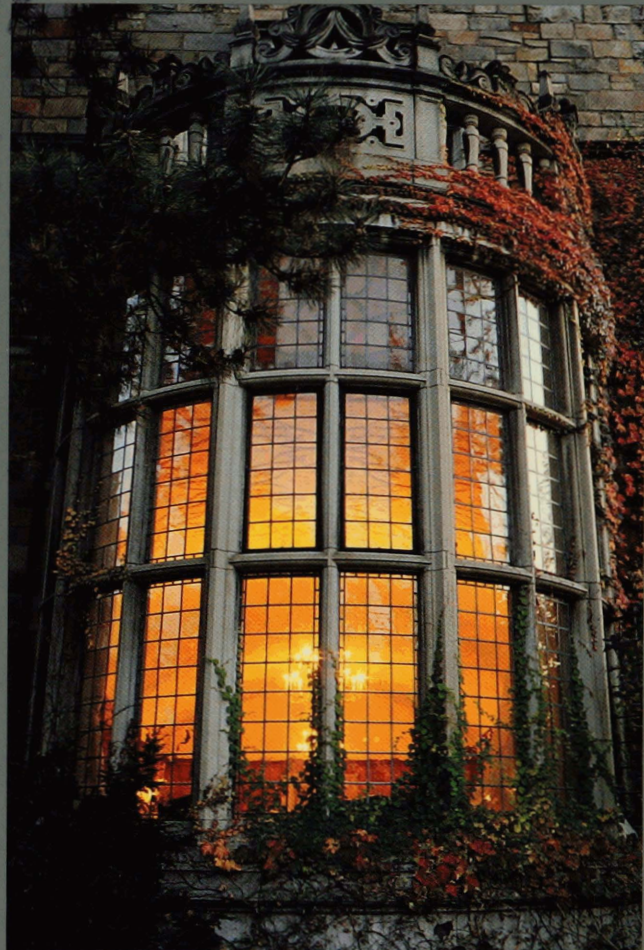


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LAW QUADRANGLE

NOTES

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International Alumni Reunion

David Chambers:
Women and Men Lawyers and
the Balance of Work and Family

LAW QUADRANGLE

NOTES



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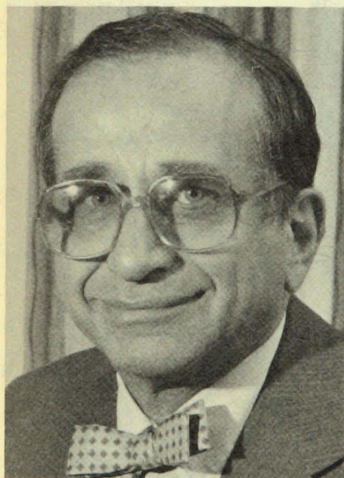
- 14 International Reunion in Ann Arbor; talking of tabloids; allegory and activism.

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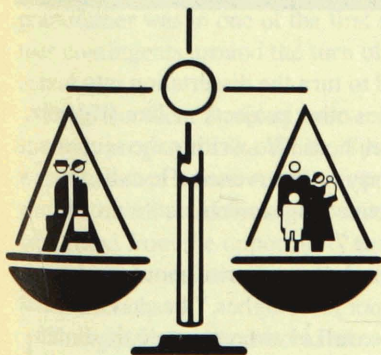
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Writing history

The Hughes Court is the topic

Justice Oliver Wendell Holmes, Jr. once remarked that he liked paying taxes because he bought civilization with them. So much did he like the purchase that he left a substantial portion of his estate to the United States government.

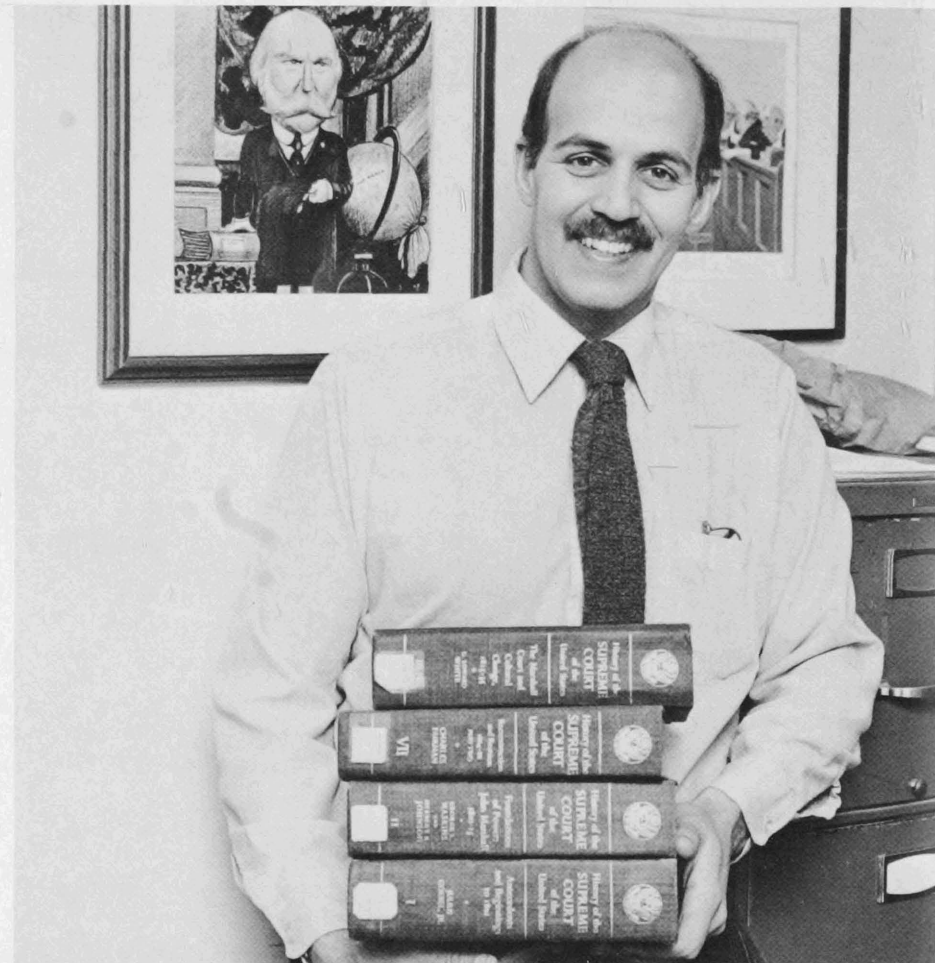
Part of the civilization he purchased is a multi-volume history of the Supreme Court, sponsored by the Permanent Committee on the Oliver Wendell Holmes Devise, which was established by Congress to administer Holmes' bequest.

These volumes, published by Macmillan and divided, generally, by chief justiceship, have become the standard history of the Court. Three volumes have yet to appear — on the Fuller, Taft and Hughes courts — and one of those, the volume covering the Hughes Court, will be written by Law School Professor Richard D. Friedman.

Friedman, who is also general editor of *The New Wigmore*, a multi-volume treatise on evidence, calls the Hughes period, from 1930-41, the "crucible of modern constitutional law."

"In some respects," he says, "constitutional law changed more in those 11 years than in the half century since." The problem posed in the famous "footnote 4" of Justice Stone's *Carolene Products* opinion (1938) — essentially, how to distinguish between questions on which the political branches are entitled to deference and those on which individual rights warrant judicial protection — continues to dominate constitutional debate.

It is Friedman's thesis, however, that the changes during the Hughes era, often attributed to President Franklin Roosevelt's Court-packing plan, are more attributable to continuity than to the "judicial revolution of 1937." The Court's increasingly liberal views — its greater receptivity to



Richard Friedman

governmental economic and social regulation and the exercise of federal power as well as to individual "non-property" rights — are, Friedman argues, the result of gradual personnel changes that began before 1937 rather than any sharp break that year. "The Court-packing plan," he says, "appears to have had no effect at all."

Friedman first became interested in Charles Evans Hughes when in law school, and he chose Hughes' role as chief justice as the topic of his doctoral dissertation at Oxford. He had always

planned to turn the dissertation into a book, but other projects — like *Wigmore*, for which he is also writing the sections on hearsay — intervened. He calls the prospective Hughes volume "a dream come true."

"It's a chance to write about the entire Court, not just Hughes," he says. "I have a story to tell of almost novelistic dimensions. It's work I love, and it will fit into a very important series. The only downside is that my platter is now filled for years to come."

A hot time to study

Summer starters get a relaxed introduction to law school

Ann Arbor in the summer. The art fairs. Picnics. Fuller Park. The 4th of July. Contracts Class.

Contracts class? What do consideration and the statute of frauds have to do with summer? Law students are supposed to bundle up in warm clothes and trudge to class through the Michigan tundra — not skip through the law quad in shorts and sandals.

Yet that is precisely what one quarter of the Law School's entering class does each year, approaching new and difficult concepts in a setting more intimate than in the fall when the other three sections begin. There are only 90 students in each summer section. Most spend the summer in the east wing of the Lawyers Club.

These students are part of a long and proud tradition at the Law School, dating back to the 1890s.

During that time the purpose and goals of the program have changed.

"When I was there, half the people enrolled had just come out of the military. Now it's just an alternative way to begin law school," said Law School Professor James J. White, himself a one-time summer starter. In fact the program is something of a White family tradition. His grandfather was in one of the first summer contingents around the turn of the century.

Professor Kent Syverud oversees the summer program. Like White, Syverud was a summer starter. As a joint-program student in both economics and law, he benefitted from the opportunity to exercise more control over his schedule than fall starters have.

Changes in the legal world are one reason the program has changed. Lucrative summer associateships were not yet a staple of the law school experience in White's day. Thus he and most of his

classmates spent their second summer studying to get out more quickly.

Now, most summer starters spend only their first summer in Ann Arbor and graduate in December of their third year. The question now is not whether to get out early but whether to stay and graduate in May with the fall starters.

The law school's financial aid policy encourages summer starters to finish in December. "We used to offer grant aid to summer starters who wanted to stretch law school to include the winter term of their third year," noted Associate Dean Susan Eklund. "But we found this left us without enough aid to give to students who really needed it."

Having a summer program makes Michigan unique among its peer institutions. "I know of no other 'Top 10' law school which allows students to start in the summer," Eklund said.

Although they're thrown into the larger law school community once fall arrives, summer starters retain their own identity. Because they have developed friendships over the summer they retain an esprit de corps that both brings them together and distinguishes them.

"I think summer starters, because they're in Ann Arbor when not much else is going on in the Law School, develop closer ties than other sections," Syverud said.

"It's not just during the summer that we're together," said Paul Duhaile, a student from Mount Clemens, Mich. "The administration keeps us together in the fall as well, so we really get to know each other well."

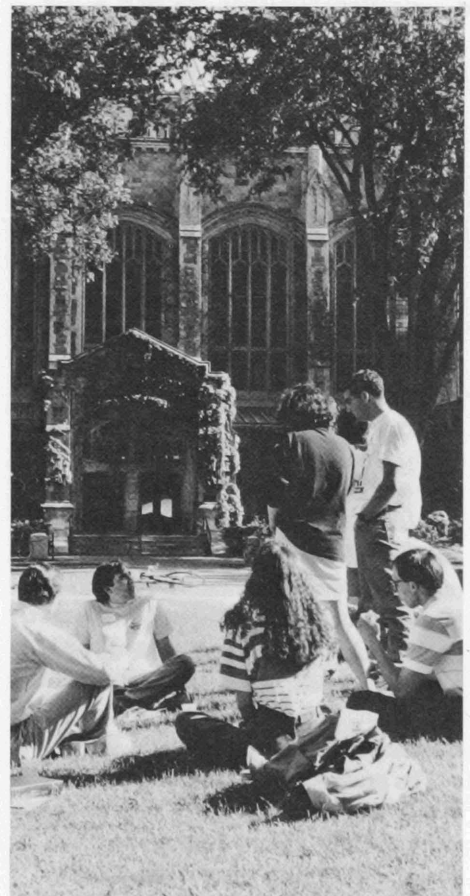
Despite the friendships, law school still involves stress and competition. One issue that concerns many summer students who come to law school directly from college is the difficulty of going straight from one academic challenge to another.

"I could definitely see the potential for burnout," said Cindy Rybolt, a second-year student and summer starter from Anderson, Ind.

Rybolt added, however, that the Law School makes it easier by staggering first-semester exams and by sometimes requiring fewer credits in the summer.

So despite having to spend their time studying while other students are hitting the beach, some eager students find the benefits of flexibility and a slightly lighter beginning load adequate compensation.

— Peter Mooney, 3L



May is the time when summer starters pick up their books.

Eyewitness to change

Visiting professor assesses events in former Soviet Union

“I was shocked by the stupidity of the whole thing.”

That was Gennady Danilenko's reaction to the August coup in the former Soviet Union. Danilenko, a Russian citizen, is a visiting professor at the Law School.

Images of the abortive coup have become part of our collective memory. Boris Yeltsin urging resistance from atop a troop transport; thousands of Muscovites gathering outside the Russian White House to protect their fledgling democracy; and, of course, the trembling hands of the coup leaders foreshadowing the disintegration of their attempt to roll back history.

Danilenko was in Moscow during the coup. What the rest of the world saw on CNN, he witnessed personally. Soon, he will return to face a future that offers both promise and pitfalls.

Although dramatic changes have occurred since August, Danilenko does not think a future coup is out of the question.

“I think a military coup is perfectly possible,” Danilenko said.

Danilenko noted a growing sentiment against reform. Right-wing nationalists have begun working with old-line communists to fight change. This informal alliance allows members of the now-outlawed Soviet Communist Party to retain influence. A substantial portion of the Russian parliament is made up of communists, although, as Danilenko points out, “It's difficult to say who is a communist and who is not.”

The presence of anti-reform forces makes it hard for Yeltsin's government to move quickly. “Many (nationalists and former communists) are just blocking reform. They are, as Americans say, waiting in the wings to see if Yeltsin falters.”

Yet change — dramatic and sometimes painful — continues. Russia has allowed prices to skyrocket in hopes that production will increase. One way to accomplish this is to allow private land ownership. “Yeltsin has been slow on privatizing land and dismantling collective farms,” Danilenko noted.

The Yeltsin government is negotiating with the International Monetary Fund to become eligible for loans and other assistance. While the republics have immediate needs, IMF-type economic assistance is preferable to foodstuffs, Danilenko said. “People are often offended by food donations.”

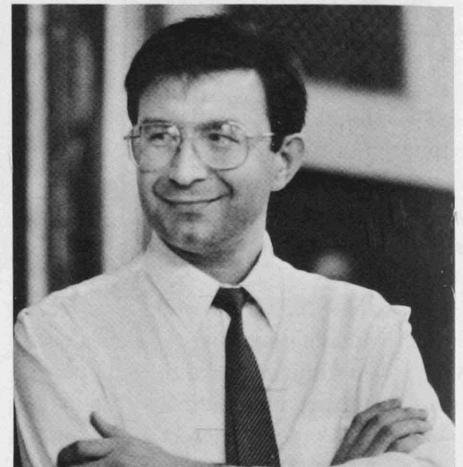
He explained that a stabilization fund to support the ruble and technical assistance would be far more helpful.

In addition to developing a more modern economy, the former republics have witnessed a quiet evolution in the legal system. “The existing system remains. Yet in recent years, judges have become more independent,” Danilenko said. In an effort to reduce the appearance of bias, judges are now forbidden to join political parties. Slowly, he added, the system is becoming more truly adversarial and less a tool of the state.

Another reform with lasting significance is the move to privatize printing presses. Despite Gorbachev's program of Glasnost, private publications were often given only limited access to printing facilities under his leadership.

“Now they will be able to access printing services on an equal basis regardless of their political stance,” Danilenko said.

Yet not all the republics are equally committed to an open marketplace of ideas. For instance, a recent Helsinki Watch report on the government of Zviad Gamsakhurdia in Georgia condemns a



Gennady Danilenko

prohibition on criticism of the leadership and the closing of newspapers.

The report also criticized the use of mob violence and police intimidation against government critics. Danilenko said civil strife and repression in Georgia can be explained partly by its lack of a democratic tradition.

With instability in Georgia and other republics, the issue of what will happen to the huge stockpile of nuclear weapons scattered in different republics has raised concerns worldwide. Danilenko said Russia has established its authority in this area.

“It appears that the Russian Federation controls everything,” Danilenko said. “Although some of the warheads are in other republics, they are located in compounds, surrounded by barbed wire. Even if local leaders wanted to control them, no one would let them in.”

Now Danilenko follows issues like the control of the nuclear arsenal by surveying the American, European and Russian press. When he returns this summer, he'll once more be an eyewitness to history.

— Peter Mooney, 3L

Added attractions

Visitors from around the globe enrich offerings

The Law School has enjoyed the company of a diverse group of visiting faculty during the 1991-92 academic year. Here's a Who's Who of this year's visitors.

Eugene N. Aleinikoff, a private practitioner in Ancram, N. Y., and father of faculty member Alex Aleinikoff, is teaching copyright law during winter term. Aleinikoff has been in private practice since the mid-'70s and is a former attorney with the Department of Justice and the Economic Cooperation Administration.

Philip Allott visited during the fall from Trinity College, Cambridge. An authority on international law, he taught a course on European Community law.

José E. Alvarez is visiting during winter term from George Washington University. He is teaching Advanced Issues in International Law. A former attorney with the U.S. Department of State, he has taught full-time at Georgetown since 1989.

Aharon Barak, a Justice of the Israeli Supreme Court and former dean of Hebrew University Law School, visited during the fall semester, teaching a seminar on Comparative Constitutional Law and one on Judicial Discretion.

Gennady M. Danilenko has been visiting this year from the Academy of Sciences in the former Soviet Union. During the fall, he taught Modern International Lawmaking. This term he is teaching International Protection of Human Rights.

Joshua Dressler visited during the fall from Wayne State University Law School. Chair of the A.A.L.S. Section on Criminal Justice, Dressler taught Criminal Law during his visit here.

Roderick M. Glogower, rabbinic advisor for the B'nai B'rith Hillel Foundation at the U-M, is teaching a seminar on Jewish law this term.

Susan Gzesh, a graduate of the U-M Law School, returned last fall to teach a course on Immigration and Nationality. Gzesh is a lawyer with the Lawyer's Committee for Civil Rights, in Chicago.

Gunther Handl is visiting winter term from Wayne State University Law School. His courses include Public International Law and a seminar on International Environmental Law.

Joseph Isenbergh visited in fall from the University of Chicago Law School. A specialist in taxation who practiced in Washington, D.C., before joining the Chicago faculty in 1980, Isenbergh taught Taxation I and International Taxation.

William R. Jentes, twice a graduate of the U-M, taught a seminar on Complex Litigation at the School this fall, visiting from Kirkland & Ellis in Chicago. He has been lead counsel on cases involving some of the nation's largest corporations.

Frederick W. Lambert, also twice a U-M graduate, visited this fall, teaching a course on Business Planning and a section of the Lawyer as Negotiator.

Mitsuo Matsushita of the University of Tokyo visited during the fall, teaching a course on Japanese Public Law. Matsushita taught at Sophia University before joining the Tokyo faculty.

Brinkley Messick, a member of the U-M's anthropology department, is teaching a course on Islamic law this term at the Law School.

Kerry Lynn MacIntosh is visiting winter term from Santa Clara University School of Law. Her U-M courses include Commercial Transactions and Letters of Credit.

Ernst-Ulrich Petersmann visited during the fall from the University of St. Gallen in Switzerland, where he is director of the Institute of European Law, Economic Law and Comparative Law.

