, a 1991 Notre Dame graduate, hopes to instill in young people the belief that they can “attain school, work hard and become a success.” While Mr. Zorich played professional football, he served as a board member for the Joffrey Ballet, the Big Shoulders Fund, There Are Children Here and United Cerebral Palsy. He also established a charitable foundation in honor of his mother, to help disadvantaged kids. Mr. Zorich has committed himself to being a beacon of hope to underprivileged kids by showing them that they can accomplish anything they try to achieve. He truly wants to help make the world a better place.

The members of this year’s first-year class have the confidence, motivation and ideals to be called Notre Dame lawyers. They share a spirit that makes all of us proud. Their heartfelt desires will bring honor to NDLS and to the legal profession.

— Heather M. Maricic, Assistant Director of Admissions
Career Networking: Solving the Mystery

By Lisa M. Bolanz ’96 J.D., Director of Career Services

Wether you are a student looking for a job or a seasoned attorney developing new clients, the ability to network effectively can be invaluable. Unfortunately, many find the idea of networking either mildly disquieting or downright terrifying. Students, in particular, tend to avoid it — even with our fantastic alumni network — not only because they are afraid to "bother" an alum, but also because they don’t know what to say. On the other side of the desk, attorneys sometimes feel that though they have the best of intentions, they don’t have anything to offer a student who contacts them for help.

The following provides an overview of the networking instruction we give our students, and offers some insights into the kind of help our alumni can provide both to students and to other alumni who are exploring their career options.

What do we tell our students about networking?

- Networking is about relationships.

   Networking is about relationships. It is very important to have realistic expectations from the beginning when developing these relationships. When networking, it is reasonable to expect:

   • information;
   • referrals to others who might assist you;
   • feedback about résumés and cover letters;
   • assistance in formulating a "plan of attack" for a specific geographic location or practice area;
   • valuable information about market and hiring trends; and
   • moral support.

   It is not reasonable to expect your network contacts to find you a job!

   You are sure to turn people off if the first and only question you pose is: "Do you know of any openings?" Not only will you likely receive a "No!" in response, but it is possible that you will lose an opportunity to establish a lasting relationship and gain other valuable information. Networking will also backfire if you believe that it is a way to "back-door" yourself into a position.

   Networking can be extremely beneficial, however, if you approach it with forethought. The process should include developing a contact list, writing a letter of introduction, scheduling informational interviews/appointments, and following up with contacts.

   • Have clear expectations about what networking is and about what it can do for you.

   When meeting with contacts, know what type of information you need. You should be prepared to:

   • explain your purpose in meeting with a contact;
   • show how the contact might be helpful to you;
   • present your background and skills to put the meeting in context;
   • ask questions to solicit the information you need;
   • obtain the names of others who might be helpful in your career search; and
   • be considerate of your contact's time.

   It is important that you present yourself in a positive, confident and self-assured — not negative or desperate — manner. Never scoff at a suggestion, but rather, brainstorm and build on what you have already tried. During your meeting you might want to address:

   • the career of the person you are visiting;
   • your contact's background;
   • how your contact developed his or her practice into an area of specialization;
   • what your contact likes least/best about work;
   • your contact's career path — how he or she progressed from one job to the next;
   • the type of work in which your contact engages;
   • quality-of-life considerations with respect to practice area and geographic location;
   • qualities your contact's employer looks for when making employment decisions;
   • any suggestions your contact might have regarding your résumé, cover letter and interviewing techniques;
   • additional education or experiences that might be of benefit to you and
   • names of other persons in the area that you might contact.
What can you do when a student calls?

Now that a student has actually contacted you, where do you begin? What do you say?

- Be up-front about your limitations.

If you are the hiring partner with the power to offer the student a job on the spot, by all means say so! But most likely, there are other ways that you can help a student through the job-search process. At the outset, articulate what you think you can do, whether offering insight into your local legal market, making referrals to other attorneys that you know, putting in a good word for the student at your place of employment, or relating your own experiences while job-hunting in your area.

