LawQuadrangleNotes

50.2 • SUMMER • 2008

Jeffrey Fisher, '97:
Approaching the nation's highest bench

Michigan Law launches facilities expansion project

Federalist Society holds national student conference at Michigan Law

Judging alumni by their book covers

Looking again at the Geneva Conventions

Michigan Law
University of Michigan Law School

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University of Michigan Law School

The University of Michigan Law School
Volume 50, Number 2
SUMMER 2008

On the cover: Jeffrey L. Fisher, '97, answers reporters' questions about his appearance before the U.S. Supreme Court last winter to argue for damages for victims of the Exxon-Valdez oil spill in 1989.
(Photo by Tim Sloan/AFP/Getty Image).

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Global Leadership in Law

Michigan Law has been in the forefront of legal education since its founding in 1859. That means we've got much to celebrate when we kick off our sesquicentennial celebration in January 2009 with journeys through our history and forays into our future. You can enter the wonderful world of our celebration through the "History and Traditions" web page.

www.law.umich.edu/historyandtraditions

We'll be adding to it regularly so we invite you to come back often.

Michigan Law
University of Michigan Law School
1859 • 2009
Global Leadership in Law

A message from Dean Caminker

1933.

That was the year the University of Michigan and its Law School completed the most iconic and dramatic academic complex on campus, and among the most impressive on any campus in this country, for that matter. The Law Quadrangle's distinctive architectural style immediately epitomized Michigan Law's academic rigor and special sense of community. This remarkable collection of buildings has been a source of great pride for generations of Michigan students, faculty, and alumni. We smile when visitors catch their breath upon entering the Reading Room, or delight in discovering the gargoyle-like faces hidden in the stonework.

And yet, Michigan's legal education is vastly different today than in the days those stones were first laid. The spaces first designed for 500 students and 17 faculty members now house 1,150 students, 81 full time faculty members and 60 adjuncts and visiting professors. And the needs of our academic community have changed along with the times: technologically, pedagogically, socially. It is our responsibility both to honor our unique architectural history and to address these increasingly pressing contemporary needs.

Last December the University's Board of Regents approved the Law School's major building and expansion project. We will add a new academic building south of the Quad, at the corner of State and Monroe Streets, along with an enclosed Law School Commons within the Quad between Hutchins Hall and the Legal Research building. The new facility will give us much needed seminar and classroom space, offices for the legal clinics, space for student organizations, and faculty offices. The Commons will provide the first indoor gathering spot outside the dining hall the School has ever had. All of this will support our efforts to provide the best possible legal education and further the collegiality for which we are justly celebrated.

First as a member of the faculty and now as dean, I have enjoyed the sense of historic significance that enfolds our community; and yet we must build out our facilities to support our Law School's scholarly energy and national leadership. I have established building committees of faculty, staff, and students to help us define our needs for academic space. This work has built a tremendous sense of momentum because these facility plans are not just blueprints for bricks and mortar—they house our vision for the future.

You can read more about the project and the lead architects, Hartman-Cox from Washington, D.C., on pages 10–15. The firm has a well-deserved reputation for award-winning design married to existing buildings of architectural significance. We are excited to enhance the Law School's signature complex as we add critical 21st century features and facilities that will benefit students for generations to come.

It seems especially appropriate to care for our historic architectural treasures as we look ahead to the Law School's sesquicentennial in 2009. Already we are renovating the Reading Room with a generous gift from U-M alumnus Charles Munger and have watched with keen interest as craftspersons lower chandeliers in preparation for restoration and design considerable functional improvements in tabletop, overhead, and hallway lighting. The lighting will enhance the learning environment while it revitalizes the room's decorative and distinctive design. You can see some of the work in progress on page 74.

We will celebrate the groundbreaking for the new building and the completion of the Reading Room restoration as part of the School's sesquicentennial activities. The birthday celebration will kick off early in 2009 and include an autumn gala dinner for alumni and many other special events throughout the sesquicentennial year.

Our Winter 2009 issue of *Law Quadrangle Notes* will be dedicated to the 150th anniversary. This anniversary edition will include historical highlights, special feature stories, a schedule of sesquicentennial events, and the architectural renderings for our new facilities as we look to the future of Michigan's renowned and rigorous legal education.