Steven Rhodes, United States Bankruptcy Judge for the Eastern District of Michigan and a graduate of the Law School, is teaching Bankruptcy this term.

Joseph L. Sax, environmental law expert and a former Law School faculty member, visited in the fall from Boalt Hall. His course offerings were Environment and Culture and Water Law.

Kazuyuki Takahashi has been visiting this year from the University of Tokyo Faculty of Law. He has been teaching selected problems in Japanese constitutional law.

James J. Tomkovicz is visiting this term from the University of Iowa College of Law. He is teaching Criminal Law and Criminal Procedure: The Right to Counsel and Trial by Jury.

Steven Willborn is visiting this term from the University of Nebraska College of Law. He is teaching Individual Employment Relations and Labor Law.

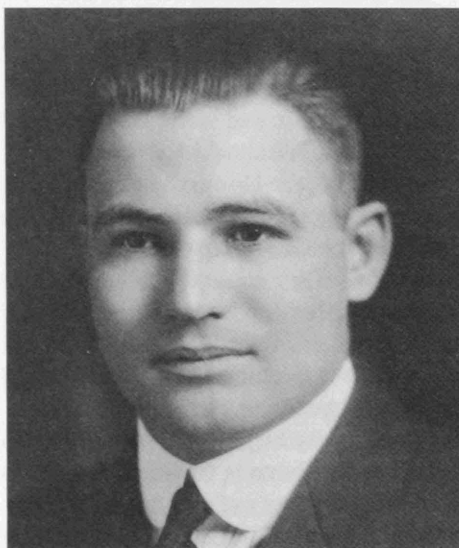
Yoichiro Yamakawa was here from Japan during the fall semester. A lawyer with Koga and Partners in Tokyo, Yamakawa is also a Michigan graduate, having received his MCL here. During his stay, he co-taught Freedom of Speech and Press in the U.S. and Japan with Dean Lee Bollinger.

Yulin Zhang, of the Secretariat of the China International Economic and Trade Arbitration Commission, visited during the fall. He taught a seminar on Commercial Arbitration with Law School Professor Whitmore Gray.

Chairs honor professors

Seats of learning for distinguished scholars

Two appointments to named professorships marked the start of the 1991 fall term at the Law School. **Peter Westen** was appointed to the newly established Frank G. Millard Professor-



Frank Millard

ship of Law, and **Philip Soper** was named the James V. Campbell Professor of Law.

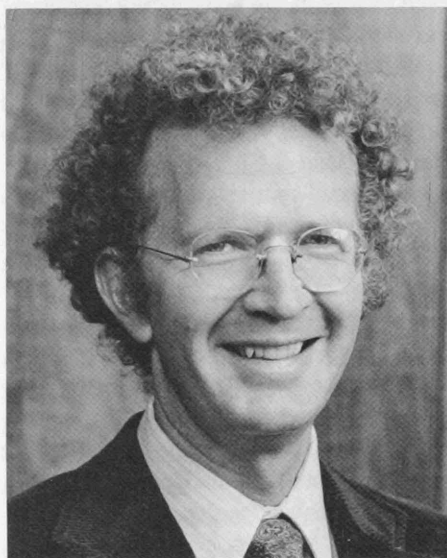
The Millard Professorship was established through a \$1.2 million gift from the estate of Dorothy E. Millard. The chair honors her husband, the late Frank Gurnee Millard, who died in 1976.

Millard received both his bachelor's degree and law degree from Michigan. After graduating from the Law School in 1916, he practiced law in Flint and was active in the Genesee County Republican Party, which he chaired from 1922-1924 and again in 1940. From 1948-1950 he was a member of the Republican State Central Committee, and in 1950 he was elected Attorney General for the State of Michigan — a position he held until 1954. From 1955-61 he served as General Counsel of the Department of the Army, living in Washington, D.C. On his return

to Michigan in 1961, he was elected a delegate to the Michigan State Constitutional Convention, chairing the committee on Emerging Problems.

"By his wide variety of acts of public service, Frank Millard exemplified the public character of law as a profession," said Dean Lee Bollinger, announcing the establishment of the chair. "His life in the law added distinction to the profession and his School."

■ **Peter Westen**, first holder of the chair, joined the Law School faculty in 1973. He received his B.A. from Harvard College



Peter Westen

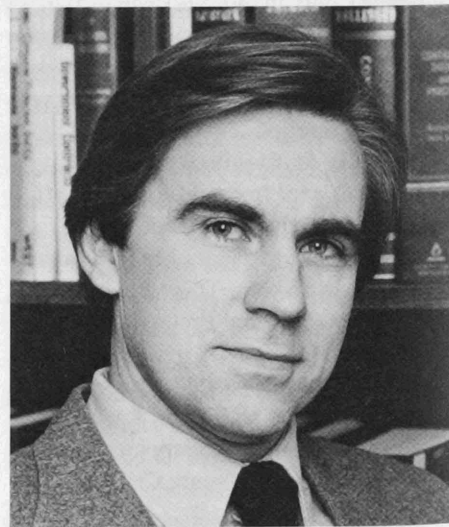
in 1964 and his J.D. from the University of California, Boalt Hall, where he was Editor-in-Chief of the California Law Review. He also studied at the University of Vienna. Following law school graduation, he clerked for Justice William O. Douglas, spent two years as a fellow at the International Legal Center in Bogota, Colombia, and practiced law in Washington, D.C.

Westen has taught courses across the breadth of the Law School's curriculum,

winning the Outstanding Teaching Award for his efforts. His scholarly work has included dozens of articles and lectures. His book on equality, *Speaking of Equality: An Analysis of the Rhetorical Force of "Equality" in Moral and Legal Discourse* (1991) is the culmination of a decade of work that has stirred widespread debate and admiration. He is now at work on another book that seeks to rethink the concept of consent in the same way he explored the concept of equality.

"Professor Westen has been a model of all the qualities we seek in members of the Law School faculty," said Bollinger. "His appointment recognizes his myriad accomplishments and contributions and establishes a level of distinction that honors the chair itself."

■ **Philip Soper's** appointment as the James V. Campbell Professor of Law is a "recognition of the important role he plays in the life of the Law School," said Bollinger.



Philip Soper

Soper has been a member of the Law School faculty since 1973. He received

his B.A. *summa cum laude* from Washington University in 1964, and his M.A. and Ph.D. in philosophy in 1965 and 1972. He received his J.D. from Harvard Law School in 1969. After graduation, he served as law clerk to Justice Byron O. White and as a member of the staff of the General Counsel of the Council on Environmental Quality.

Soper's teaching at the Law School has centered on contract law and on jurisprudence and legal philosophy. His scholarly work in legal philosophy, including his book *A Theory of Law* (1984), have made him a leading figure in the field. His numerous articles have appeared in both legal and philosophy journals and have figured prominently in debates on issues of current interest.

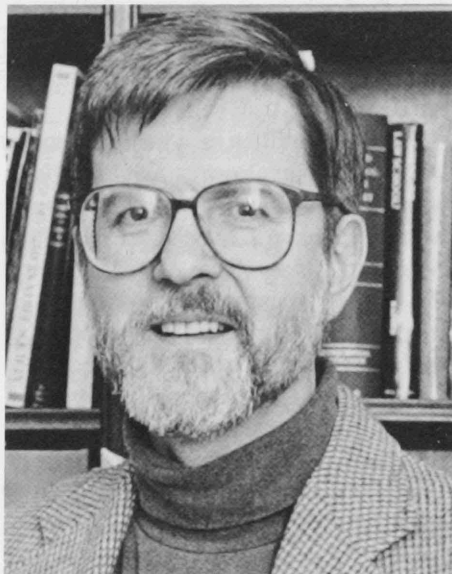
His work, noted Bollinger, has been central in making the School "a vital center of contemporary jurisprudence."

Among the newest named professorships in the Law School are four whose holders were appointed during the 1990-91 academic year:

■ **David L. Chambers** holds the Wade H. McCree, Jr. Collegiate Professorship. The chair is named for the late Wade H. McCree, Jr., who came to the Law School after a distinguished career that included service as state judge, federal judge, and Solicitor General of the United States.

Chambers joined the Law School faculty in 1969. He earned his A.B. from Princeton University in 1962 and his LL.B. from Harvard in 1965. He came to Michigan after a period in practice and service in a number of positions with the federal government.

A leading authority in family law and related areas, Chambers is author of the book *Making Fathers Pay: The Enforcement of Child Support* (1979), a pioneering example of the ways in which the empirical techniques of social science can be brought to bear on legal problems. His teaching at the School has embraced not only family law but also criminal law and professional responsibility. He has also been a leader in developing a new first-



David Chambers

year curriculum for part of each starting class. His service to the profession has included presidency of the Board of the Society of American Law Teachers; chairmanship of the Board of Michigan Legal Services; chairmanship of the Administrative Committee of UAW-Ford Legal Services Program; and membership on a child development committee of the National Academy of Sciences.

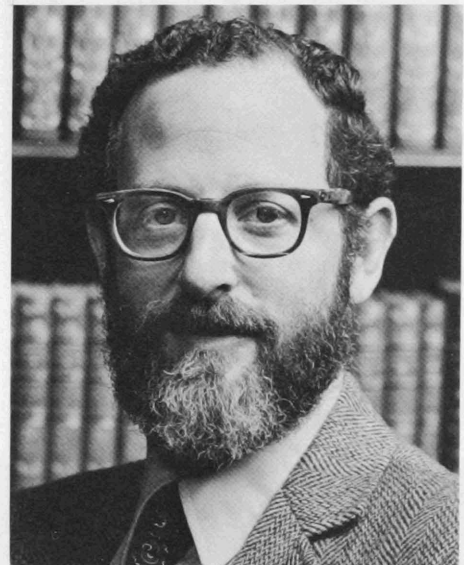
"Professor Chambers was a close friend and colleague of Professor McCree," said Dean Lee Bollinger. "It is particularly fitting that he be named the first Wade H. McCree, Jr. Collegiate Professor."

■ **Thomas A. Green** holds the John Philip Dawson Collegiate Professorship, named for a former Law School faculty member who was an outstanding figure in restitution, contract law and legal history.

Green has been a member of the the Law School faculty since 1972. Since 1980, he has also held an appointment as Professor of History in the College of Literature, Science, and the Arts. He earned his A.B. degree at Columbia University in 1961, and his A.M., Ph.D. and J.D. degrees from Harvard in 1962, 1970 and 1972.

Green joined the Law School faculty upon completion of his legal studies and after serving for a time as a history pro-

fessor. He is the author and editor of an impressive array of books, articles and other works in the field of legal history. He has focused particularly on the history of jury trial over a period of many centuries. His works bring together the disciplines of history and law in ways that represent the best qualities of outstanding work in both fields. In addition to his fine work as a scholar, Green has been an outstanding teacher both of law and history students, inside the classroom and in individual discourse.



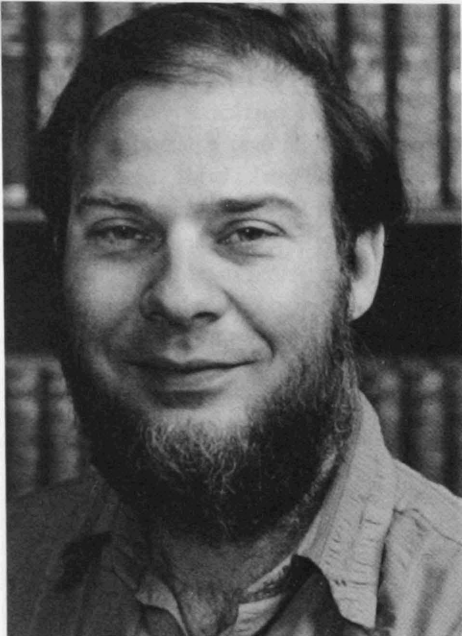
Thomas Green

"He is an especially worthy person to be named the first holder of the Dawson chair," said Bollinger, "both because of his work in the field of legal history and because of the fine qualities of human gentleness he shares with Professor Dawson."

■ **Richard O. Lempert** is the holder of the Francis A. Allen Collegiate Professorship of Law, named for former Law School Dean Francis A. Allen.

Lempert joined the Law School faculty in 1968. Since 1985 he has also held an appointment as Professor of Sociology in the College of Literature, Science and the Arts. He earned his A.B. degree from Oberlin College in 1964 and his J.D. and Ph.D. from Michigan in 1968 and 1971.

Joining the disciplines of law and



Richard Lempert

sociology has been the underpinning of Lempert's work, which has ranged across many fields. He has given particular attention to the processes of public housing evictions and the workings of juries. He is the co-author of a leading course book on evidence and has served as editor of the *Law and Society Review*. Much in demand as a lecturer both in the United States and abroad, he ranks as a leader in the generation of scholars that has brought to maturity the integration of legal and social studies.

"Professor Lempert joined the Law School faculty while Francis Allen was dean," Bollinger noted. "It is particularly suitable that he be the first holder of this chair.

■ **Donald H. Regan** holds the William W. Bishop, Jr. Collegiate Professorship of Law, named for the School's former Edwin DeWitt Dickinson University Professor of Law, the late William W. Bishop.

Regan joined the Law School faculty in 1968, and, since 1983, has also been Professor of Philosophy in the College of Literature, Science and the Arts. He earned his B.A. in mathematics from Harvard College in 1961, his B.Phil.

from Oxford in economics as a Rhodes Scholar in 1968, his LL.B. from the University of Virginia in 1966, and his Ph.D. from the U-M in 1980.

Regan has written on a variety of topics in the fields of philosophy and law. His book, *Utilitarianism and Co-operation*, won the Franklin J. Matchette Prize of the American Philosophical Association for the 1979-80 biennium. His writing on legal topics has included a monumental analysis on the Commerce Clause of the United States Constitution. He is one of several interdisciplinary scholars who, by joint appointments and wide-ranging intellectual activities, are binding legal scholarship ever more tightly to the full universe of university scholarship.

Said Bollinger: "Professor Regan is a distinguished appointment as the first William W. Bishop, Jr. Collegiate Professor of Law."

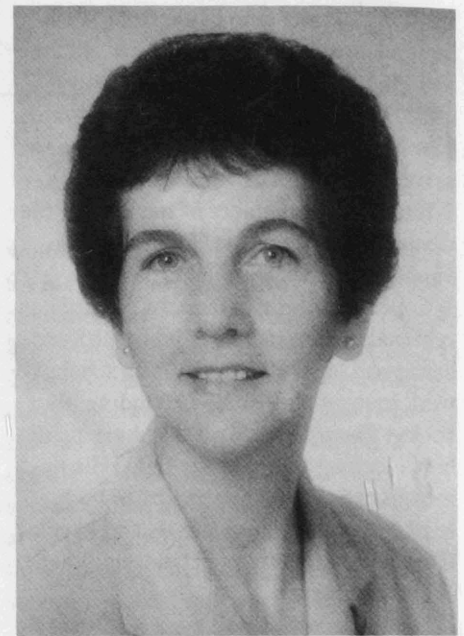


Donald Regan

Knott receives new title

Anne Percy Knott, director of major gifts for the Law School, has been appointed Assistant Dean for the Capital Campaign of the Law School.

Knott joined the School's development office in 1990. As director of major gifts, she has developed procedures for major



Anne Knott

fund-raising initiatives, including the establishment of major gifts committees around the country and in Japan.

In her new position, Knott will have special responsibility for the Law School Campaign. "Appointment as assistant dean recognizes her fine work," said Dean Lee Bollinger. "She will play an essential role in guiding the Campaign to successful completion."

"I welcome the challenge of constructing a campaign that will make a real difference to the future of the Law School and look forward to making many more friends among the alumni of the School."

Knott has been engaged in major gift activities at the University of Michigan since 1982. Before joining the Law School staff, she served eight years as an area director and major gift officer in the Office of the Vice President for Development. Knott holds a B.A. in English from Boston University and an M.A.T. in English from Harvard.

Elizabeth Mitchell-Yellin, former assistant to the Law School Fund, will assist Knott as campaign manager. Mitchell-Yellin holds an A.B. in sociology and an M.S. in organizational development, both from the University of Michigan.

Benedum Foundation endows research fund

On June 11, 1991, the Trustees of the Benedum Foundation of Pittsburgh, Pennsylvania, authorized a grant of \$500,000 to support new research initiatives of Law School faculty. "The School is extremely pleased to receive this gift, extraordinary both in amount and in what it supports," said Law School Dean Lee C. Bollinger. "We are delighted to establish the Claude Worthington Benedum Faculty Research Endowment Fund."

The Benedum Foundation has been a generous benefactor of the University of Michigan Law School over the past three decades, making major grants to the International and Comparative Law Program and to the construction of the Law Library addition.

The Benedum Foundation was created by Michael L. Benedum, a West Virginian of modest origins who spent 70 of his 90 years in the exploration and develop-

ment of oil and gas reserves in the Americas. Benedum died in 1959.

Henry A. Bergstrom, a U-M alumnus (A.B. '32, J.D. '35) who has been a trustee of the foundation since 1959, points out an interesting, though indirect, relationship between the Law School and oil and gas pioneer Benedum, one of which certainly neither was aware. For more than four decades, he notes, U-M-trained lawyers were the most prominent counselors in the exploration for and production of oil and gas in the states that remain the country's largest producers. They, in essence, "wrote the law" in this field, he said.

The Benedum Foundation's president, Paul R. Jenkins, a '57 graduate of the Law School, hopes the grant will serve as an incentive to other potential donors as the School launches its \$50 million endowment campaign. "An increase of endowment of that dimension is absolutely essential if Michigan is to remain in the front rank of leading law schools," he said.

They wrote the book

A new multi-volume series, *The Bill of Rights and American Legal History*, edited by Paul L. Murphy, Professor of History and American Studies at the University of Minnesota, gathers "the best writing" on the Bill of Rights. The series, a project of Garland Publishing Co., celebrates the 200th anniversary of the addition of the Bill of Rights to the U.S. Constitution. It includes articles by a number of U-M law faculty members: Lee Bollinger, Yale Kamisar, Richard Lempert, Catharine MacKinnon, Donald Regan, Carl Schneider and Peter Westen. Also included are articles by Professor Emeritus Francis Allen and the late Paul Kauper, a member of the U-M law faculty from 1936-74. The articles are grouped by general topics, e.g., free speech, religious freedom, the right to privacy and criminal procedure, and each sub-set of volumes may be purchased separately.

New look, new name for an old room

For decades, the University of Michigan Law School has been blessed with wonderful alumni who stay involved with the School long after graduation. On Nov. 22 and 23, 1991, Dean Lee Bollinger and members of the Law School faculty and staff gathered to honor a special group of alumni from the firm Squire Sanders & Dempsey by dedicating a classroom in the firm's name.

Under the leadership of Terrence G. Perris (J.D. '72), University of Michigan Law School alumni at the firm offered their support to renovate Room 120 Hutchins Hall, a space greatly in need of refurbishing. Because of their vision and generosity, a much-used and valued classroom has an exceptional new face. This project has served as an example for other firms. Currently, three more firms are raising funds for other classroom renovation projects in the Law School.



Attending the dedication of the Squire Sanders and Dempsey Classroom were Law School alumni and firm members (front row, from left) Jon E. Denney, Terrence G. Perris, William H. Conner, William H. Ransom and James M. Tobin; and (back row, from left) John F. Lewis, John T. Meredith, George F. Lynch, Paul F. Sefcovic and Mara L. Babin.

New direction for poverty law

Law School program defines a shift

Head downtown in almost any city in the United States and you will find attorneys involved in the world of business. Some work directly for Fortune 500 corporations; others practice in firms that advise a range of clients.