On a related point, be honest about your time constraints. If you have limited time to spare, say so at the outset. If you need to call the student back at a better time, please be sure you do! Nothing intimidates students more about networking than interacting with a gruff and distracted contact. Our students know that practicing attorneys lead hectic lives, and they know to respect your time constraints — if they know at the outset what those constraints are.

- Tell the student the facts.

Remember that students have never practiced law before and probably don't know very much about the day-to-day experience of a full-time lawyer. Explain how hiring works in your area of the law. Talk to the student about what it is like to do your job. Describe the atmosphere of the legal market in your city. Here is your chance to be an educator and contribute to the development of a new Notre Dame lawyer!

- Stress self-assessment.

Many students participate in on-campus interviewing because it is there — not because they really belong in one of the typically large law firms that interview on campus. Much of the time, these students do not receive offers from the on-campus interviewers because the interviewers know that the students do not fit the firm's culture. Students may not realize that this — and not their personal skills or achievements — likely resulted in the dreaded "rejection letter." Consequently, you may need to encourage a student to take a step backward to re-examine career goals at some point during the job-search process. With few exceptions, students who do take the time to reflect on their strengths, weaknesses, goals and desired lifestyle find that their sight becomes more focused and their path clearer. Self-assessment brings with it a feeling of uniqueness and power that comes with individuality. So make an effort to ask about the student's background, tentative plans, strengths and weaknesses, likes and dislikes. If you see a discrepancy between what the student wants and what the student is suited for, mention it. For example, if a student wants to practice international law, but wants to live in Omaha and hates to travel, point out the difficulties with those plans. No one can better assess a student's fitness for a particular practice of law than a current practitioner.

- Be a cheerleader — hum the "Fight Song" as you read this.

The art of boosting a student's confidence is a combination of making the student understand that he or she is not alone, while also making that student feel special and unique. To help the student understand that others have achieved success despite similar early difficulties in the career-search process, quote statistics like our overall placement rate; 98.4 percent of the NDLS Class of 1997 found employment within six months after graduation, despite the fact that only 25 percent managed to secure jobs through on-campus interviewing and only 70 percent had jobs at graduation. Those numbers help unemployed students feel like they are in good company. But to boost self-confidence, identify some of the student's key attributes that you noticed. If the student is well spoken, has had great experiences, won a writing award, or answered a question well, be sure to mention it. Students have a hard time appreciating their strengths, and well-deserved compliments go far.

Self-confidence is the key to a successful job search. Students searching for a job need to hear that they are employable, marketable and valuable. Every rejection letter or returned phone call strikes a big blow to the ego, despite the fact that these events occur regularly throughout the hiring process. Help students focus on their strong points and make sure they leave you smiling, thinking, "Yes! I will get a job!

- Encourage and facilitate additional networking.

Many students feel overwhelmed by the prospect of searching for a job across what they perceive to be the "whole world." You, however, can help make that world smaller and more manageable. Encourage and help them to make contacts through our alumni groups, student bar associations, professional groups and personal connections. Remind students that the point of networking is not to ask each person they contact for a job, but to acquaint themselves to their geographic location or practice area by becoming acquainted with established professionals. Offer to introduce them to your colleagues or to forward their resumes. By encouraging them to seek advice and guidance from network contacts, the "whole world" becomes more manageable, and their own options become clearer.

- Follow up.

Many schools with formal one-on-one mentoring programs instruct mentors to make the first contact and to follow up regularly because students often are reluctant to "bother" busy professionals. While we encourage our students to keep in touch with their network contacts, they rarely do. If you haven't heard from a student in a while, take a moment to call or drop a note. The student may still be looking for a job, but is probably reluctant to "bother" you further. Students need you to reassure them that they really do care about them and that they are not bothering you.
Support for Students

Today, 87 percent of NDLS students rely on some form of financial assistance to help pay the costs of their education. Of this group, 80 percent must turn to borrowing the necessary funds, mostly in the form of loans from the federal government and private lenders. Only 17 percent of these need-aid receive it in the form of fellowships, and the remaining 3 percent fund campus jobs to meet their expenses. Moreover, concern about repaying their sizable debts oftentimes is the determining factor in many students’ employment decisions. Many must decide to forego an opportunity to practice law in the public-interest sector and instead accept more financially remunerative employment at a private firm.