We have long relied on *LQN* to bring news of the Law School to our alumni and friends. Look for graphic updates and even more feature stories in upcoming issues as we continue to enhance this publication—such as the cover story on alumnus Jeff Fisher on page 6. In addition, we wish to expand our communication opportunities to include more timely and regular news. So beginning this year we will produce two print issues of *LQN* annually along with our new monthly electronic newsletter. The newsletter offers brief updates in a multi-media format, while *LQN* will continue to provide the more in-depth information readers have come to expect from our Law School magazine. If you wish to read the monthly e-news but have not yet received it via e-mail, visit the alumni and friends section of our website at www.law.umich.edu.

We have much to celebrate and look forward to in the days ahead. Whether you are a regular at class reunions or you haven't stepped foot in the Quad since graduation, I hope you will come for a visit during our anniversary year. The architectural grandeur of the Law Quadrangle—and the spirit of the community within—will welcome you back.

Evan Caminker

Dean Evan Caminker

LAW QUADRANGLE

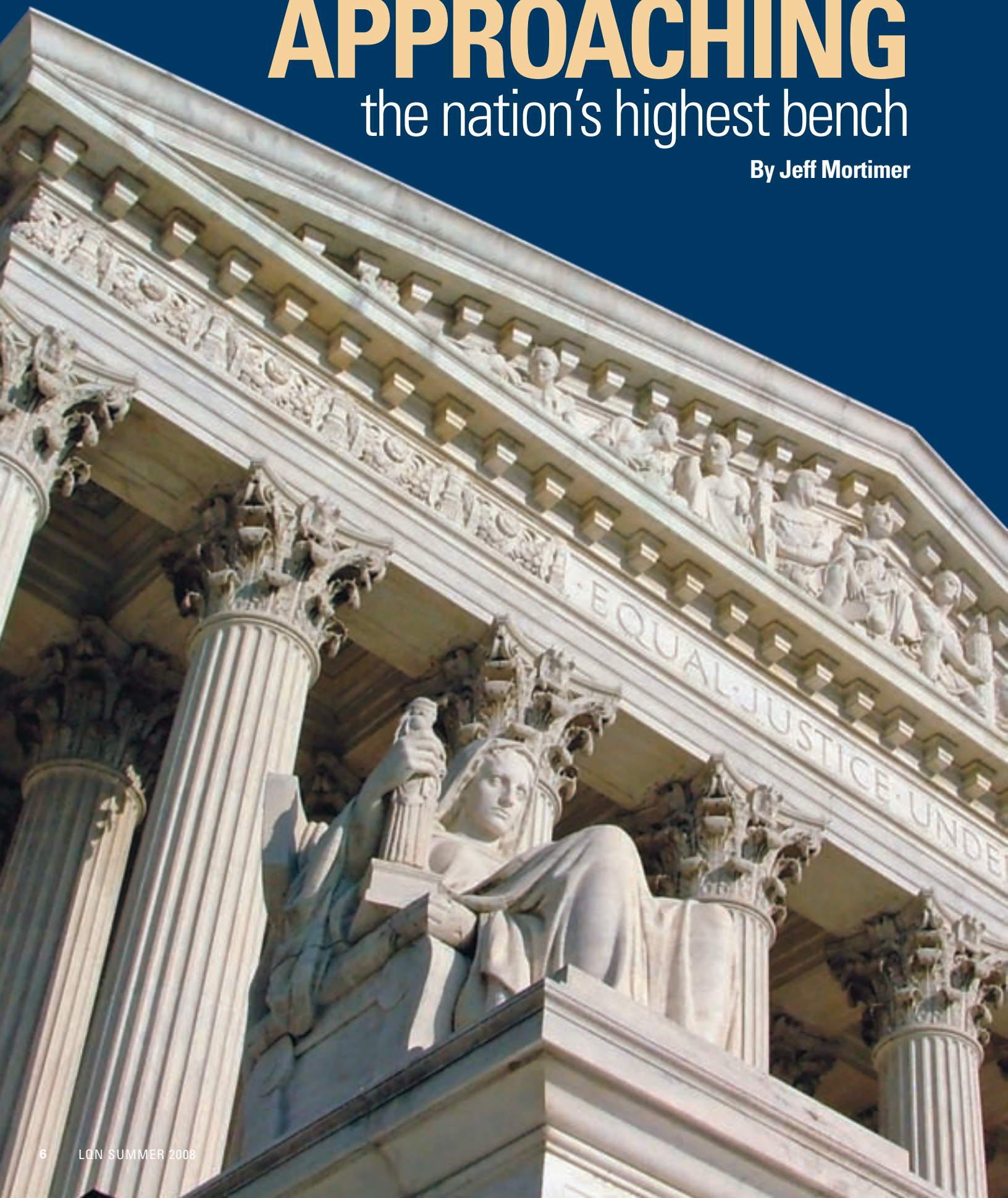
SUMMER 2008

NOTES

Features:

APPROACHING
the nation's highest bench

By Jeff Mortimer



Jeffrey L. Fisher, '97, was once a pretty good tennis player, good enough to compete in tournaments around the Midwest as a youngster, good enough to make all-state playing for his high school team in suburban Kansas City.