Most of these lawyers never see the inside of a courtroom. The meat of their practice is "the deal" and not "the lawsuit." Their clients negotiate sophisticated business transactions and depend on their attorneys to contribute a specialized understanding of the "regulatory state," of the rules of contract interpretation, and of the many different people who need to be brought together to make a deal succeed.

The Program in Legal Assistance for Urban Communities is an innovative program of the Law School that extends legal support of this kind beyond the world of big business to community-based organizations serving low-income areas of Detroit.

The Urban Communities Program is part of a new direction in poverty law, says Law School Professor Jeffrey Lehman, who teaches welfare law and was instrumental in launching the program. During the 1960s and 1970s, "poverty law" meant ensuring that poor individuals received a fair hearing in disputes with the bureaucracy over public assistance. But by the 1980s it had become obvious that this often addressed only a small part of a client's legal needs.

Expanding legal service to poor communities is where this unique Law School program comes in. It had its origins in 1988 when Lehman and Law School colleagues began working with several law students to find ways in which the energy and talents of students might best be used to address problems of economic and social justice. The Program in Legal Assistance for Urban Communities that evolved from this effort received funding from the Rockefeller Foundation and the Presidential Ini-



Rochelle Lento

tiatives Fund the following year. Rochelle Lento, the program's executive director, explains that the program's goal is to enable community-based organizations to surmount certain legal obstacles by receiving necessary legal and technical assistance to rebuild their neighborhoods' economic-development and social bases.

Lento, an attorney, long-time Detroit resident, and former aide to Detroit City Council President Mary Ann Mahaffey, was hired in 1990 as the program's first director. Lento also brings to the program a history of community organizing, having worked with the Association of Community Organizations for Reform Now.

"Low-income citizens want more from life than to be maintained as dependents of government agencies," says Lehman. These citizens organize community groups to take the initiative in improving the quality of life for themselves, their children, and their neighborhoods.

Usually, however, these groups cannot afford the legal expertise that is often necessary to turn inspiration into reality. The Program in Legal Assistance to Urban Communities offers another tool, explains Lento, which community organizations



Jeffrey Lehman

can use to take greater control of the destiny of their neighborhoods.

"The Urban Communities Program injects the university directly into the center of a complex social problem," says Lehman. "We see organizations that have the potential to provide substantial 'spill-over' benefits to their communities. But to succeed, those organizations need access to a scarce, sophisticated, and expensive legal 'technology.' The program relies on students to make that technology available."

One of the program's first activities was to sponsor a two-day conference in Detroit that brought representatives of local community groups together with national experts on community economic development law and members of the U-M community. In winter term '91, Lento and her students began working on concrete projects. This fall, the program enrolled nine law students and one graduate business student.

The work of the Urban Communities Program is typified by its efforts to help several Detroit housing groups to untangle and streamline the abandoned-property foreclosure and condemnation process. It can take city government as long as five

years to process a property that has been condemned or foreclosed for failure to pay back taxes and return it to the housing stock. "During this time, property that might have been a valuable community resource can be stripped and deteriorate to the point of worthlessness," says Lento.

Community groups would like these properties made available more quickly so that, rather than undermining a sense of neighborhood vibrancy, they can shelter families or house local businesses. The Urban Communities Program is identifying the regulatory and institutional sources of these delays, and is working with the relevant government authorities to design a framework that continues to respect the interests of property owners while also responding more effectively to their clients' needs.

This semester, the program has developed model legislation to accelerate the foreclosure process for abandoned residential property. If successful, this legislation would shorten the process from five to two years for this class of property and would allow community groups to receive the property directly from the state.

Students participating in the Urban Communities Program have assisted a number of other community-based projects, including two community organizations pursuing neighborhood economic development plans. One group plans to revitalize and rebuild a deteriorating commercial strip, while the other hopes to sponsor a farmer's market in the community.

"The reaction of community groups in Detroit to the U-M program has been overwhelmingly positive," says Lento. "The organizations' leaders have especially appreciated our willingness to listen and respond to their technical and legal needs, as defined by the organizations, not us. Our hope is that we can expand the program to provide more extensive legal assistance to more community organizations in the future."

This article is adapted from Research News, published by the U-M Division of Research Development and Administration.

Graduates accept clerkships

It's a courtly existence for these '91 graduates

Nearly 50 '91 Law School graduates accepted judicial clerkships for the year. They are working coast-to-coast in their positions in a wide variety of judicial settings.

Robert J. Borthwick

Honorable William D. Keller
U.S. District Court, Central District of California, Los Angeles, Calif.

Jean T. Brennan

Honorable James H. Brickley
Michigan Supreme Court, Lansing, Mich.

Robert A. Brundage

Honorable John T. Noonan
U.S. Court of Appeals for the Ninth Circuit, San Francisco, Calif.

Aaron H. Caplan

Honorable Betty Fletcher
U.S. Court of Appeals for the Ninth Circuit, Seattle, Wash.

Dianne T. Carter

Honorable James C. Turk
U.S. District Court, Western District of Virginia, Roanoke, Va.

Jeffrey C. Clark

Honorable Paul V. Gadola
U.S. District Court, Eastern District of Michigan, Detroit, Mich.

Michael F. Colosi

Honorable J. Edward Lumbard
U.S. Court of Appeals for the Second Circuit, New York, N.Y.

Nancy J. DeSantis

Honorable Ralph Guy
U.S. Court of Appeals for the Sixth Circuit, Ann Arbor, Mich.

Kenneth P. Ewing

Honorable Paul V. Niemeyer
U.S. Court of Appeals for the Fourth Circuit, Baltimore, Md.

Steven M. Farina

Honorable Amalya L. Kearse
U.S. Court of Appeals for the Second Circuit, New York, N.Y.

Brian T. Fenimore

Honorable Arthur Federman
U.S. Bankruptcy Court, Kansas City, Mo.

Julia A. Goatley

Honorable Cornelia Kennedy
U.S. Court of Appeals for the Sixth Circuit, Detroit, Mich.

Mark A. Gottlieb

Honorable David Nelson
U.S. Court of Appeals for the Sixth Circuit, Cincinnati, Ohio

Sadhna Govindarajulu

Honorable William O. Bertelsman
U.S. District Court, Eastern District of Kentucky, Covington, Ky.

David J. Hackett

Honorable Barbara Durham
Washington Supreme Court, Olympia, Wash.

Matthew R. Harris

Honorable Eugene Wright
U.S. Court of Appeals for the Ninth Circuit, Seattle, Wash.

Kathleen D. Hunt

Honorable Ralph Guy, Jr.
U.S. Court of Appeals for the Sixth Circuit, Ann Arbor, Mich.

Daniel R. Hurley

Honorable Cornelia Kennedy
U.S. Court of Appeals for the Sixth Circuit, Detroit, Mich.

Michael K. Isenman

Honorable David M. Ebel
U.S. Court of Appeals for the Tenth Circuit, Denver, Colo.

Continued on page 12

Continued from page 11

James S. Johnson

Honorable Michigan Court of Appeals, Lansing, Mich.

John S. Kane

Honorable Deanell Tacha
U.S. Court of Appeals for the Tenth Circuit, Lawrence, Kans.

Margo S. Kirchner

Honorable Terrence Evans
U.S. District Court, Eastern District of Wisconsin, Milwaukee, Wis.

Jenifer A. Kohout

Honorable Warren W. Matthews
Alaska Supreme Court, Anchorage, Ala.

Diane L. Lamon

Honorable J. Dean Morgan
Washington Court of Appeals, Seattle, Wash.

John F. Lapham

Honorable James L. Ryan
U.S. Court of Appeals for the Sixth Circuit, Detroit, Mich.

Alan Lepp

Magistrate Rebecca Pallmeyer
U.S. District Court, Northern District of Illinois, Chicago, Ill.

James P. Longfellow

Honorable H. Robert Mayer
U.S. Court of Appeals for the Federal Circuit
Washington, D.C.

Glenn M. Martin

Honorable John Feikens
U.S. District Court
Eastern District of Michigan
Detroit, Mich.

Brian E. Mazurek

Honorable Joseph P. Kinneary
U.S. District Court
Southern District of Ohio
Columbus, Ohio

Philip S. McCune

Honorable John Coughenour
U.S. District Court
Western District of Washington
Seattle, Wash.

Christopher J. McGuire

Honorable Jackson L. Kiser
U.S. District Court
Western District of Virginia
Danville, Va.

Barbara L. McQuade

Honorable Bernard A. Friedman
U.S. District Court
Eastern District of Michigan
Detroit, Mich.

David A. Moran

Honorable Ralph B. Guy
U.S. Court of Appeals for the Sixth Circuit
Ann Arbor, Mich.

Jill D. Neiman

Honorable John Martin
U.S. District Court
Southern District of New York
New York, N.Y.

Christine A. Pagac

Honorable Albert Engel
U.S. Court of Appeals for the Sixth Circuit
Grand Rapids, Mich.

Shawn D. Parrish

Honorable Glenn E. Mencer
U.S. District Court
Western District of Pennsylvania
Pittsburgh, Pa.

Stephen E. Raynes

Honorable John P. Fullam
U.S. District Court
Eastern District of Pennsylvania
Philadelphia, Pa.

Margo C. Runkle

Michigan Court of Appeals
Lansing, Mich.

Laralyn M. Sasaki

Honorable John D. Holschuh
U.S. District Court
Southern District of Ohio
Columbus, Ohio

Alan F. Seiffert

Honorable Julian A. Cook
U.S. District Court
Eastern District of Michigan
Detroit, Mich.

Evelyn E. Schockley

Honorable Nathaniel Jones
U.S. Court of Appeals for the Sixth Circuit
Cincinnati, Ohio

Adam C. Sloane

Honorable Bruce Selya
U.S. Court of Appeals for the First Circuit
Providence, R.I.

James B. Speta

Honorable Harry T. Edwards
U.S. Court of Appeals for the District of Columbia Circuit
Washington, D.C.

Rene L. Todd

Honorable David B. Sentelle
U.S. Court of Appeals for the District of Columbia Circuit
Washington, D.C.

William A. Walker

Honorable Louis Stanton
U.S. District Court
Southern District of New York
New York, N.Y.

Christine E. Webber

Honorable Hubert Will
U.S. District Court
Northern District of Illinois
Chicago, Ill.

Nancy E. Weiss

Honorable William Schwarzer
U.S. District Court
Northern District of California
San Francisco, Calif.

Frank Wu

Honorable Frank J. Battisti
U.S. District Court
Northern District of Ohio
Cleveland, Ohio

Laura S. Ziemer

Honorable Barbara Rothstein
U.S. District Court
Seattle, Wash.

IN CAMERA: '90-91 Events

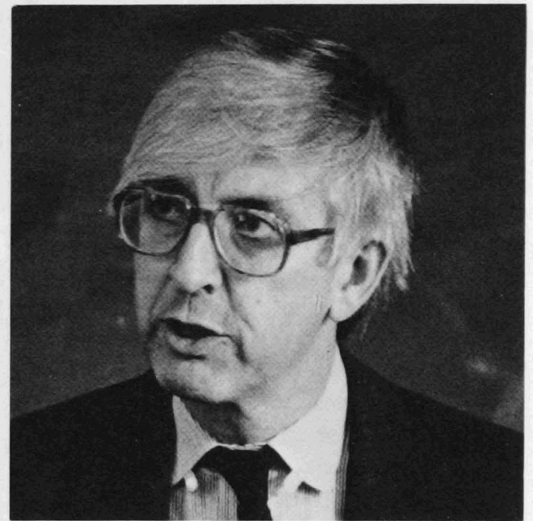


Alumnus George Ariyoshi (J.D. '52), governor of Hawaii from 1974-86 and the country's first Asian American governor, spoke to the Law School on Asian Americans and Political Leadership. University President James Duderstadt introduced Ariyoshi, and Dean Lean Bollinger was present for presentation of a portrait. Ariyoshi spoke the next day at the first annual Midwest Asian American Student Union Conference.



Alumna Carol Kanarek, a consultant and career-planning professional, participated in a Placement symposium for students last winter. She'll be back on June 20 to participate in a day-long conference on Satisfaction and Career Fulfillment that also features Mark Byers, one of the authors of *Lawyers in Transition*. For more information on the event, which costs \$35 per person, contact Kathy Babcock in the Placement Office, 313-764-0546.

Political theorist Jon Elster delivered the Cooley Lectures, choosing as his topic "The Constitution-Making Process" and comparing the late 18th century to the late 20th century. Elster is the Edward L. Ryerson Distinguished Service Professor of Political Science and Philosophy at the University of Chicago.



The issue for the 1991 Henry M. Campbell Moot Court Competition was Non-Profit Corporations and the First Amendment. Court members were (left to right) David M. Ebel, Circuit Judge, U.S. Court of Appeals (10th Circuit); Ralph B. Guy, Circuit Judge, U.S. Court of Appeals (6th Circuit); Julian A. Cook, Chief Judge, Eastern District of Michigan; Floyd Abrams, Partner, Cahill Gordon & Reindel; Lee C. Bollinger, Dean, University of Michigan Law School. The student finalists were (left to right), William Fealko and Andrew Rifkin, counsel for the petitioner, winners in the competition; and Charles K. Ruck and Rocco E. Testani, counsel for the respondent.



A joyous return to the Law Quad

International alumni reunion brings graduates from around the globe

They returned to Ann Arbor from every continent save, perhaps, Antarctica. From September 19-21, 1991, the Law Quadrangle rang with the voices of more than 100 alumni and research scholars residing abroad, plus their guests, all back at the School for the first International Alumni Reunion in Ann Arbor. They were joined for the event by the School's Committee of Visitors and, of course, by faculty, staff and students from the Law School community.

This joyous occasion, which followed two earlier alumni gatherings in Europe and Japan, was more than a year in the planning. Its success, as Dean Lee Bollinger noted in a speech at the Saturday evening banquet, was the result of the work of many people, chief among them Assistant Dean Virginia Gordan and Clare Hansen of the School's Alumni Relations Office, who assisted her.

The feeling of the event was festive throughout — even in the classrooms to which alumni repaired for workshops on a truly global array of topics.

It had been decided from the beginning that the event would mix workshops on issues of interest to international alumni with more informal opportunities to renew relationships and acquaintance with the School and the Ann Arbor area. Accordingly, a "typical" day at the Reunion — Friday, for example — included a chance to attend law classes; a choice of law workshops; lunch in the Lawyers Club, the tables bedecked with national flags; a chance to tour the Law Library, the campus, or the city; and a special concert of American song by soprano Joan Morris and her Pulitzer-Prize winning husband, composer and pianist William Bolcom. Tours other days took alumni to Detroit, to Greenfield Village and "across the border" to Toledo, Ohio, to the Toledo Museum of Art.



Participants gathered for a Saturday evening banquet in the Quadrangle.

Leading the museum tour was an ideal guide — art historian Ginny Stein, wife of Professor Emeritus Eric Stein — well-acquainted both with the subject matter and the alumni in attendance. Our international law faculty — including Stein, Alfred Conard, Whitmore Gray, John Jackson, Bruno Simma and Joseph Weiler — were all very much involved in the event, either as seminar speakers, planners or both. So, too, were other faculty, leading workshops and attending the weekend's events.

With our distinguished body of alumni and faculty, the workshops were notable both for the contributions of those attending and those presenting. A discussion of international law practice, led by four alumni, William J. Davey, J.D. '74; Katherine Ward, J.D. '77, and Nobutoshi Yamanouchi, LL.M. '75, elicited lively response from an audience that included faculty, alumni and current Law School



Retired Philippine Supreme Court Associate Justice Irene R. Cortes was among those attending.

students. A well-attended panel on the European Community, moderated by Professors Jim Adams, Alfred Conard, Eric Stein and Joseph Weiler, covered constitutional and trade issues and drew not only

on the panelists' considerable expertise but on the knowledge of alumni living in the European Community or participating in its administrative bodies.

Often, during the weekend, participants were faced with difficult choices. Running concurrently with the European Community workshop, for example, were workshops on Learning Negotiation, led by Professor James J. White; on the Disinterested Person: A New Alternative to Shareholder Derivative Litigation, led by Professor Joel Seligman; on the International Harmonization of Antitrust, led by Professor Thomas Kauper; on Developments in the Market for Corporate Control, led by Professor Michael Bradley; and on the Rise of Markets in Environmental Regulation, led by Professor James Krier.



Cameras clicked to preserve the event. This shot includes alumni as well as Professor Whitmore Gray (rear), Ginny Stein, Professor Eric Stein, and key reunion organizer Clare Hansen.



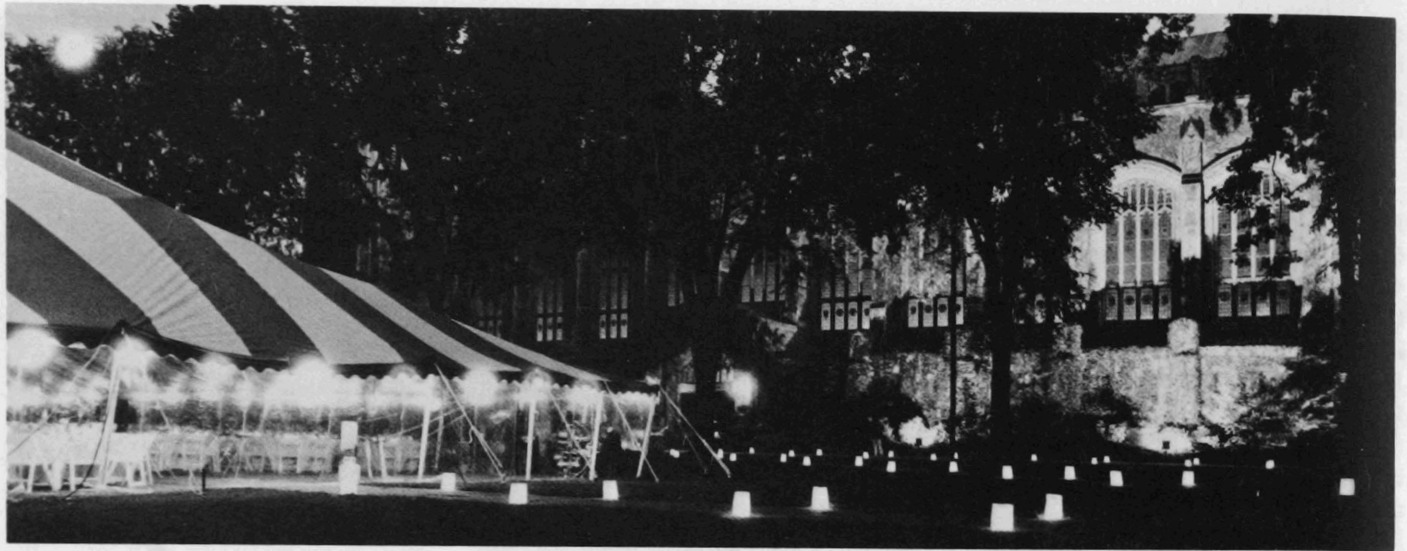
Associate Dean Susan Eklund (seated, right) greets alumna Lynda Zengerle. Seated to Eklund's left is alumna Anne Gaughan Lechartier.



The array of topics Saturday was no less dazzling. International subjects included international finance (Professor Merritt Fox), GATT and international economic law (Professor John Jackson), international protection of human rights (Professor Bruno Simma), and resolution of international commercial disputes (Professor Whitmore Gray). Professor Jerold Israel discussed white collar crime, and U-M Law Professor Rebecca Eisen-

berg and Wayne State University Law Professor Martin Adelman led a discussion of patent priority: first-to-file vs. first-to-invent. The timely subject of Constitutional law — Race, Gender and Speech

Alumni like Katherine Ward and Nobutoshi Yamanouchi (top) and Jochen Frowein (middle) made the panels lively and informative. Keynote speaker Yale Kamisar and respondent Douglas Kahn (bottom) drew a post-presentation crowd.