One example of the positive impact that greater financial-aid resources have had on the student body is the increase in enrollment of highly qualified women law students. In the current first-year class, 10 of the 11 applicants to whom NDLS offered full-tuition awards were women. As fellowship support increases, we will continue to have similar opportunities to enhance the academic quality and diversity of each class.

The University’s current GENERATIONS campaign has set a funding goal for new endowed law fellowships at the level of $12 million. To date, we have reached nearly two-thirds of this target, and still have two years remaining for the campaign. You can support fellowship funding in a number of ways. Several existing endowed fellowships honor distinguished members of the Law School community — people such as Professor Edward J. Murphy and Reverend Michael D. McCaffery, C.S.C. — both now deceased, but both very influential in the lives of many NDLS graduates and in the development of our Law School. Certain classes have established their own fellowship funds honoring deceased classmates. Or, you have the option of establishing a law fellowship in the name of someone who significantly impacted your life, either within or outside the Law School community.

Two years ago, the University administration announced that it would contribute $100,000 toward the funding of up to 10 prestigious Dean’s Fellowships, matching at a 1-for-3 ratio each benefaction of $300,000 to establish a fellowship. These endowed fellowships will provide merit-based, full-tuition grants, allowing us to attract some of the brightest law students in the nation.

Finally, financial support in any amount can be directed to the General Law Fellowship Fund. This fellowship fund, along with all other unrestricted gifts to the Law School, are expended each year on student financial aid.

We have had a marvelous record of accomplishments over the past few years. And these accomplishments are due, in no small part, to the increased financial aid resources that have allowed us to attract a wonderfully diverse and accomplished student body. Your support of our financial aid efforts is an essential part in ensuring that our outstanding achievements continue well into the future.

— David M. Morrissey

Support for Teaching and Scholarship

On the other side of the NDLS education equation, our faculty comprise the greatest resource we have to offer our students. Support for their significant teaching and scholarship also takes several forms — the most notable of which is endowed chairs that provide funds to attract or recognize the most distinguished teachers and scholars in their respective fields. The funds also help to pay for research assistants, travel to conferences, and other support necessary to develop the international reputation of NDLS.

This year, the John P. Murphy Foundation of Cleveland, Ohio, pledged $5 million in support of four endowed chairs. These prestigious positions will benefit law professors whose teaching and scholarship emphasize moral and ethical values in the law. The gift increases the number of chairs at NDLS from seven to 11.

In reflecting on the gift, University president Reverend Edward A. Malloy, C.S.C., noted: “This generous gift will have a profound effect on teaching and scholarship in the Notre Dame Law School. We are confident that the John P. Murphy chairs will strengthen Notre Dame’s already considerable reputation as the standard bearer in the teaching and scholarship of legal ethics.”

The Murphy Foundation was established by the late John P. Murphy, chairman of the board of the Higbee Company of Cleveland, Ohio, and a Notre Dame trustee for 36 years until his death in 1969. A native of Westboro, Massachusetts, and a 1912 graduate of the University, Mr. Murphy practiced law in Minneapolis and Montana before the outbreak of World War I, when he joined the Army Air Corps. After the war, he practiced law in Cleveland, eventually becoming president of the Higbee Company. In 1928, he was elected president of the Notre Dame Alumni Association, and he received an honorary doctor of laws degree from the University in 1952. During his lifetime, he gave several generous gifts to the University, and since his death, gifts from the Murphy Foundation have had a significant impact on expanding the collections and the services of the Kresge Law Library.
Our deans.

Each of these eight men influenced the development of our Law School in the particular ways needed at critical moments of our history. Each has left his special imprint on our Law School, in its progress to greatness.

You can help us honor our leaders, and be an integral part of the future of the Notre Dame Law School. By endowing a Dean’s Fellowship, providing full-tuition support to our outstanding students, you can help ensure the greatness of our Law School.

For more information on endowing a Dean’s Fellowship, contact:

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