But when it came time for college, "I'm not sure if I can chalk it up to wisdom," he says, "but I knew enough to know I should be picking one on some basis other than tennis." The undergraduate school he chose was Duke, the law school was the University of Michigan's, and he's quickly become much more of an impact player in courts of law than he ever was on courts of clay or grass.

When Fisher, 37, argued before the U.S. Supreme Court in February that it should uphold $2.5 billion ($4.7 billion with interest) in punitive damages against Exxon Mobil for its role in the oil spill that befouled Alaska's Prince William Sound in 1989, it marked his seventh appearance before the Court.

The eighth came less than a month later—in *Burgess v. United States,* on behalf of a South Carolina prisoner who claims that a previous conviction was improperly used to lengthen his sentence because it does not qualify as a felony—and arguments in the ninth, *Kennedy v. Louisiana,* in which he's attempting to get a convicted child rapist's death sentence overturned, were heard in April. Fisher's 10th and 11th cases are scheduled for arguments this fall.

His victory in his first Court case, *Crawford v. Washington* in 2004, rejuvenated the Sixth Amendment right to confront one's accuser. Soon thereafter, he won *Blakely v. Washington,* which changed the way that defendants are sentenced in the courts of more than a dozen states and all federal courts.

"Nobody outside his circle of acquaintances had heard of him before *Blakely* and *Crawford,*" says Richard Friedman, the Ralph W. Aigler Professor of Law. "Either one could have been the crowning achievement of a very successful lawyer, and he had both in one Supreme Court term when he was 33. He wasn't yet a partner in his law firm."

That was Seattle-based Davis Wright Tremaine, where Fisher had worked for four years after clerking for Supreme Court Justice John Paul Stevens. He was lured there in part, he says, by the firm's "strong pro bono practice," and took on the *Crawford* case for the National Association of Constitutional Defense Lawyers. In addition to a place in legal history, his first two Supreme Court wins also helped him win a partnership. In 2005, he joined the faculty at Stanford University Law School as an associate professor and co-director, with Pamela Karlan, of its Supreme Court Litigation Clinic, in which students work as part of the legal team representing clients who, as Fisher says, "wouldn't ordinarily have the funds to pay a Supreme Court firm."

"I was down here for a conference that the school had put together on the *Blakely* case," he recalls, "and I spent some time talking to Pam and other professors about this clinic they were getting going. The more we talked, the more we saw the potential for something really neat here and for me to come in and be a part of it. I guess when your mom's a teacher and your dad's a lawyer, you're destined to become a law professor."

And when you've got what Friedman calls "a real nose for getting Supreme Court cases," you're destined to change the course of jurisprudence.

"Now that he's gone into clinical teaching, he really works at it aggressively," Friedman says. "He's very good at keeping his ear to the ground and getting cases that might work. He is such a sweet-natured fellow, it would be easy to overlook just how plain aggressive he is, which is what you want in a lawyer. It's absolutely remarkable."

Fisher says he acquired his "nose" in his clerkships, having worked for Ninth U.S. Circuit Court of Appeals Judge Stephen Reinhardt prior to Justice Stevens. "I came to understand what kinds of things catch a justice's eye and make for a good case," he says, "and I've been lucky enough in practice to be able to identify when one has a chance to get in the door. That's one of the real tricks of the game. The Supreme Court takes

one case in a hundred, but once you're in the door, you have a 50-50 chance."

As a Michigan Law student, Fisher was successful but not flashy, his 6-foot-5 frame notwithstanding. "I was not one of the more vocal people in my class," he says. "I wasn't afraid to talk but I spent more time listening than talking." Although he regrets that he "wasn't really confident enough to get to know my professors," he has since gotten to know Friedman quite well.

After filing the certiorari brief in *Crawford,* he e-mailed Friedman. "Although I never had you as a professor," he wrote, "I became familiar with your Confrontation Clause scholarship in 1999, when I was clerking for Justice Stevens during the *Lilly v. Virginia* case. I thought you might be interested in the cert petition that I filed in the case last Friday, so I've attached a copy. As you can see, I am urging the Court to adopt the testimonial approach you presented in *Lilly*. If you have any thoughts on this case or the issue in general, I would, of course, love to hear them."