Luminarias added a festive glow to the Quadrangle Saturday night.



Professor Beverley J. Pooley led alumni tours of the Law Library.



Professor John Jackson (center) makes a point from the audience.



Soprano Joan Morris and her husband, Pulitzer Prize-winning composer William Bolcom, presented a special concert Friday evening.

was treated by three faculty experts: Dean Lee Bollinger, Professor Alexander Aleinikoff and Professor Christina Whitman. The discussion included the speech codes that have sprung up on numerous American campuses and whether they are properly described as outcroppings of a powerful “political correctness” movement.

The keynote speech Saturday afternoon likewise treated a topic central to American law. The issue was the Fourth Amendment, the constitutional guarantee against unreasonable search and seizure, and the speaker was noted expert Professor Yale Kamisar, with Professor Douglas Kahn responding to his talk.

Discussion focused on the U.S. Supreme Court’s recent decision in *Florida vs. Bostwick*. In that case, the Court held that law enforcement officers could board an interstate bus, block the aisle, and ask to search a passenger’s belongings. The central issue was whether a “reasonable passenger” would have felt free to leave the bus. Kamisar contended that the “reasonable” passenger would not have felt free to leave under the circumstances. Kahn argued that the Court correctly applies a test that takes into account the search’s context. Kamisar’s final rejoinder was part visual. Suggesting facetiously that the audience wear special clothing when traveling on

interstate buses, Kamisar produced just the item. "The next time you board a bus, wear this T-shirt," he said, holding up a shirt that read: "Officer, I do not feel free to terminate this encounter."

The laughter rang on into the evening hours, when reunion participants convened for an elegant banquet and dancing under a huge striped tent set up in the Quadrangle. The excellent repast was capped by fond and delightful remarks from a roster of after-dinner speakers: Dean Lee Bollinger; distinguished international alumni Peter Altenburger of Switzerland, Irene Cortes of the Philippines, Jochen Frowein of Germany and Yoichiro Yamakawa of Japan; and distinguished American alumnus and Committee of Visitors member Frederick Furth. Dessert followed in the Lawyers Club, after which the crowd moved into the Reading Room of the Law Library — not for some late-night studying, but for a little night music: the Dvorak Piano Quintet, played by faculty from the U-M School of Music.

Sunday morning all returned for brunch under the tent, and then it was time for guests to consider seriously the long trips home. As they departed, they took with them some mementos of the occasion: a history of international law at Michigan, prepared by Elizabeth Gaspar Brown, retired research associate in law; a booklet with samples of 100 years of international law exams (see related story); and a poster with the photo that adorns the cover of this issue of *LQN*. They also took with them memories and the School's fond wish that they return again soon.



Dean Lee Bollinger chats with alumna Jacqueline Schroeder.



Professor Joseph Weiler, a guiding force in the reunion, researched 100 years of international law exams to create a fascinating memento for alumni.

Examining the field

When Elizabeth Gaspar Brown finished her history of the study of international law at Michigan, she was able to put a title on it that indicates the School's long history of eminence in the area — "International Law at Michigan: The First Seventeen Decades."

According to Brown, the Law Department's earliest lectures dealing with international law were offered by Dean James J. Campbell (1859-1885), in the 1860-61 academic year. His topic was Shipping and Admiralty, a reflection, Brown wrote, of "Detroit's importance in Great Lakes shipping in the middle decades of the nineteenth century."

The School's longstanding interest in international law provided rich archival material not only to Brown but to Professor Joseph Weiler. An eminent scholar of international law, Weiler turned sleuth to trace the evolution of student examinations in the field. This collection of *100 years of International Law Exams* was distributed to alumni at the recent International Alumni Reunion in Ann Arbor.

In his introduction to this sampler, Weiler remarked, "When it comes to exams there is little difference between students and professors. Students hate to take them, professors hate to grade them." The corollary, however, is that everyone likes to look at them, and that was the opportunity Weiler offered.

The earliest exam printed in the booklet, and the earliest Weiler could find, was a private international law exam from the year 1896. It was a game of "20 Questions," which, Weiler assumes, students had three hours to play. We offer you more than the average of 9 minutes students would have had to answer: "What do you understand by ex-territoriality? Illustrate fully." Your answers will not be graded. Herewith, a sample of questions from that exam:

- Please state generally the scope of international law.
- What is domicile of origin? How may it be lost? When does it revert? Wherein, if at all, does the American doctrine differ from the English?
- What is the domicile of a female infant after marriage? Of a male infant? Give your reasons in each case.
- What law governs respectively the validity and the interpretation of a contract?
- When does payment to a foreign administrator operate as a discharge? When not? Give your reasons fully.
- What do you understand by the statement that a foreign corporation exists only as a matter of comity? Wherein does it differ in this respect, if at all, from a domestic corporation?

Allegory and activism

Derrick Bell speaks at Law School

“This is the life,” said one law professor to his friend, Derrick A. Bell, Jr. That statement was the focus of Bell’s 1991 lecture at the Law School.

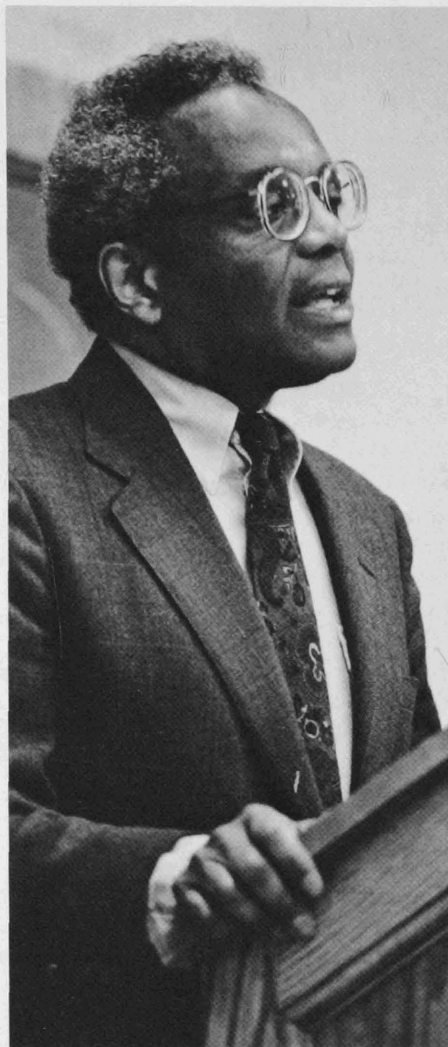
Harvard Law faculty member Bell, delivering the Clark, Klein & Beaumont Lecture, began by speaking on the issue of faculty diversity. Bell made headlines in recent years for taking unpaid leave to protest the lack of tenured Black women faculty.

“Law schools are structured in socialism,” said Bell. “Once granted tenure, law professors have positions for life, with high salaries and generous fringe benefits.” Yet, Bell claims, minorities often are denied the benefits of tenure because, as he says, “No one is more satisfied with the status quo than law professors.”

It is the student population that has pushed for diversity, according to Bell, and he credits students with convincing him to go into teaching. Before beginning his teaching career, Bell was prominent in the civil rights movement. He served in the civil rights division in the Department of Justice in the late 1950s, then for the next decade had positions in the NAACP education committee, the civil rights office of HEW and the Western Center for Law and Poverty.

Formerly dean at the University of Oregon, Bell criticizes the way law faculties choose their members. He says law faculties have become insular and defensive, choosing faculty according to high grades in law school, editorial positions on law reviews and judicial clerkships.

“Faculty of quality must reflect the characteristics of the student body and the public,” he asserts. “There are good teachers and scholars out there despite the fact that their law school grades aren’t



Derrick Bell

as high as those currently in teaching.” Faculty now in law schools, Bell said, “can’t produce people who will have to practice in a heterogeneous world.”

Bell’s style, which he says is vastly different from that of his law school colleagues, is to teach through allegory-based writing. And so the large part of his lecture was spent in telling such an

allegory, one he called, “The Final Civil Rights Act.”

The story was of new, 1996 legislation, proposed exactly a century after the U.S. Supreme Court’s separate but equal decision in *Plessy vs. Ferguson*. In order to achieve what the hypothetical President of the United States called “moral justice through the marketplace,” the Act provided that all employers could obtain a license to exclude people based on color. License fees would go toward an “Equality Fund” which would fund Black businesses and Black colleges. Such a system, the allegorical president declared, “maximizes freedom of racial choice.”

Through a fictional account of give-and-take between himself and a character he has created named Geneva Crenshaw, Bell explained his theory that racism is a non-negotiable essential in American society. Is it possible, he queried, that the solutions for Blacks are to accept the racial world as it is instead of what they would like it to be? Bell ended by saying his allegory was no more unrealistic than “facing the realities of racism in the 21st century.”

Answering questions from students after his lecture, Bell lamented the political climate in the United States and what he called the “growing lack of opportunity among all people.”

In response to a question about liberalism and conservatism among Blacks, Bell said Blacks truly are conservatives. “We believe in the Constitution when no one else does.” He referred back to his allegory: “That is the reality. There has been a lack of enforcement of civil rights laws over the last decade. Accepting reality may be healthier than looking at life through ‘we shall overcome’ because in all likelihood we will not.”

—Joan Lowenstein

All the news that fits . . .

Avoiding expensive litigation is key at tabloids

When the headline in a super-market tabloid heralds "Alien Mom Drops Baby in Idaho," can the irate alien sue for libel? It's not very likely, and that's why Chicago attorney Paul M. Levy would have no problem advising his tabloid client to go ahead and print the story.

U-M law students questioned Levy about goofy headlines and gossipy celebrity stories at a winter 1991 lecture sponsored by the Law School's Intellectual Property Student Association (IPSA). Levy told them that, as general counsel for the *Globe*, he tries to determine not whether a story is true or false, but whether it is "actionable."

"Some of the covers are so outrageous that they're funny," he said. "Are they true? No. But no one's hurt."

Holding up the *Globe* and its sister newspaper, the *National Examiner*, Levy explained that most people do not understand the function of a tabloid newspaper. "Its purpose is not to inform," he noted, "it is a form of entertainment."

"People don't read anymore — they're watching TV, so most newspapers are struggling for survival." Levy mentioned that the ABC news program "Nightline" received its best audience ever when it aired the controversial Madonna "Justify Your Love" video.

"If that's the taste of the American public, then these [tabloid] publications have a future."

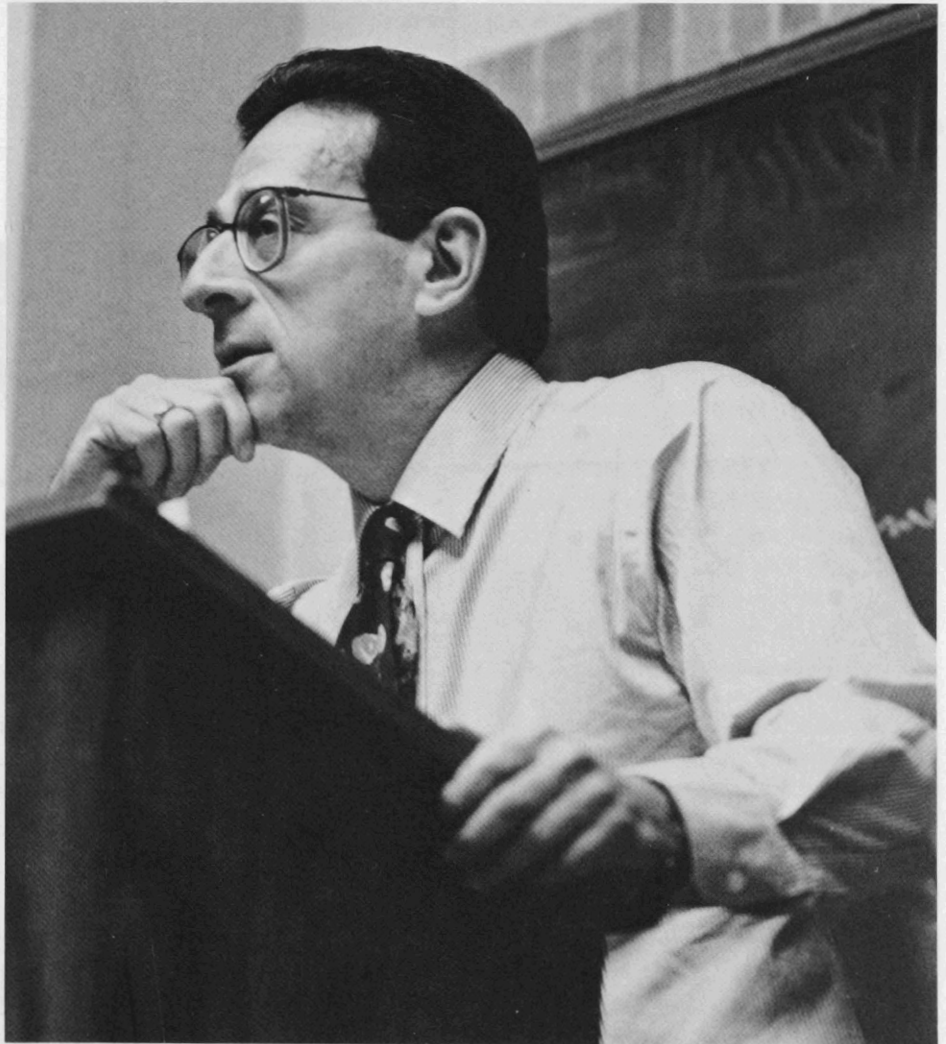
Though the tabloids may be more sensational or lurid than "respectable" newspapers, Levy pointed out that the same law applies to them as applies to the *New York Times* or *Time* magazine. Tabloids like the *Globe* take great pains to avoid expensive litigation, Levy said, and that's where his job begins.

Three days a week, lawyers from Levy's

firm, Deutsch, Levy & Engel, are in the *Globe's* West Palm Beach editorial offices to do what is called pre-publication review. The lawyers have the right to "kill a cover" or to veto headlines if they think the material could instigate a libel suit. They can even change words. Once, Levy said, he convinced the editor to change the description of a disease from "deadly" to "crippling."

Levy and the lawyers working with him can speak to reporters, editors, and sources to determine the advisability of running a story. As with daily newspapers, Levy says each tabloid headline must have a story and a source behind it.

One lawsuit where accurate documentation resulted in a verdict for the *Globe* was a libel action brought by Judith Campbell Exner. The tabloid's headline had



Paul M. Levy

read, "Mafia Moll Spied on JFK for the Mob." Levy said he was able to win the case because material from Exner's own book as well as transcripts from Senate hearings supported the *Globe's* thesis.

In order to insure this kind of outcome, Levy says he asks the reporters and editors how much of the story is true, and if it is true, whether the facts are well supported and well documented. If some of the story is false, Levy says he tries to determine whether it is defamatory; in other words, will it hurt and cause litigation.

Because of the U.S. Supreme Court's ruling in *New York Times vs. Sullivan*, Levy told the students, a newspaper can print false material about public figures so long as it does not do so recklessly. Furthermore, not all false information is defamatory — it may be false but it may not cause harm to anyone, either.

But even experienced libel attorneys can't always tell who may be offended and file suit. Levy told of one lawsuit

which surprised him and the *Globe* editors. A dietician for the city of New York sued after the tabloid reported she had reviewed and approved what the newspaper called "The New Marshmallow Diet."

"The reporter had notes showing that he talked to her," Levy noted, "but she was offended at being quoted in the *Globe*." A court ruled in favor of the tabloid, saying there was no irresponsible conduct.

Similarly, Frank Sinatra once sued over a story reporting he had cancer. The story was not untrue, it simply offended him, according to Levy. Sinatra lost the case when a court granted the *Globe* summary judgment.

One law student questioned Levy as to whether he thought the First Amendment should protect hurtful gossip.

"I don't know what's valuable," answered Levy. "I don't want to decide what has entertainment value for people."

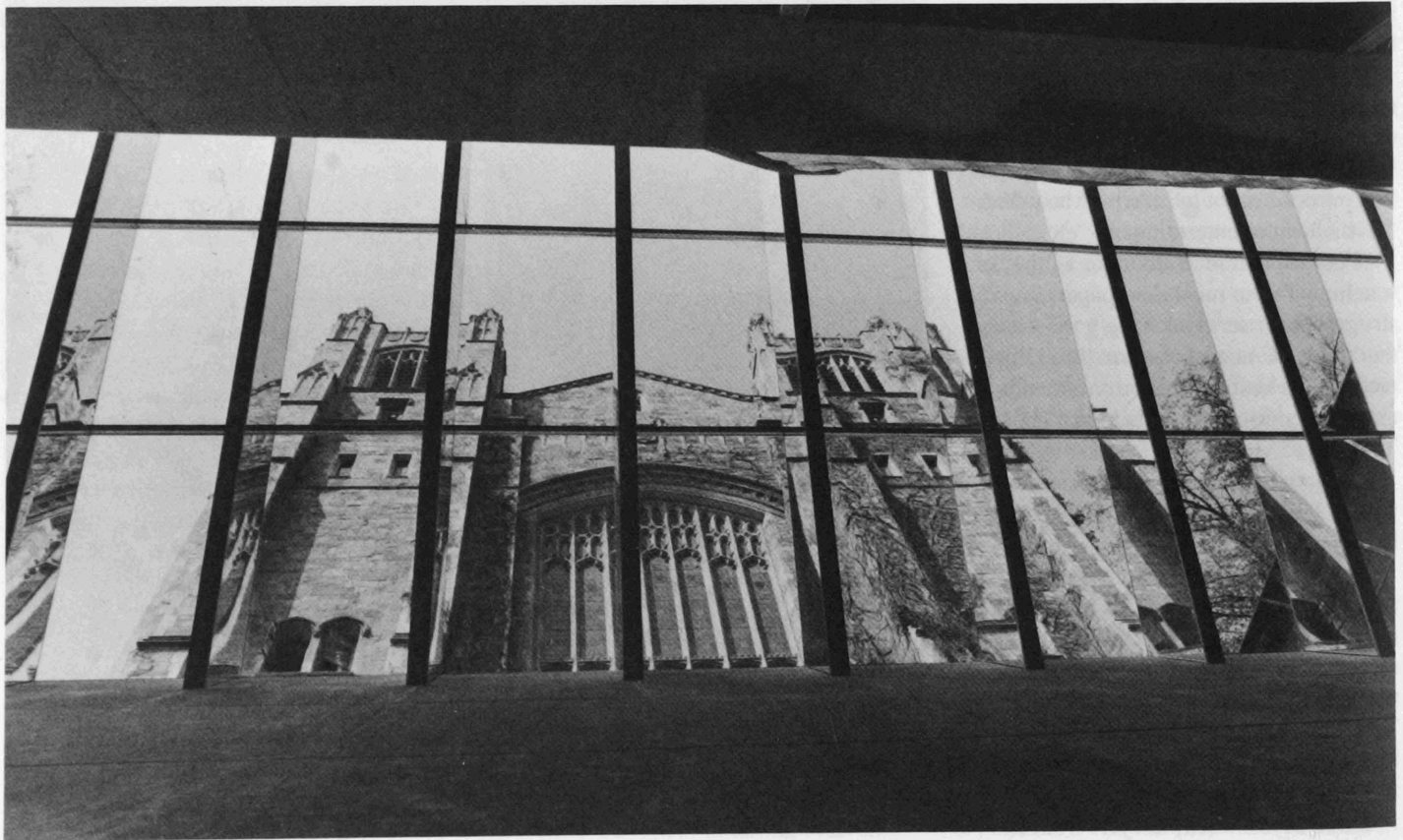
Yet Levy does take part in deciding what goes in and what stays out of the

Globe. He said no one at the *Globe* has ever overridden his decision that an article is actionable and therefore too dangerous to print.

This kind of veto power for lawyers is not common in the media according to Miami media attorney Thomas R. Julin. Julin, who has represented the *Miami Herald*, ABC News, and the TV tabloid "Hard Copy," says a newspaper has to decide whether it wants a journalist or a lawyer to publish the paper.

"Lawyers are trained to reduce the risk, not to put a journalistic product before the public," Julin says. "If a lawyer decides what to print, there may be a good legal decision but a poor journalistic product. It all comes down to maximizing profits. What combination of legal judgments and journalistic judgments will allow you to make profits?"

— Joan Lowenstein



The work of a private citizen

Public service is high on David Belin's priorities

You have three children. One, an ophthalmologist, earns \$300,000 a year. Another, a schoolteacher, earns \$25,000. A third is still in college, pursuing a business degree.

The question before you is whether to treat them equally when the time comes to divide your property. If you don't, the doctor may be angry and feel slighted. On the other hand, a few thousand dollars extra may mean far more to the schoolteacher. And, of course, the earnings of the college student are still unknown.

In *Leaving Money Wisely* (Scribner's, 1990), alumnus David W. Belin (J.D. '54) proposes an interesting solution: dividing the property four ways, rather than three. The fourth "share" would be a common fund available to any of the three siblings earning less than \$75,000, adjusted for inflation.

With such a solution, "You overcome the emotional problem" of treating offspring differentially, Belin noted during an interview in Ann Arbor. At the same time, you protect your doctor son or daughter in case he or she should become incapacitated — or decide, late in life, to switch to a less lucrative profession.

Belin, senior partner in the Des Moines, Iowa, firm of Belin Harris Lamson McCormick, has long been active in public life. Legal counsel to the Warren Commission, which investigated the assassination of President John F. Kennedy, Belin also served as executive director of the Rockefeller Commission, investigating unlawful CIA activities in the United States, including CIA assassination attempts against foreign leaders. He has just finished a term on the President's Committee on the Arts and Humanities.

While his previous writing — *November 22, 1963: You are the Jury* and *Final Disclosure: The Full Truth About*



David Belin

the Assassination of President Kennedy — stems from his public service, his current book is more the outcome of his practice. "One of the reasons I'm able to write a book of this kind," says Belin, who also holds Michigan M.B.A. and bachelor's degrees, "is that I deal not only with the wealthiest individuals, but also with people of modest means. I felt that if I wrote a book to help people with their estate planning, I would be making a contribution to the literature."

Estate-planning literature, he notes,

has been largely "how-to" in approach, providing nuts-and-bolts consumer information. Belin felt that the philosophical issues underlying testamentary decisions — such as whether to treat children equally or how to handle estates in "blended" families — had been neglected. He also felt that the great majority of people don't devote sufficient time to estate planning.

"People don't like to think about death, and some of the decisions *are* tough," he notes. In addition, he says, people are overawed by the legalese of wills and trusts.

Armed with the belief that "people have a lot more competence to reach wise decisions than they might think," Belin determined to stretch their abilities in this arena. He was particularly interested in making them aware of the benefits of a living trust.

One area in which Belin feels he's been unsuccessful in stretching people's competence to reach wise decisions is the Kennedy assassination. Despite two books based on firsthand examination of evidence and involvement with the Warren Commission, he believes that the majority of Americans have reached the wrong conclusion regarding Kennedy's killing.

"Most people believe that there was a conspiracy involved in the assassination," he says. "They erroneously believe that."

Belin regards the tenacity of that misbelief with alarm. "It's a great concern of major historical importance that the findings of a blue-ribbon commission headed by a Supreme Court justice, investigating an event that changed the course of American history, could be disbelieved because of the actions of assassination sensationalists who have used the media to dupe the public. It's a microcosm of what could happen in matters involving war and peace," he says.

He views the Warren Commission and the public's reaction to its findings as a "watershed event," a turning point in citizen's trust in government that has eroded because of Watergate, Viet Nam and Irangate.

Belin says the Warren Commission made one fatal error: not releasing Kennedy's X-rays and autopsy photographs, under pressure from the Kennedy family.

"Ninety-eight percent of what was investigated was released to the public," he says. "I believe everything should be released, and in 1975 I filed Freedom of Information requests — which have not been fulfilled to this day."

He also believes that the press has not

been adequately concerned with "dispassionate rebuttal" of the sensationalist charges in the case, abdicating its responsibility to educate the public. Sensationalist charges make Page One; rebuttal of such charges is relegated to "Page 42," he says, while TV neglects rebuttal altogether.

"The press has not been aggressive enough," he emphasizes. "It's really been a bad chapter.

"The most disheartening thing to me, however, is that in colleges and universities across the country, it's perceived as liberal to believe in the conspiracy theory. . . . The fact is that colleges don't want to hear anything of this kind unless it's an at-

tack on the institutions of government."

Yet what emerges as most important to Belin is that a book such as his could be written about the assassination of a president and that a private citizen such as himself, situated in the heartland and with no ties to government, could be called upon to serve on a commission investigating that assassination "with no holds barred and with just one standard: the reporting of the truth."

He reiterates in person a thought he expresses on *Final Disclosure's* last page: that the criticism Americans level against the government must be placed in the broader perspective of the invaluable freedom to voice dissent.

"Law School Lilly" goes pro

Career began with a Res Gestae column

"One day, in the near future, you are going to answer your phone and find a reporter at the other end. If you are a professor with a specialty to share, you'll be delighted. If you have a client with a secret to keep, you may be panicked. But in any event, you will soon discover that lawyers and journalists are drawn together by the nature of their work."

With these words, lawyer-journalist Andrea Sachs, J.D. '78, began a talk that detailed her journey from Hutchins Hall to the halls of *Time* magazine in New York City.

Though Sachs had a *Res Gestae* column (Law School Lilly's Little Libels) while she was at Michigan, it was not her intention to pursue a career in journalism. A well-positioned job with the National Labor Relations Board in Washington, D.C., changed all that, fueling a fascination with "famous people and front page stories," as she put it.

The fascination turned to intent to

switch careers the day President Reagan was shot. Sachs ran down Pennsylvania Avenue to the hospital where Reagan had been taken and discovered that if you stood next to someone being interviewed, you'd be interviewed, too. Quoted in three papers, she firmed her plans to become a journalist. She enrolled at the Columbia Journalism School and received a master's degree, with all New York for her beat. "It was a great education," she said.

Sach's path in journalism led her to *Time*, via *Glamour* and *Good Housekeeping* magazines. She has been at *Time* for seven years now. Her assignments have included stints in the *Nation*, *Business*, *Behavior* and *Living* sections. She is currently the reporter in the law section in *Time's* New York headquarters.

The sources for her stories are varied, from law magazines and trade papers to professors and practitioners. "The problem," she said, "isn't finding stories, it's finding room for all of them."

If you want to see yourself quoted in

Time, Sachs offers this tip: "Speak in English, not in Legalese. Even reporters trained in the law are looking for understandable quotes."

Andrea Sachs



'66: A million-dollar class

Reunion spurs fund-raising effort

Autumn was at its finest when members of the Class of 1966 descended upon Ann Arbor for their 25th reunion. From Portsmouth to Portland, Fargo to Flint, 150 classmates and spouses gathered on campus Oct. 18-20.

Alan Galbraith and his committee of volunteers were responsible for the weekend's success, made complete by a decisive Wolverine win over Indiana. On Friday evening, the class had its opening cocktail party. With impromptu dinners and discussions, classmates stayed awake until 2 in the morning.

A tailgate lunch in the Victors parking lot boasted standing room only and inside Michigan Stadium it was screaming room only, with Desmond Howard and the Wolverines performing at Heisman-Trophy caliber. Following the game, the class had a few free hours before regrouping for a class photo session in Hutchins Hall.

From Hutchins it was a short walk over to the Lawyers Club, where Galbraith welcomed the class and mused on the three most important legal decisions made during the class' time at the Law School. His keen memory and dry wit put everyone's law school years in unique perspective.

Classmate Ron Olson also reflected on what the Law School has meant to his life and career. In gratitude for the exceptional experience at Michigan, Ron and a group of class volunteers have undertaken to raise \$1,000,000 as an unrestricted class gift to the Law School. The Class of '66 intends to surpass the Class of '63, which raised \$780,000 for its 25th.

Dean Lee Bollinger remarked on the similarities and differences between the Michigan experience in 1966 and in 1991. He had audience members wondering if they would be accepted now into the Law

School, and if they could afford the enormous cost.

But just making it to the 25th was something to celebrate, and the class con-

tinued to do so at the Sunday morning brunch. Addresses were exchanged, thanks extended and promises made, at the very least, to be back in Ann Arbor for the 30th.



Among those attending the reunion were (from left) John Ferris, Henry Ewalt and Bill Hagwood.



Sharing a table were (seated, from left) Law Professor Thomas Kauper, Shirley Kauper and Terrance K. Boyle; and (standing, from left) Patricia Boyle, William Brooks Davis and Alice Sue Williams.

Robert P. Luciano helps Law School look ahead

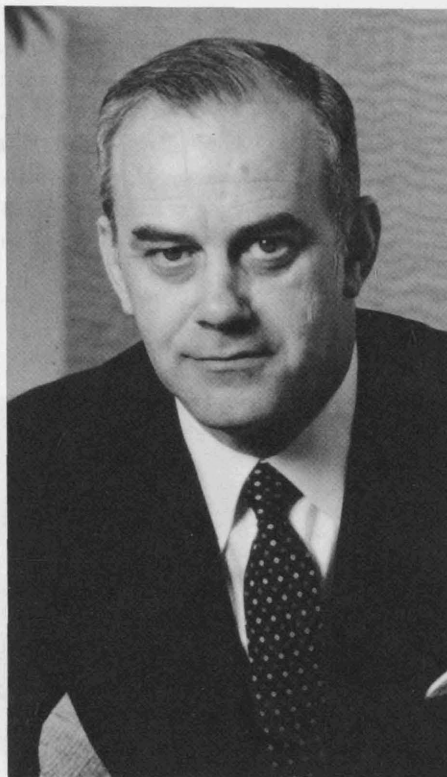
A man who eschews fad-driven management, Robert P. Luciano (J.D. '58) plans carefully for the long term. As chairman and CEO of Schering-Plough Corp., a New Jersey-based pharmaceutical company noted for its aggressive development of biotechnology expertise over the past decade, he knows better than many the importance of investing for future returns. As CEO for more than 10 years, Luciano helped the company achieve its strong record of growth by maintaining a long-term commitment to research and development and by pursuing clearly focused goals.

Happily for his alma mater, the University of Michigan Law School, he also is investing in its future by means of the Robert P. Luciano Endowed Dean's Discretionary Fund. Established in 1986 during the University's Campaign for Michigan (1982-1987), the Luciano Fund has generated welcome resources enabling the dean to provide seed money to sponsor seminars on legal issues of the moment, to underwrite deserving publications of both faculty and students, and in general to respond in a timely and effective way to emerging opportunities.

Informed of the Law School's goals for the new Campaign, Luciano responded by pledging to increase the Luciano Fund five-fold. "This is a way of giving something back to the Law School," he explains, "and also of giving the dean some of the flexibility I know a chief executive needs."

"The long-term impact of such a permanent endowment is truly significant," says Law School Dean Lee C. Bollinger. "Bob Luciano is not only one of our most generous alumni but also one of our most trusting, proven by this new commitment providing much-needed discretionary funds for the School." With this gift, Luciano will be recognized by the University at the Ruthven Society level of giving.

Assistant editor of the Michigan Law Review during his last year in the Law



Robert Luciano

School, Luciano credits the School with providing the educational foundation for his career success. He has repaid the university not only with dollars but also with an extra measure of dedication, serving at various times on the President's Planning Advisory Group, the Law School Committee of Visitors, the Manhattan Major Gifts Committee, the Pharmacy Advancement Program Steering Committee, and the Law School New York Major Gifts Committee.

Ara Paul, dean of the College of Pharmacy, was serving on a consulting board at Lederle Laboratories in 1976 when he first met Luciano, then a member of that company's senior management. "When I found out he was a Michigan alumnus, I asked him to join our Pharmacy Advancement Committee, and he has served us in an uninterrupted and vigorous fashion ever since." Paul relates. "He's been a solid adviser to me, and an aggressive and devoted supporter of pharmacy studies at Michigan while providing excellent leadership to the entire pharmacy industry."

In addition to his interest in the College of Pharmacy and the Law School, Luciano also has an affinity for another part of the Michigan scene. A frequent visitor to Ann Arbor in the fall, he and his high school sweetheart and wife of nearly 39 years, Barbara, are devoted Wolverine-watchers.

Avern L. Cohn establishes Dean's Discretionary Fund

"The very foundation of my professional life" is how U.S. District Court Judge Avern Cohn (J.D. '49) describes his University of Michigan Law School years. Without Michigan, he says, he could not have succeeded at the practice of law for 30 years nor attained the prestigious federal judgeship which he has held since 1979. His joy in his achievement is matched both by the respect in which he is held by the attorneys who appear before him and by the appreciation of the members of the Law School community and the greater-Detroit community who have benefitted from his gen-



Avern Cohn

erosity and concern for others. A former member of the Michigan Civil Rights Commission, Judge Cohn has long been known as a strong campaigner for civil and human rights.

Judge Cohn says his affinity for Michigan goes back "as far as I can remember." He recalls vividly the football Saturdays he spent as a boy with his father at Michigan stadium, and the extraordinary Big Ten track meet in Ann Arbor in the spring of '35 when Jesse Owens set three new world records. Irwin I. Cohn, a 1917 Michigan Law School graduate, passed on to his son a love of the University, a love of the law and a sense of public duty and philanthropy. Judge Cohn paid tribute to his father, with whom he practiced law, by establishing the Irwin I. Cohn Research Fund to support faculty research at the Law School in 1988.

It was only natural for the Law School to turn to a known friend for a major leadership gift to launch its fund-raising initiative in Detroit. The creation of the Irwin I. and Avern Cohn Dean's Discretionary Fund commemorates a deep father-son bond and provides the Law School with a gift that will greatly enhance the School's ability to maintain its excellence into the future.

"Judge Cohn's generous gifts to the Law School reflect his abiding concern for advancing the standards of American jurisprudence and the study of law at Michigan," said Dean Lee C. Bollinger. "This new leadership gift to the Law School Campaign is an outstanding testament to his loyalty to the School and is especially valuable in that it will generate discretionary funds for student and faculty opportunities as they develop in the future."

In addition to being a long-standing supporter, Judge Cohn has participated in the life of the Law School as a member of its Committee of Visitors, as a visiting lecturer, and as a friendly critic. His son Sheldon, following the family tradition, earned a Michigan A.B. in 1977; he is an executive producer with the Detroit advertising agency of W. B. Doner.

Class reunions

The Law School looks forward to welcoming back the following classes for reunions this summer and fall:

June 4-6	Classes of 1931, 1932 and 1937
September 18-20	Class of 1962
September 25-27	Classes of 1946/47, 1952 and 1972
October 2-4	Classes of 1942, 1977 and 1982
October 23-25	Classes of 1957 and 1967
November 13-15	Class of 1987

Watch your mail for details! Be sure to let us know if you were a summer starter and would like to receive reunion information for a year different than the year of your degree. Questions? Please contact the Law School Alumni Relations Office, 721 South State Street, Ann Arbor, MI 48104. Telephone (313) 998-7973.

Names omitted from contributors' list

In the Fall issue of Law Quadrangle Notes that served as the Law School Fund's Annual Report, we omitted the names of three Japanese alumni from the list of contributors to the Japanese Legal Studies Endowment Fund. We apologize for this oversight and extend our deep appreciation to Masahiro Shimojo, Tetsuo Shimabukuro, and Shunji Shimoyama for their participation in this fund-raising initiative.

New alumni directory appears

A new University of Michigan Law School Alumni Directory, compiled by Harris Publishing, is on the docket for

early spring. Alumni who did not order a copy of the directory during the verification phase of the project and wish to do so should contact the publisher directly. The address is: Customer Service Department, Bernard C. Harris Publishing Co., 3 Barker Ave., White Plains, N.Y. 10601. The toll-free telephone number is 1-800-877-6554.

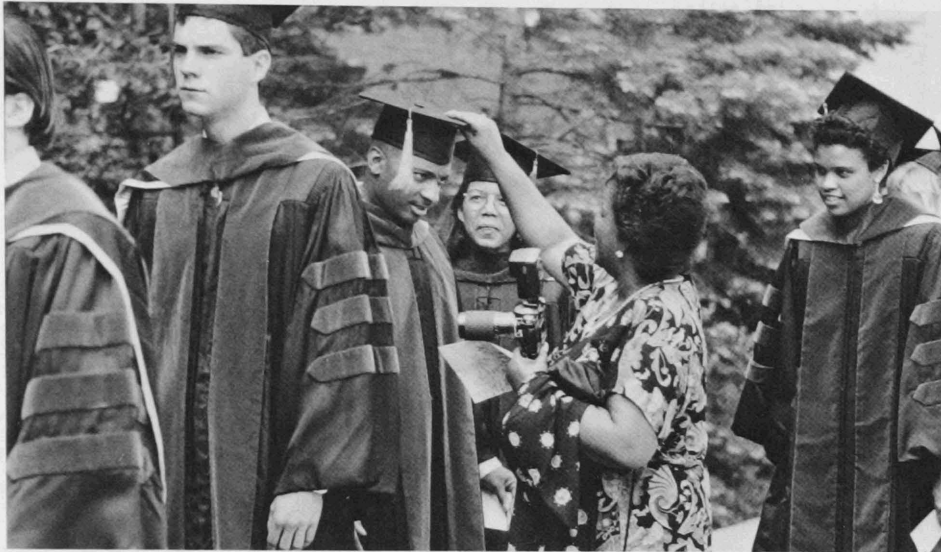
Alumni breakfast at the ABA

Plan now to join friends and fellow alumni for breakfast on Monday, Aug. 10, at 8 a.m. during the American Bar Association Meeting in San Francisco. Our breakfast will be at the Hotel Nikko. The cost is \$15 per person. For more information, please call the Law School Alumni Relations Office at (313) 998-7973.

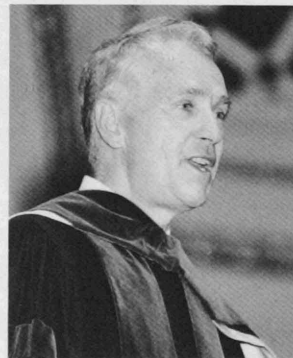
Flying Northwest Airlines to ABA?

Save 5 percent off the lowest fare available at the time of reservation or 40 percent off regular coach fare. Call (a) your travel agent, (b) Lovejoy Tiffany Travel in Ann Arbor at (800) 521-3648 8:30 a.m.-5:30 p.m. Eastern Time Monday through Friday or (800) 354-4272 5:30 p.m.-8:00 p.m. Eastern Time Monday through Friday, or (c) Northwest Airlines directly at (800) 328-1111. Be sure to identify yourself as a U-M Law School Alumni participant with Northwest ID #15758 when making reservations.

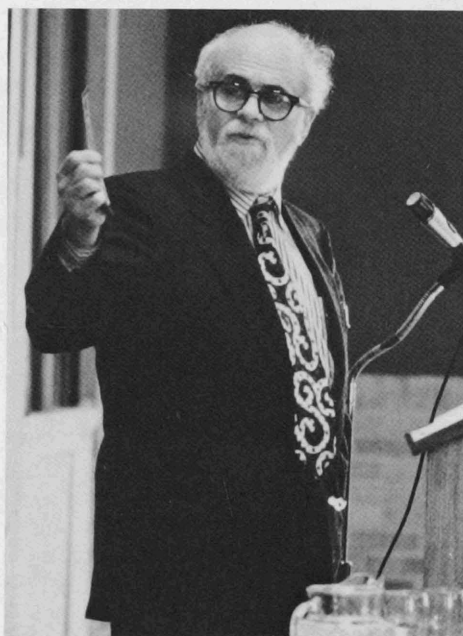
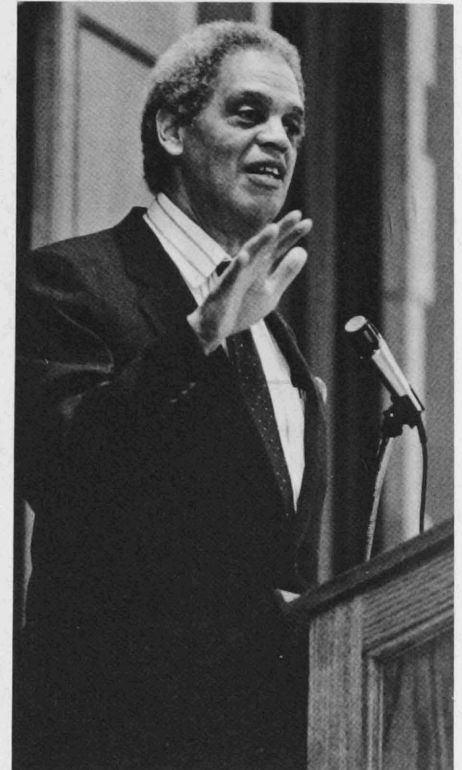
IN CAMERA: '90-91 Events



Claus-Dieter Ehlermann, (below, right) of the Commission of the European Communities, delivered the 1991 Senior Day address last May. The ceremonies at Hill Auditorium were followed by a festive reception in the Law Quadrangle.



Alumnus Roger Wilkins was the keynote speaker at the Alternative Practice Conference. A Pulitzer Prize-winner with a distinguished public-service career, Wilkins urged students to consider deep values in choosing their professional paths. Wilkins is the Clarence J. Robinson Professor of History and American Culture at George Mason University and a Fellow of the Institute for Policy Studies.



Distinguished philosopher and art critic Arthur C. Danto, the Johnsonian Professor of Philosophy at Columbia University, delivered the 1991 William W. Cook Lectures on American Institutions. His topic was "Philosophy and the Present Pulse of Art," and his three lectures — "The Abstract Expressionist Coca Cola Bottle," "High, Low, and the Spirit of History," and "Subsidy and Censorship in American Art" — covered not only current political controversy but the tension between art and reality and how that tension has been reflected — and reconciled — in the works of Andy Warhol and Claes Oldenburg and exhibits here and abroad.

Class Notes

1940 _____

John H. Pickering was honored as a new Life Fellow of the American Bar Foundation.

1949 _____

John C. Elam, partner with Vorys, Sater, Seymour and Pease in Columbus, Ohio, has been named to the board of trustees of the United States Supreme Court Historical Society.

Asher N. Tilchin is completing his first term as president of the American-Israel Chamber of Commerce of Michigan.

1950 _____

Charles M. Bayer and **Byron D. Walter** have joined Clark, Klein & Beaumont in Detroit, Mich. as counsel to the firm.

1951 _____

George A. Leonard of Cincinnati was appointed to and sworn in as a commissioner on the Ohio Elections Commission.

1954 _____

Marvin O. Young has accepted a three-year appointment to the Chancellor's Council at the University of Missouri-St. Louis. He is a partner in the St. Louis firm of Gallop, Johnson and Neuman.

1956 _____

Justice **Herbert R. Brown** recently published his first novel, *Presumption of Guilt*.

1961 _____

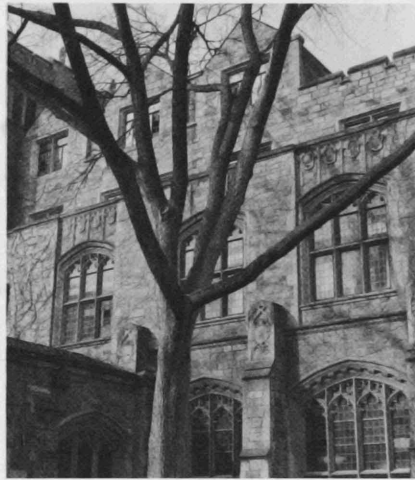
Barry I. Fredericks of Englewood Cliffs, N.J., will be listed in the 1992-93 edition of *Who's Who in American Law*. He has been invited to return as a participant in the 1992 ICLE Trial Advocacy Program.

Stanley Zax, chairman and president of the Zenith Insurance Company, Woodland Hills, Calif., has joined the Board of the Center for Strategic and International Studies, Washington, D.C.

1962 _____

Richard E. Clark has joined Baker & Hostetler as a partner in the Los Angeles, Calif., office. A litigator, Mr. Clark focuses his practice on government contracts, particularly those involving the Department of Defense and other federal agencies.

Karl L. Gotting has been elected president of Loomis, Ewert, Ederer, Parsley, Davis & Gotting, P.C. in Lansing.



1963 _____

Lawrence K. Snider has joined Mayer, Brown & Platt as a partner in its Chicago office, where he will continue to practice in bankruptcy matters.

1964 _____

Michael R. Maine received the Indianapolis Bar Foundation's Paul H. Buchanan Jr. Award of Excellence for his outstanding contributions to the bench, bar and local community. He is a partner with Baker & Daniels there.

Thomas E. Palmer has joined the Mead Corporation of Dayton, Ohio, as vice president and general counsel.

1965 _____

Peter C. Bomberger was elected as a member at large of the Board of Managers of the Indiana State Bar Association.

1967 _____

John M. Briggs, III, was enrolled as a Fellow of the Michigan State Bar Foundation in July, 1991.

Arthur Dulemba, Jr., is Corporate Secretary and Human Resource Director of Great Western Malting, a processor of barley and malt for domestic and foreign breweries.

Alfred "Jerry" DuPont is completing his sixteenth year as president of the non-profit Law Library Microfilm Consortium project that has microfilmed 55,000 older law books for libraries and law firms.

David C. Johnson has retired from his urban Los Angeles hotel career to rural Whidbey Island, Wash., "25 miles from the closest stop light," to concentrate on pro bono environmental issues.

Richard D. McLellan was reelected as Treasurer of the Michigan Chamber of Commerce Board of Directors. He is a partner in the Lansing office of Dykema Gossett.

John H. Norris has been elected First Vice Chairman of the Board of Trustees of The Salk Institute of La Jolla, Calif. He is a partner in the firm of Dickinson, Wright, Moon, Van Dusen & Freeman, Bloomfield Hills, Mich.

1968 _____

Michael B. Bixby has been promoted to full professor of business law and legal studies at the College of Business, Boise State University, Boise, Idaho.

David L. Callies received the Outstanding Professor of Law Award at the William S. Richardson School of Law at the University of Hawaii for the second consecutive year. He also received the Hawaii Academy of Plaintiff's Attorneys award for the honor.

Edmund M. Carney has been reelected Managing Partner of Rose, Schmidt, Hasley & DiSalle of Pittsburgh, Penn. His practice focuses on contracts, employment and labor law.

1969 _____

Robert E. Blaske of Blaske & Blaske, Battle Creek, Mich., served on the faculty of the Hillman Advocacy Program, a courtroom workshop organized by the Western Michigan Chapter of the Federal Bar Association in conjunction with the federal court in Grand Rapids, Mich.

Richard F. Carlile was elected to the Management Committee of Thompson, Hine and Flory. He is partner-in-charge of the firm's Dayton, Ohio, office, where he practices in corporate and taxation matters.

1970

John M. Kamins was recently elected president of the Leukemia Society of America, Michigan Chapter. He was also elected Vice-Chairperson of the Public Corporation Law Section of the State Bar of Michigan. He is a partner in Honigman Miller Schwartz and Cohn, Detroit, Mich., practicing in the areas of corporate law and public finance.

1971

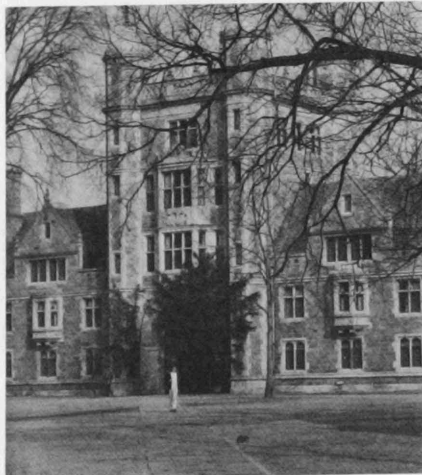
Robert E. McFarland has become a shareholder of the firm of Foster, Swift, Collins & Smith, P.C. He practices in the firm's new Farmington Hills, Mich., office, concentrating on transportation, trucking, regulatory, and labor law issues.

Donald F. Tucker became the Chair of the Commercial Torts Committee of the Tort and Insurance Practice Section of the American Bar Association. He is a senior partner of Tucker & Rolf, P.C. in Southfield, Mich.

Larry C. Willey of Grand Rapids, Mich., served on the faculty of the Hillman Advocacy Program, a courtroom workshop organized by the Western Michigan Chapter of the Federal Bar Association in conjunction with the federal court in Grand Rapids.

1972

The Hon. **Gershwin A. Drain** received the Master of Judicial Studies degree through The National Judicial College and the University of Nevada, Reno. His thesis questioned the constitutionality of a Michigan statute which mandates life in prison without the possibility of



parole for possession of over 650 grams of cocaine. He is a judge for the Recorder's Court for the City of Detroit.

Wayne A. McCoy, a partner with the Chicago law firm of Schiff Hardin & Waite, was recently reelected to the American Judicature Society Board of Directors.

1973

Basil L. Blair has been reappointed by Michigan Governor John Engler as a Workers' Compensation Magistrate.

Robert E. Hirshon was recently appointed to the Council of the Tort and Insurance Practice Section of the American Bar Association. He is a member of Drummond, Woodson, Plimpton and MacMahon in Portland, Maine.

Kenneth L. Robinson, Jr. has joined Chubb Life America as legal counsel at their headquarters in Parsippany, N.J.

1974

Donald A. Davis, Thomas F. Koernke and the Hon. **Joseph G. Scoville** served on the faculty of the Hillman Advocacy Program, a courtroom workshop organized by the Western Michigan Chapter of the Federal Bar Association in conjunction with the federal court in Grand Rapids.

Michael D. Eagen has become a Fellow of the American College of Trial Lawyers. He is a partner in Bloom & Greene Co., L.P.A., Cincinnati, Ohio.

P. Frederick Pfenninger has formed Pfenninger & Weiss, P.A. in Indianapolis. The firm concentrates on the areas of creditors' rights, real estate and commercial litigation, foreclosure and bankruptcy law.

1975

Connie Y. Harper was appointed General Counsel of the Board of Governors of the National Bar Association by the NBA president. She was also elected Recording Secretary of the Women Lawyers' Division and reelected Secretary of the Labor Law Section of the National Bar Association. She is an Associate General Counsel of the UAW in Detroit.

Robert Katcher has become a member of the firm of Miller & Chevalier, Chartered, where he will practice international tax law.

1976

Charles Adams was sworn in as a member of the Hillsborough, Calif., Town Council. He is a partner in the San Francisco firm of Jones, Hall, Hill & White where he specializes in municipal finance.

Marilyn L. Huff has been appointed a federal judge for the United States Court, Southern District of California, located in San Diego.

1977

The Hon. **Lynda A. Tolen**, 5th District Court Judge, St. Joseph, Mich., served on the faculty of the Hillman Advocacy Program, a courtroom workshop organized by the Western Michigan Chapter of the Federal Bar Association in conjunction with the federal court in Grand Rapids.

1978

Stephen A. Edwards was elected a Director of the National Association of Bond Lawyers. He is a partner of Morgan, Lewis & Bockius in Philadelphia, Pa., where he practices primarily in the area of tax aspects of public finance transactions.

Konrad J. "Kit" Friedemann is Chairperson of the Health Law Section of the Minnesota State Bar Association. He heads the Health Law Practice Group of Fredrikson & Byron Law Firm in Minneapolis.

Frederick R. Nance has been elected to the management committee of Squire, Sanders & Dempsey, Cleveland, Ohio.

1979

David N. Brenner has been named associate to the litigation group of Vorys, Sater, Seymour and Pease, Columbus, Ohio.

John H. Brown has been elected to the office of secretary of the Michigan State Governmental Affairs Council. He is senior corporate counsel at Amway Corporation in Ada, Mich., where he is responsible for corporate governmental affairs.

Bruce D. Celebrezze has joined the San Francisco office of Sheppard, Mullin, Richter & Hampton, where he will continue to practice business litigation with an emphasis on insurance coverage disputes.

1980

Teresa S. Decker of Varnum, Riddering, Schmidt & Howlett, Grand Rapids, Mich., served on the faculty of the Hillman Advocacy Program, a courtroom workshop organized by the Western Michigan Chapter of the Federal Bar Association in conjunction with the federal court in Grand Rapids.

T. Christopher Donnelly has founded the Boston law firm of Donnelly, Conroy & Gelhaar, concentrating in civil and criminal litigation.

G.A. Finch was elected partner with the Chicago firm of Querrey & Harrow, Ltd. He practices real estate, construction, administrative law, commercial litigation and lobbying. He was also recently appointed to the Governor's Steering Committee on Housing by Illinois Governor Jim Edgar.

Robert M. Owen is resident partner in the new Decatur, Ill., office of Husch & Eppenger. He practices in the areas of litigation and products liability, including medical products defense.

1982

Michael P. Coakley was elected as a member-at-large of the board of directors of the Old Newsboys' Goodfellow Fund of Detroit. He is a trial lawyer with Miller, Canfield, Paddock and Stone.

Mary Jo Larson was recently elected to partnership in the firm of Honigman Miller Schwartz and Cohn. She practices in the firm's Detroit office.

Andrew M. Katzenstein has been elected partner with the Santa Monica, Calif., office of Bryan, Cave, McPheeters & McRoberts. His practice emphasizes trusts and estates law, particularly in the areas of income taxation of trusts, estate tax planning, and probate and trust administration.

Matthew J. Kiefer has been appointed to the Boston Landmarks Commission. He is a partner at Peabody & Brown there.

Stephen J. MacIsaac has joined the Washington, D.C., office of Cleary, Gottlieb, Steen & Hamilton.

Karol V. Mason received the University of North Carolina's Distinguished Young Alumnus Award. She is a partner with Alston & Bird in Atlanta.

1983

Mark T. Boonstra has become a partner of Miller, Canfield, Paddock and Stone in Detroit. His principal practice area is commercial litigation with an emphasis in antitrust, securities, class action, and other business litigation. *In the last issue of Law Quadrangle Notes it was erroneously reported that he had become a partner of Dykema Gossett. We regret the error.*

Janet S. Hoffman has been elected to the Partnership at Baker & Hostetler, McCutchen Black. She practices in the area of corporate and finance law in the firm's Los Angeles office.

David G. Sisler has joined the office of the General Counsel at Central and South West Services, Inc., Dallas, Texas.

1984

Michael L. Atterberry was appointed State's Attorney of Menard County, Ill., and was sworn into office on Dec. 3, 1991.

Carey A. DeWitt and **Leonard M. Niehoff** have been elected shareholders at the Detroit firm of Butzel Long. DeWitt's practice is primarily devoted to employment and labor relations law. Niehoff practices in libel law, media defense, and constitutional litigation.

Jennifer Belt DuChene, **Thomas R. Lucchesi** and **John P. Witri** have been elected to the Partnership at Baker & Hostetler. DuChene concentrates in bankruptcy and business workouts, Chapter 11 plans of reorganization and corporate transactions. Lucchesi focuses his practice in the areas of bankruptcy and commercial litigation. Witri practices primarily in the area of litigation. All three practice in the firm's Cleveland, Ohio, office.

Robert J. Portman has been named partner with the firm of Graydon, Head & Ritchey of Cincinnati, Ohio. He practices corporate law with a focus on international and legislative matters.

Eric J. Sinrod has become a partner of the San Francisco firm of Hancock, Rothert & Bunshoft.

Edwin Vermulst has become a partner of Akin, Gump, Hauer & Feld, practicing EEC law, with special emphasis on trade law, in the Brussels, Belgium, office.



1985

R. Rand Tucker was named partner in the firm of Petree Stockton & Robinson, Winston-Salem, N.C. His practice is focused on general and commercial litigation and antitrust law.

1986

Kathryn M. Niemer has become a shareholder of the firm of Foster, Swift, Collins & Smith, P.C. She practices in the firm's new Farmington Hills, Mich., office concentrating on transportation, trucking, regulatory, and labor law issues.

1988

Carol A. Jizmejian has become associated with Tucker & Rolf of Southfield, Mich. Her practice will focus on commercial litigation, bankruptcy and family law.

Alain L. Verbeke has been appointed professor of law at the Catholic University of Leuven, Faculty of Law, in Belgium. Verbeke, who was here for his LL.M., also is a senior fellow of the Belgian National Fund for Scientific Research.

1989

Valissa A. Tsoucaris has joined Baker & Hostetler as an associate in the firm's Denver office.

1990

James Henderson, an associate with Cummings & Lockwood of Stamford, Conn., will be "on-loan" full-time to Connecticut Legal Services. Henderson is the third attorney to work on site at the Legal Services office with full technological support from the firm in this unique pro bono program begun in 1989.

Jeffrey H. Lindemann is an associate with the firm of Vorys, Sater, Seymour and Pease, Columbus, Ohio.

Blake K. Ringsmuth has joined Howard & Howard, Bloomfield Hills, Mich.

Ronald C. Wernette, Jr. has become associated with the Detroit office of Bowman and Brooke, specializing in products liability defense.

1991

Kenneth A. Hill has joined the Dallas, Texas, office of Baker & Botts.

Philip J. Roselli has joined Baker & Hostetler as an associate in the firm's Denver office.

Alumni Deaths

Thomas E. Sunderland, an outstanding Michigan alumnus and ardent supporter of the Law School whose efforts on behalf of the School include the establishment of the Edson R. Sunderland Professorship of Law, died March 3, 1991, at age 83, in Scottsdale, Ariz.

Sunderland, a lawyer and business leader who helped lead the United Fruit Company out of a slump in the 1960s, was very much part of a Law School family. His father, the distinguished scholar Edson R. Sunderland, was a professor of law at Michigan for more than 40 years, and his son, Thomas, was born in Ann Arbor and attended the University of Michigan, where he earned a bachelor's degree summa cum laude. He completed his first two years of law school at Michigan, finishing his degree at the University of California at Berkeley to broaden his geographic and institutional horizons. Nonetheless, he considered his real law school class to have been Michigan 1930, attending class

reunions and early becoming an important part of fund-raising efforts on behalf of the School. He was national chairman of the Law School Fund during 1971-72.

The Sunderland name continues to be a part of Law School tradition not only through the professorship he endowed to honor his father, but through the Thomas E. Sunderland Fellowships for Faculty in Disciplines Other than Law. Since 1985, these fellowships have allowed scholars from disciplines other than law to be in residence at the School to pursue research and increase their understanding of the methods and substance of the law through contact with School faculty and resources.

Sunderland was a titan of the business world, an expert in antitrust issues and international negotiations who put his knowledge to work in the corporate sphere. At United Fruit, his changes included simplifying the executive structure, diversifying the company, revitalizing the "Chiquita" banana trademark and developing disease-resistant bananas to replace less hardy varieties. In the 10 years before his arrival at United Fruit, he was the general counsel and a vice president at Standard Oil Company of Indiana. When he retired from United Fruit in 1968, he joined the law firm of Snell & Wilmer, practicing with them for another 10 years.

"He was a man of extraordinary generosity and largeness of spirit," said former Law School Dean Ted St. Antoine, who knew Sunderland well. "He had a passionate devotion to the Law School and the standards he thought it should stand for."

In Memoriam

'17 Harry R. Hewitt, 12/9/90

'21 Marian Easton (Mrs. Roy J.), 12/8/88

'24 Myron H. Savidge

'25 J. Thomas Dasef, 7/22/91

'27 James B. Boyle, 1/1/91
Benjamin J. Safir, 12/4/91

'28 Russell A. Ramsey, 2/20/91

'30 Ferdinand D. Heilman, 8/3/91
Robert G. SurrIDGE, 8/26/91

'32 Walter K. Schmidt, Jr.
George Stone, 6/19/91

'33 George S. Downey
Clifford Patrick Keen

'35 Benjamin Baum
Sheridan Morgan, 5/20/91
John W. Piester

'36 Jerome F. Kapp, 7/31/91
Hector A. Webber, 7/8/90

'37 John S. Howland, 7/26/91

'38 Francis L. O'Brien, 8/31/91

'39 Richard N. Lein
Paul W. Philips, 8/21/91
Howard L. Wolton

'41 Jack R. Sutherland, 1/30/91

'42 Rudolph Heitz, 8/19/91
Charles Wright III, 11/91

'43 Paul E. Basye, 1991
John F. Sisson

'46 William C. Loud, Jr., 3/31/89

'47 Robert E. Childs, 10/26/91

'48 Hugh F. Bell, 4/5/91
Joseph H. Payne

'49 Harold Knoop, 7/24/91

'50 Richard F. Ralph, Jr., 8/17/90

'51 Ruth Wanamaker Picknell, 9/7/91

'52 Franklin D. Hettinger
George L. McCargar, Jr.
George Squire, 3/18/91

'53 James N. Matchett, 8/10/91
Calvin Klyman, 1/6/92

'54 Robert W. Beaudry, 08/24/91

'56 Janice C. Parker, 10/16/90

'57 Alan Raywid, 11/13/91

'59 William A. Cockell, Jr.
Henry H. Springe, Jr., 1/91

'61 Donald O. Hovey, 8/20/91

'66 Thomas Robert Roberts

Accommodation and Satisfaction: Women and Men Lawyers and the

BALANCE

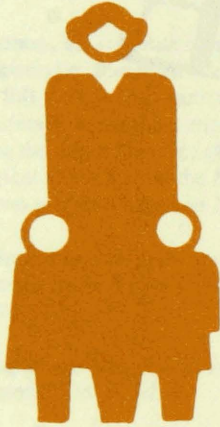
of Work and Family



This article by Professor Chambers began with data from the periodic surveys of Law School alumni he has conducted. It is adapted from an article Professor Chambers published in the journal Law and Social Inquiry.

David L. Chambers

Women first entered the legal profession in large numbers in the 1970s. The same movement that brought them into the profession also sought to deliver messages to men that they ought to participate more in the raising of children. How, over the years that have followed, have men and women lawyers responded to the multiple roles of home and work? How satisfied are they with the balance they have struck and with their careers overall?



The mother who works outside the home typically faces additional stress that men face less or in different ways or not at all.

This article draws on data from a study conducted at three points in time of the graduates in the late 1970s of the University of Michigan Law School. The study has reached some conclusions that might be expected and others that might not. Women lawyers who are parents continue to bear substantially greater burdens for the care of children than men. Men, on the other hand, have altered their careers very little in order to participate in families. And yet, despite the pressures of their multiple roles, the Michigan women in general and those with children in particular have been satisfied with their careers and generally satisfied with the balance of their family and professional lives. In fact, five years after law school, and again seven to ten years after law school, the women with children report themselves, as a group, somewhat more satisfied with their careers and with the balance of their family and professional lives than women without children and than men, with or without children, report themselves to be.

One of the women surveyed referred to "the psychological baggage" she carried because she was a "woman *and* a wife *and* a mother *and* a fulltime lawyer." The baggage she carried is heavy. The paradox is why she and so many others with the same baggage seem as contented or more contented than those without it.

MULTIPLE ROLES AND WORK SATISFACTION: A REVIEW OF RESEARCH

The Work Experience of Women with Children

The substantial body of research on women who work outside the home nearly all starts with a common, unassailable observation — that women, even when holding a job, bear a heavier burden than men for the care of small children. Within dual-career families, men spend only slightly more time performing child-tending and house-keeping tasks than do men in families in which the wife holds no job outside the home.

The mother who works outside the home typically faces additional stress that men face less or in different ways or not at all. The working mother's conflicts take at least three forms: conflicts in time demands; conflicts growing out of strain (in the sense that the emotional or energy demands in one setting leave the parent without the emotional reserve to respond adequately in the other); and conflicts in behavioral expectations (in the sense of difficulties in adjusting from the aggressive demeanor expected in some jobs to the nurturant demeanor needed in the parenting role). Both men and women find it difficult to keep the spheres of work and family life separate, but men tend to permit work to intrude on family life, whereas women tend to permit (or feel forced to permit) family to intrude on work.

How do women who have children respond to the demands of these multiple roles? Social scientists have offered two competing theories. Much writing, especially before the 1980s, treated multiple role responsibilities for men and women as wholly negative in their effects.

In the recent past, however, some researchers on women in the labor force have put forth a different view, finding that many women, including many mothers, respond to multiple roles and their demands with satisfaction rather than dismay. Multiple roles, it is argued, provide satisfaction by offering variety and relief, by permitting a sense of mastery, and by providing some broader perspective on the problems in any one setting.

What is the impact of multiple roles on women's, and particularly mothers', satisfaction with their work? In studying the Michigan men and women, we have wanted to understand and compare the career satisfaction of working women with children with that of other women and of men.

The many studies comparing women's and men's job satisfaction have typically found few differences, despite the many reasons for expecting women to be less satisfied. Fewer studies have compared the job satisfaction of women with young children with that of other women or with men. Nearly all find women with children as satisfied with their jobs as other women and as men. Consistent with the new theory of the

satisfactions from multiple roles, at least one study has found women with children generally more satisfied with their jobs than are other women.

Work and Family Issues for Lawyers

When the legal profession was almost entirely male, almost no one thought of examining the tensions between work and family. As the numbers of women in the legal profession have increased, now reaching over 40 percent of students finishing law school each year, interest has grown in the problems of balancing family and work, although virtually all this literature has addressed the problems for women, not men.

Some recent research has examined the problems of work and family of women lawyers in the 19th century. Before 1900, most of the few women admitted to the bar either never married at all or married an attorney and worked in his office as stenographer, clerk, and associate. Into the latter half of the 20th century, the numbers of women lawyers remained very small, and although far fewer of these women worked in their husbands' offices, women who had children commonly stopped working as lawyers altogether or shifted to part-time work. In his 1967 study of a national sample of women who graduated from American law schools between 1956 and 1965, James J. White found only 45 percent of married women with children working full time. The remainder were distributed roughly equally between part-time work and not working outside the home at all. American women who did practice law, full time or part time, often chose or were assigned to estate work or similar substantive areas that were considered "appropriate" for women and consistent with childtending responsibilities.

Recent writing about lawyers with young children focuses primarily on the difficulties for women of meeting the conflicting demands of practice and childrearing. A high proportion of such women, though somewhat fewer than in the past, work part time or drop out of the labor force. Many journalistic accounts about women with children in large law firms depict the travails of working full time, striving simultaneously to raise children and compete for partnership. The accounts emphasize discouragement, frustration, and fatigue. They describe techniques women use to cope with the conflicting demands — bringing babies to the office at feeding time or on out-of-town trips with a babysitter in a hotel; juggling trials, ballet lessons, and appointments with the pediatrician. Few convey that women with young children find careers in practice particularly satisfying.

Of the recent writing, Cynthia Fuchs Epstein's is probably the most positive in tone. In her 1981 study, *Women in Law*, Epstein reported that many women attorneys find satisfaction in successfully meeting the demands of family and work: "Good lawyers are problem solvers. Many of those interviewed attacked the problems of managing home and work in the same direct, matter-of-fact way they managed their offices." In a more recent essay, Epstein expands on these views and argues that current writers' emphasis on role strain for women with children results not alone from sympathy for women's difficulties but also "from the fact that some people feel threatened by the vitality and productivity of working women with accomplishments in different life roles."

Few studies have attempted to measure and compare job satisfaction of women and men attorneys. Until this study, none has compared the job satisfaction of women with children with that of other women. The one study that compares a large national sample of women and men attorneys, conducted in the early 1980s by the American Bar Association, found high levels of job dissatisfaction generally among young lawyers in private practice and especially high dissatisfaction among women. Nineteen percent of male and 40 percent of female "junior" associates in law firms said they were dissatisfied with their jobs. The study did not inquire about parenting status. Most of the reasons that women were dissatisfied — that their job atmosphere was not warm, that advancement was not determined by the quality of their work, that they had no control over the cases they handle — would seem to apply equally to women who are and are not mothers, although one reason — that they have virtually no time to themselves — has particular relevance to mothers.

A recent study of women and men graduates of Stanford Law School of all age ranges found that both men and women experience stress but that women were more

As the numbers of women in the legal profession have increased, now reaching over 40 percent of students finishing law school each year, interest has grown in the problems of balancing family and work.



likely than men to report nightmares, loneliness, and depression. On the other hand, in contrast to the ABA study, the Stanford study found that both men and women were quite satisfied with their present jobs, and that, few of the women or men expected to change jobs in the near future. The study also found no differences between men and women in their degree of certainty about meeting career goals.

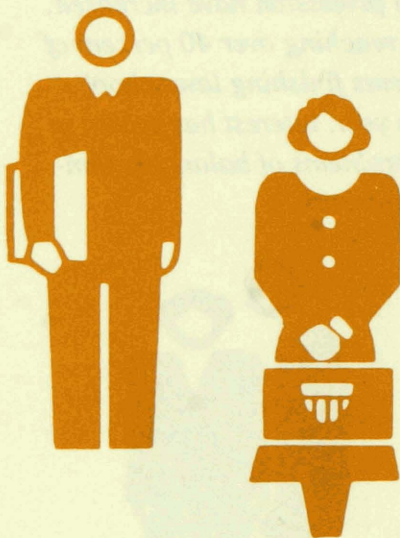
The Hypotheses of the Michigan Study

In analyzing the data from the survey of the recent Michigan graduates, we hypothesized that women would report devoting more effort to family and children than would men lawyers in comparable positions and that women would make more adjustments than men to accommodate the conflicting demands of family and work. We were less certain what we would find about women's and men's satisfaction with the balance of their family and professional lives or with their careers overall. Two contrasting findings seemed possible. With regard to both sorts of satisfaction, recent writings suggested that the highly educated, high-earning women we studied might be well contented and research on job satisfaction suggested that most women and men workers, with and without children, would be highly satisfied with their jobs.

Nonetheless, the negative findings of the ABA survey and the somber tone of most of the popular writing about women lawyers who are mothers suggested the possibility of the opposite finding, of lower satisfaction in both respects for the Michigan women in general and for mothers in particular. The Michigan women, like the Stanford women, were an especially privileged group, but we first surveyed the Michigan women five years out of law school, at a point when they were likely to have been at a particularly stressful stage in their careers and at particularly demanding stages in the lives of their young children.

On the following pages, I present information about the work and family situations of the Michigan women and men and the ways women and men accommodate work and family. I report the data that permit us to test the competing hypotheses about the satisfactions of the women and men lawyers, with and without children, with the balance of their family and professional lives and with their careers overall. More will be said about women's experience than about men's because both women and men perceived women as giving more attention to the family and making more deliberate adjustments.

Few studies have attempted to measure and compare job satisfaction of women and men attorneys.



THE UNIVERSITY OF MICHIGAN ALUMNI SURVEY

The findings reported here were gathered in three studies of the graduates of the classes of 1976–79 at the University of Michigan Law School, the first four classes in which more than 20 percent of the graduates were women. The classes were first surveyed, by mail, one class each year, between 1981 and 1984 at the point when the graduates had been out of law school 5 years, part of an ongoing survey by Michigan Law School of its graduates 5 and 15 years after they finished law school. The 12-page mailed questionnaire inquired about the graduates' jobs and families and solicited views about the school.

The alumni surveys have not been designed to focus on differences in the experiences of women and men. Accordingly, in 1984 and 1986, further questionnaires were sent out that included questions tailored to explore gender differences. The 1984 survey, which was mailed to all women who had responded to the original five-year survey and to a roughly equal, randomly selected number of the men who had responded to the survey, relied largely on open-ended questions with space enough for responses of several sentences. It asked women about their perceptions of the effects of gender on their experiences during and after law school. It asked men the same sorts of questions, as well as questions about their perceptions of the experiences of the women attorneys with whom they worked. The final questionnaire, much shorter, was mailed in 1986 to all those who had responded to the original survey and served primarily to chart the changes in numbers of children, work settings, job status, and career satisfaction that had occurred since the five-year survey.

THE WORK SETTINGS AND FAMILY STRUCTURES OF THE MICHIGAN LAWYERS

Work Settings

The Michigan graduates work more often in private practice than in any other sort of setting, but far more of the Michigan women than the men worked in settings other than private practice. Five years after graduation, 70 percent of men but only 44 percent of women worked in private firms (or solo practice). Women were substantially more likely than men to be practicing law in corporate general counsel's offices or in government and to be working in such settings as teaching or government agencies where they did not regard themselves to be practicing law at all. Studies by others have also found that other women attorneys in the United States work more often than men in settings other than private practice, but the difference between the Michigan women and men is greater than that reported in such studies.

For all their differences, the Michigan women's and men's work settings were, in some respects, more like each other than they were like the work settings of comparably aged lawyers elsewhere. Both for this age group nationally and for the Michigan graduates, private practice is the most common work setting. Michigan graduates, however, are far more likely than other lawyers to be in large firms and far less likely to be working as sole practitioners. Of those who work in government, nationally most attorneys work in state or local government, whereas most Michigan graduates worked for the federal government.

Patterns of Marriage, Nonmarital Partners, and Children

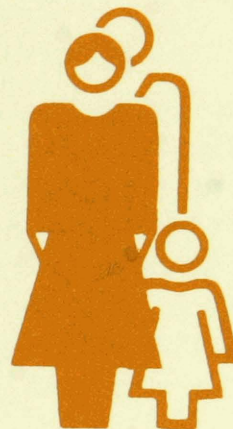
At the time they graduated from law school, roughly a third of both the Michigan women and men in the classes of 1976–79 were married. Over the five years that followed, roughly half the unmarried group married for the first time. A few of the women and men lived with a nonmarital partner. In all, by the time of the five-year survey, about three quarters of both the women and men were married or had a partner.

Although roughly the same numbers of men and women had partners, the partners of the men and women differed dramatically in their occupations. Not surprisingly, many men but only one woman were married to homemakers. Conversely, many more women than men had partners who were lawyers — 45 percent of women with partners, 9 percent of men with partners. In fact, three of every five women who had married since law school married lawyers. The substantial majority of women whose partners were not lawyers had partners who were other professionals, business owners, or managers.

As the occupations of their partners suggest, the women with partners in our sample were typically linked with someone who earned about as much as they did or earned more than they did. That was true for 80 percent of the women. By contrast, the great majority of men with partners — 89 percent — were linked to someone who earned much less than they did or did not have a job in the labor force at all.

At the time of the five-year surveys, when the median age of the women in our sample was 31, only 37 percent of the Michigan women had any children, and only 11 percent had two or more children, a far lower number than is found among women in general in the American population. At that point, slightly more of the men — 41 percent — had at least one child. Between the time of the five-year surveys (conducted in 1981 through 1984) and the final survey in 1986, many women and men had a first child. Nonetheless, as of 1986, 44 percent of the women and 39 percent of the men remained childless. The difference between women and men, though minor, may seem more substantial when the women's and men's remaining childbearing years are considered, for by 1986 the great majority of the women in the sample were in their mid- or late thirties.

In the five-year survey, we asked all respondents to rate on a seven-point scale how satisfied they were with their family lives. Few of either sex in any marital status placed themselves in the lowest categories, but, on the whole, married and cohabiting



By the time of the five-year survey, about three quarters of both the women and men were married or had a partner.



people were much more satisfied than single people. Of those with partners 86 percent of women and 85 percent of men registered themselves as quite satisfied with their family lives (categories 1 and 2 on the 7-point scale), while of single, noncohabiting persons, only 35 percent of women and 37 percent of men so reported themselves. On the other hand, among people with partners, there were no substantial differences for either women or men between the levels of satisfaction with family of those with and those without children. It was having a partner, not having children, that corresponded with family-life satisfaction.

MANAGING THE DEMANDS OF FAMILY AND WORK

How Women Perceive the Demands

The great majority of the women in our survey believed that they gave more time than men to family. On the 1984 survey, we asked women: "Do you believe that, for reasons that relate to your being a woman, you balance your career and private life differently than most men you know doing comparable work?" If they answered yes, we asked them to explain how. Three-quarters of all responding women said they did balance their private and professional lives differently from most men doing comparable work and, of this group, only three women said they gave less time than men to their private lives. Almost all the rest said that they gave more effort than men in comparable work to their private or family lives.

No other open-ended question produced such a large number of similar answers. Many women who saw few other differences between their experiences and the experiences of men seemed to assume that they, and other women, would devote more effort than men to their family and private lives.

The tones of women's responses vary. Many speak of their comparatively higher involvement with children and family with pleasure, pride, or a touch of defiance:

My family life is more important to me. (I would not have said this before I had children.) . . . I love my work but will not be an absentee parent. My husband (also an attorney) would not say this.

Absolutely. . . I've tried the "total immersion" approach and find I cannot stay sane for very long. I must have another activity separate from "the law" where I can clear my mind of all the debris and frustrations of my job.

I know there is life outside the law firm (apart from children, which I don't have). Many men appear to be relatively blind to this (but not all).

Now after my first child, no matter how much my husband and I attempt to "share" the responsibility, I find that by my own choice, I have primary responsibility for our child and my child is a higher priority than my work.

I decided my parents and children came first. Anyone can be a lawyer.

Other women seem to experience their position less as one assumed by choice than by assignment. They speak of the balance of work and family with resignation or frustration:

I am a mother with two small children and expecting a third. No further explanation is necessary.

I spend far more time with my children [than most men in comparable work]. I go home three days a week to take my child home from school. I take him to school three days a week. I get the groceries and babysitters. I take them to the doctors, etc., even though my husband and I are . . . both partners in the same law firm.

I "balance" by losing myself — my free time. I have no hobbies, little time to assess who I am and where I want to go. I "balance" by forgoing social opportunities and chit-chat with peers.

The great majority of the women in our survey believed that they gave more time than men to family.



I value my marriage and my friends. I have a two-year-old and am expecting another. I am half crazy because I put in fewer hours at work than my colleagues and I feel I am falling behind.

Not surprisingly, the women who were parents were more likely than other women to say that they gave more time to family matters. The accompanying table indicates that, when surveyed in 1984, 15 percent of mothers were not working in the labor force at all, and an additional 13 percent worked part time only.

TABLE 1

How Women Balance Their Private and Professional Lives in Comparison to Men in Similar Occupations, as Reported by Women With and Without Children, 1984 Survey, University of Michigan Law School Classes of 1976-79.

	Women Without Children		Women With Children	
	N	%	N	%
Women serving as full-time homemaker or childtender	0	0	12	15
Women working part time for family reasons	2	2	10	13
Full-time working women reporting that they:				
Give more time to family/private life than men in comparable work	37	43	48	62
Give no more time but regret having no "wife" at home	4	5	0	0
Balance private/family life same as men in comparable work	38	44	6	8
Give less time to family than most men in comparable work (to prove self)	2	2	0	0
Other	4	5	2	3
Missing data	(8)	—	(2)	—
Total	87	100	78	100

And among the full-time working mothers, 48 of 56 asserted that they gave more effort to family than most men in comparable work. In all, 90 percent of mothers either did not work outside the home, worked part time, or worked full time but believed they gave more effort to family than men in comparable work. Women with children are not, however, the only women who believe that they give more attention to family than men. Two married women without children worked part time for family reasons, and nearly half of the remaining women without children said they also gave more effort to family or private lives than the men they knew in comparable work.

As the excerpts convey, the women's attitudes ranged from regarding their private lives as their salvation to regarding themselves in constant crisis in coping with the conflicting demands of their private and professional lives. Indeed, a quarter of women with children, in response to another open-ended question, identified the conflicting

The principal striking fact within our data is not that women with children worked slightly fewer hours, but how long the work weeks were for almost everyone who considered themselves to be working "full time."



demands of family and work as "the most important way that being a woman has disadvantaged (them) in (their) career since law school." A smaller number of married women without children (about 12 percent) gave the same response.

How Women and Men Accommodate Work and Family

How did women and men accommodate their professional and family lives and how did women do so differently than men?

A principal way to seek a more reasonable balance of family and work is to reduce the amount of time spent at work. Many women, but few men, have made much adjustments. As already noted (see table 1), at the time of the 1984 questionnaire, 28 percent of women with children were working part time or had ceased working outside the home. In 1986, when the classes we surveyed had been out of law school seven to ten years, nearly 70 percent of the women with children reported that, at some point since law school, they had, for three or more months, worked part time or stopped working outside the home altogether. A quarter of the women with children had taken much longer periods — at least 18 months — of either full-time parenting or part-time work. Very few men had ever taken leaves of absence or worked part time to care for children, although a few men said they were constrained by the roles expected of men from asking their employers for leaves that women were freely granted. One male associate in a private firm wrote, "I find it extremely frustrating . . . when I encounter the 'good old boy' attitude that I am 'out of line' or 'weak' when I express or demonstrate by action that my wife and daughter are by far my top priority. While it is accepted that females may take extended leaves to start a family, it is not accepted that males may do so."

The great majority of women and nearly all men worked full time. Among those with full-time jobs, women with children worked only slightly fewer hours than others. Women with children report working, on average, about three fewer hours than other women and four fewer hours than men, a difference that was statistically significant. The principal striking fact within our data is, however, not that women with children worked slightly fewer hours but how long the work weeks were for almost everyone who considered themselves to be working "full time." For the classes of 1980 and 1981, for which we had the most complete and reliable information about hours worked, the full-time working mothers reported averaging 49 hours of work per week, 49 weeks a year, while other women and men averaged about 52 hours per week. Those are long work weeks.

A second way that women and men might have sought to achieve a sensible balance of work and family was through their choice of work settings. As we have seen in the preceding section, five years after law school and again in 1984, 70 percent of men in these classes but only 44 percent of women worked in private practice. When, in one of our follow-up questionnaires, we asked the respondents whether they had any explanation for this difference in work settings, the most common explanation offered by women and the second most common offered by men was that women avoided private practice because they wanted settings where they could achieve an acceptable balance between work and their family or private lives. The perception that private practice interferes with family life is supported by our consistent finding that those who work in private practice — and especially those who work in large firms — are less satisfied with the balance of their family and professional lives than persons working in other settings.

In the end, however, we cannot be certain whether many women have in fact rejected private practice for family-based reasons. We find wholly plausible the suggestion of the respondents that they have. On the other hand, we had expected to find that, among women, those with children would be especially likely to avoid private practice, and do not find that they do. Women with children were as likely as women without children to work in private practice. We had also believed that women who did work in private practice might tend to avoid the large firms where, as we have just reported, the stresses on family life are said to be most severe, but in fact, among those in private practice, a higher proportion of women than men worked in the large firms. All that

this pattern suggests is that many factors contribute to women's decisions whether to work in private practice or in large-firm practice of which family considerations are only one.

There is some mild evidence within our data that men were also affected in their job choices by such considerations. Five years after law school, men who were married earned somewhat more and were somewhat more likely to be working in private practice than men who were single, suggesting deliberate choices by "family" men to work in high-paying settings.

A final way that women and men might have accommodated their family and professional lives was by spending less time on "nonessential" activities apart from family. One of the women we quoted above spoke of having no hobbies and of "forgoing social opportunities and chit-chat with peers." Others spoke of forgoing exercise and sports that men engaged in. We have no statistical information about hobbies or sports. We did ask about participation in electoral and nonelectoral political activities and in bar associations or other lawyers' organizations, and in these activities no differences appeared between full-time working women and men or between women or men who were parents and those who were not. The only activities in which differences appeared were in time spent socializing with clients or co-workers. Few men or women, with or without children, reported spending much time doing so, but women with children reported spending somewhat less time than other women or than men.

The Satisfactions of Women and Men with the Balance of Work and Family

How successful were women's and men's efforts to balance their family and professional lives?

Respondents to the five-year survey were asked to respond on a seven-point scale to a question asking "how satisfied are you" with the balance you have "struck between your family life and your professional life." Their responses indicated that, for both men and women, conflicts between their family and professional lives caused problems. Most people were markedly less satisfied with the balance of their family and professional lives than they were, for example, with their family lives considered alone or with their incomes, their prestige in the community, or their careers overall. Table 2 displays what we found with regard to satisfaction with the balance, comparing the satisfactions of women and men, with and without partners and children. The responses were somewhat surprising.

In general, as is revealed by the totals in table 2, women were slightly *more* contented than men with the balance of their family and professional lives. Moreover, women *with* children were somewhat more contented with the balance than single women and than married women without children and much more contented than men with children and men who were single. In comparison with all other groups, far fewer of the women with children were *dissatisfied* with the balance. Single persons of both sexes are less satisfied than persons with spouses or partners. The differences between men and women and between women with children and others remain after regression analysis taking into account other factors that bear on satisfaction with the balance of career and family. When we resurveyed the same classes in 1986, seven to ten years after graduation, a slightly different pattern emerged. At this point, no significant differences appeared among the groups. Women with children were *as* satisfied, but no more satisfied, with the balance than were other women and than men with and without children.

We will reflect more on the significance of these findings after reporting in the next section on overall career satisfaction. At this point a word of caution should nonetheless be repeated. Remember that both men and women, including women with children, are, as groups, *less* contented with the balance of family and work than they are with almost all other aspects of their careers about which we inquired. Balancing family and professional life is stressful even if women with children appear comparatively successful at the task.

Both men and women, including women with children, are, as groups, less contented with the balance of family and work than they are with almost all other aspects of their careers.



TABLE 2

Satisfaction with Balance of Their Family and Professional Lives, Full-Time Working Men and Women Five Years After Graduation, University of Michigan Law School Classes of 1976-79

	N	% Quite Satisfied ^a	% Dissatisfied ^b
Women			
Women who were:			
Single, no children	55	42	26
Married or partner, no children	86	40	21
Parents	66	56	9
All cases	207	45	18
Men			
Men who were:			
Single, no children	202	32	34
Married or partner, no children	265	46	20
Parents	319	39	24
All cases	786	39	25

^a Registering themselves 1 or 2 on 7-point scale.

^b Registering themselves 5, 6, or 7 on 7-point scale.

CAREER SATISFACTION OF WOMEN AND MEN, MOTHERS AND FATHERS

Most social scientists who study satisfaction with work ask people about their satisfaction with their "current job." We did not do so. We asked our respondents instead about their satisfaction with various aspects of their career since law school as a whole and with their careers overall. Respondents' experiences in their current jobs probably dominated their answers to these questions, but our question invited reflection on their entire professional experience since law school.

Most of the respondents were satisfied with their careers overall. Given the stresses of the early years of practice, it may seem surprising that so many of the women and men expressed high satisfaction with their careers and that so few expressed low satisfaction. In fact, surveys of American workers report high job satisfactions for men and women workers across almost all sorts of employment.

While the Michigan women and men do not differ significantly in their overall career satisfactions, differences do appear when their marital and parenting statuses are taken into account. As table 3 illustrates, single persons of both sexes are again less satisfied than those who are married or have partners. In addition, women who have children are significantly more satisfied with their careers than are married or single women without children. They are also significantly more satisfied than men with and

without children. Women with children, a group that some might expect to be unsatisfied absolutely and in comparison to other women and men, prove to be generally well satisfied — and more satisfied than others.

Because the apparent relationship between parenting status and career satisfaction might have been spurious, we examined widely within the available data for other factors that might better explain the differences in career satisfaction. We examined women and men separately and together. We looked at the relation between career satisfaction and individual income, family income, marital status, partnership or managerial status at work, type of work setting (private practice or other), political attitudes, law school grades, numbers of hours worked, and many other factors. None of them, including parenting status, explained all or even most of the differences among the respondents' career satisfaction. On the other hand, among women, but not among men, the fact of having children remained significantly related to career satisfaction after taking other factors into account, and was in fact one of the strongest factors we could identify.

TABLE 3

Overall Career Satisfaction by Marital and Parental Status of Full-Time Working Women and Men Five Years After Graduation, University of Michigan Law School Classes of 1976–79

	<i>N</i>	<i>% Quite Satisfied^a</i>	<i>% Dis-satisfied^b</i>
Women			
Women who were:			
Single, no children	56	38	9
Married or partner, no children	86	48	6
Parents	66	64	0
All cases	208	50	5
Men			
Men who were:			
Single, no children	206	41	10
Married or partner, no children	263	49	4
Parents	321	49	4
All cases	790	47	18

^a Registering themselves 1 or 2 on 7-point scale.

^b Registering themselves 5, 6, or 7 on 7-point scale.



While the Michigan women and men do not differ significantly in their overall career satisfactions, differences do appear when their marital and parenting statuses are taken into account.

The most important point about the women with children is probably not that they seem somewhat more satisfied than others but that, despite all the reasons why it might be otherwise, they are fully as satisfied as the others.



The reported higher average satisfactions of the women with children at the five-year point were not transitory. When we surveyed the same women and men two to five years later in 1986, most graduates' reported level of satisfaction had changed very little. In fact, in 1986, for full-time working women, having children correlated more strongly with career satisfaction than any other variable, even after taking the other variables into account. One pattern only was different in 1986: in the five-year survey, the women without children were somewhat less satisfied with their careers than the women with children but no less satisfied than the men; by 1986, women without children reported lower levels of career satisfaction than both women with children and men.

Our data permit us to compare not only the career satisfaction of women with and without children, but also the satisfaction of some women before and after they had children. Of the women who responded to our 1986 questionnaire, 130 had no children at the time of the five-year survey. Of this group, 36 had a first child after the five-year survey but before we resurveyed them in 1986. Even with the burdens of a first child, half the new mothers reported higher career satisfaction in 1986 than they had reported at the time of the five-year survey (when their satisfaction levels were already high), and only a quarter reported lower satisfaction. In contrast, the 94 women who remained childless after the five-year survey display the opposite pattern. More of them were less satisfied at the time of the 1986 survey than they had been at the time of the five-year survey. Thus, for women, having a child seems to have been associated with somewhat increased career satisfaction. For men, by contrast, having a first child (or not having children) bore no relation to changes in levels of career satisfaction between the two surveys.

DISCUSSION: ACCOMMODATIONS AND SATISFACTIONS

The initial hypothesis with which this article began — that the Michigan women would devote more effort to children and family than the Michigan men — has, not surprisingly, been confirmed.

At the outset of this article, we hypothesized that single women and single men might be somewhat less satisfied than others, but we were uncertain what we would find for women with children, the group whom we expected to bear the heaviest familial responsibilities. Our findings have been that women with children are beleaguered but that they are also well satisfied. As we have seen, they are well satisfied with their careers overall, significantly more satisfied than other women and than men, and they are generally satisfied with the balance of their work and family lives, again significantly more satisfied than other women and men.

For our purposes, the most important point about the women with children is probably not that they seem somewhat more satisfied than others but that, despite all the reasons why it might be otherwise, they are fully *as* satisfied as the others.

Why do women with children express this higher level of satisfaction? Is satisfaction with multiple roles the correct explanation? Or are other factors at work?

Explaining the satisfactions of the Michigan women with children, especially their career satisfaction, should probably begin with trying to explain the satisfaction of the Michigan women in general. Why, that is, are these women in general as satisfied as men, when there are so many reasons why women with and without children might be less contented? The Michigan women, after all, entered a profession that was still fully controlled by men, men who, as a group, had a bleak record for their response to earlier women lawyers. The ABA survey of young women and men lawyers in private practice in fact found women associates frequently dissatisfied and more frequently dissatisfied than men in comparable positions.

One hypothesis is suggested by the literature on relative deprivation. Whatever their setting of work, virtually all women in these classes report having experienced some discrimination from other lawyers, judges, or clients during the time they have been in practice. In nearly all settings, women report a continual need to prove that they are “tough enough” and that they are committed to their careers. Thus, when women report themselves, as they do, to be as satisfied with their careers as men report themselves, it is tempting to explain it on the grounds that they have simply become inured to oppression or, at least, made peace with second best.

That explanation is plausible and probably does explain the expressions of satisfaction of some Michigan women, just as it explains the satisfaction of many women stuck in low-paying jobs socially identified as “women’s work.” Equally plausible, however, is that the Michigan women have a genuine foundation for satisfaction with their accomplishments, at least if satisfaction is measured by traditional criteria within the profession. Few seem to have experienced themselves as transforming lawyering into a distinctly woman’s experience, but most appear to experience themselves as succeeding in the male-shaped world of law as they found it. They *have* proven themselves “tough enough.”

When we then turn to trying to explain the especially high satisfaction of women with children, much the same sorts of competing explanations are possible — and are similarly resistant to firm empirical proof.

A first explanation is that the women with young children may face enormous stress, yet report that they are quite satisfied with their careers because they have an especially strong need to believe that they are managing their lives successfully. They may, that is, be engaging in reaction formation or denial. Or, less patronizingly and somewhat more positively, these women with several areas of responsibility in their lives may develop more “realistic” expectations for each than men do.

A related explanation, similarly negative, is that women with children are satisfied with less because, to an even greater degree than women in general, they anticipate and adjust to discrimination in their careers.

In large part, however, these explanations for the satisfaction of women with children seem unduly negative. What these explanations miss is the possibility that the hypothesis about the satisfactions of multiple roles is correct — that many women with children say that they are especially satisfied with their careers because they really have something to feel especially good about. Their days are extremely busy, but they are succeeding simultaneously in several important spheres in their lives. They enjoy their family lives. They enjoy their jobs. And to the extent that each causes stress, each also provides respite from the other.

A further and final explanation for the comparatively high satisfaction of the Michigan women with children may simply be that they have gone ahead and let the other shoe drop. The women in these classes are now in their mid- and late thirties. Women with professional careers rarely find a “perfect” moment in their careers to bear children. These women have had children anyway and found the satisfactions substantial. It is easy sometimes to forget how much pleasure children can bring. The women probably anticipated with foreboding the difficulties of balancing child care with work and, although they have found the difficulties formidable, the difficulties may well have proven less formidable than they had feared.

These competing explanations for the high expressed satisfactions of women with children — second best accepted or first best proclaimed — cannot be easily tested empirically with our data.

My own inclination to accept the reports of high satisfaction of the women with children at face value rests in part on the objective reasons why these women with children might feel good about their lives: in this country, it seems a bit odd to doubt people who are so rich when they say they are contented. It also rests on my reluctance to credit suggestions that women with children are any less able than women without children or than men with or without children to appraise the quality of their lives rationally.



The women with young children may face enormous stress, yet they report that they are quite satisfied with their careers.

LIMITS AND SOME CONCLUDING COMMENTS

Here are three limitations on the reach of our findings, limits that may suggest some of the agenda for future research.

The first is that the Michigan surveys measured career satisfaction at only two points not long after law school — 5 years after and 7 to 10 years after. We cannot be certain that the women with children will continue to express high satisfaction over the years to come.

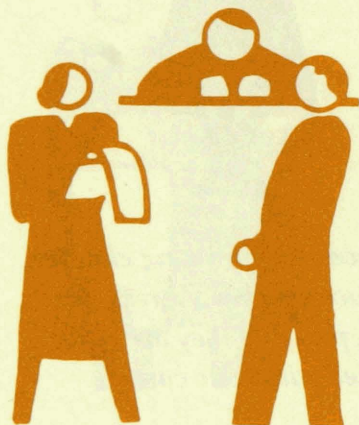
The second note of caution about the reach of our findings regards later classes of lawyers, the classes after the classes of 1979. Are times changing for the more recent graduates? The results of the five-year surveys of the classes of 1980 and 1981 are reported from place to place in this article. The results of the five-year surveys of the classes of 1982 through 1986 became available more recently. On the surface, satisfaction levels seem to have changed only a little. The full-time working women in these six later classes are as satisfied as men with their careers overall and with the balance of work and family, and the mothers are as satisfied as the nonmothers, and all are as satisfied as the women and men in the classes on which we have been reporting. No longer are mothers more satisfied than other groups, but they are fully as satisfied.

One important pattern is different in the more recent classes — a difference in the settings in which women are choosing to work. Over the years since 1979, there has been a fairly steady increase in the proportion of women entering private practice and an even greater increase in the proportion of both women and men entering large firms. The gap between the proportion of women and the proportion of men working in private practice is closing swiftly. This trend is significant for our purposes because it has been in the firms in general and the largest firms in particular that women and men have consistently reported the lowest satisfaction with the balance between their private and professional lives. With the increase of women in private practice, the numbers of women who are dissatisfied with the balance is increasing.

The final note of caution is one we have sounded before. Whatever our conclusions about the women graduating from Michigan, we must be cautious about offering any guesses about the probable situation for women lawyers who are graduates of other schools. The survey by the American Bar Association of young private practitioners reveals much dissatisfaction among women with their jobs. Although the ABA survey did not explore whether women's dissatisfaction was related to the conflicting demands of practice and family, its findings about job satisfaction in general make it quite uncertain whether the findings of the Michigan study could be replicated for the graduates of other schools who have different resources, aspirations, and opportunities.

The paradox this article has explored has been that, despite the double burdens that women with children bear, the Michigan women we studied are well satisfied with their careers and generally satisfied with the balance of work and family. Some people, it appears, enjoy the triathlon. Some people like scaling mountains carrying babies on their backs. We need, nonetheless, to remember that even though the women with children are comparatively satisfied, the young lawyers we surveyed, men and women, are less satisfied with the balances of their family and professional lives than they are with any other aspect of their careers. And our most recent surveys indicate that satisfaction with the balance is declining. A question with which we are left is whether there will ever come a point, as more women reach positions of power in the profession, when women and then men will seek in large numbers to achieve other, more fully satisfying balances.

We must be cautious about offering any guesses about the probable situation for women lawyers who are graduates of other schools. The survey by the American Bar Association of young private practitioners reveals much dissatisfaction among women with their jobs.



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