"I read the first part and said this is a very good, professionally done cert petition," Friedman says, "and then I read the second part that said the Court should adopt the theory I've been working on, and I said this is a *great* petition.

"From that point on, we really worked pretty closely. We talked about ideas a great deal. It was his case, my theory, but he obviously was calling the shots because he argued it. I put in an amicus brief, and before the argument he came and did a moot court here. Then he asked me to be second chair, so I sat next to him at the arguments."

> "If we get a case that the default stale lens says is on the wrong way of that 5-4 divide, then we need to figure out a way to slice the apple a different way."

The thread that runs through all his Supreme Court cases is, as he puts it, "helping people and helping causes that don't always have an experienced and ready advocate, most often criminal defendants or civil rights or discrimination plaintiffs, two classes of systematically underrepresented parties in the Supreme Court."

There are principles, and then there is strategy. "The other thing that I've tried to look for are areas of law where it's possible to build cross-ideological coalitions," Fisher says. "Especially after *Bush v. Gore,* so many members of the public, and even many lawyers, think of cases in stark liberal v. conservative terms. But it doesn't have to be that way in a lot of issues. In criminal procedure especially, we've been able to show that there are deeper jurisprudential principles, like adherence to tradition and constitutional history, that can bring together justices from across the ideological spectrum. In *Crawford,* we got seven votes for a robust understanding of confrontation. In *Blakely,* we got five, but from different parts of the court, for a robust interpretation of the Sixth Amendment right to trial by jury.

"That's what I teach a lot in my clinic," he adds. "If we get a case that the default stale lens says is on the wrong way of that 5-4 divide, then we need to figure out a way to slice the apple a different way."

According to Karlan, his colleague at Stanford's Supreme Court Litigation Clinic, Fisher's pedagogical prowess is on a par with his lawyering. "He combines incredible patience and support with real tough-mindedness," she says. "He demands a lot from the students, but inspires them so that they're eager to meet his expectations. If I could have designed a colleague from scratch, he'd be exactly like Jeff."

"There probably aren't more than a handful of people in the whole country who have Jeff's combination of skills and interests," Karlan adds. "Most Supreme Court practitioners don't want to leave practice to teach and most professors

with Supreme Court practices don't want to involve students in the intensive way that clinical education requires. Jeff is a very rare bird in that respect."

Supreme Court practice clearly suits him down to the ground. "The most intimidating thing about the Court, that it's so powerful it can do whatever it wants, is also incredibly liberating," says Fisher. "Lawyers in other courts spend so much time trying to box in judges and research every jot and tittle that it's a great pleasure in the Supreme Court to be able to write a brief that relies most directly on just the strength of reasoning. Students are almost more prepared for Supreme Court arguments than any other kind because they're used to thinking of every problem from first principles. What I really loved about law school is also what I really love about Supreme Court practice."

And he loves the fit between his practice and his teaching. "I'm incredibly happy right now at Stanford," he says. "I want to take advantage of the academic environment I'm in to do more research and entrepreneurship in cultivating legal arguments that aren't necessarily being put forth in cases right now. I have an unusual platform from which I can go look for clients or choose between competing opportunities, based solely on how the potential cases will seed my research and writing and provide learning opportunities for students. My great hope is that I can keep on for years and have my academic research cross-fertilize my Supreme Court lawyering. Each time I spend a good chunk of time in one direction, it makes the other part of what I do richer."

As he said in an interview with CNN, "One of the jokes when you're clerking (at the Supreme Court) is you spend a year working on 100 Supreme Court cases, and you spend the rest of your career trying to get No. 101. I've been very fortunate." ■

—Jeff Mortimer is an Ann Arbor-based freelance writer and editor.

Fisher at the U.S. Supreme Court

(Fisher's client in CAPS)

CRAWFORD v. Washington (argued November 10, 2003; won, 9-0, March 8, 2004). Ruled that the prosecution's use at trial of out-of-court statements made to police by an unavailable witness violated a criminal defendant's Sixth Amendment right to confront witnesses against him, with a seven-justice majority adopting a new approach that strengthened the Sixth Amendment right to confront one's accuser.

BLAKELY v. Washington (argued March 23, 2004; won, 5-4, June 24, 2004). Ruled the state of Washington's criminal sentencing system violated the Sixth Amendment right to a jury trial by giving judges the ability to increase sentences based on their own determination of facts, which fundamentally changed federal sentencing guidelines.

DAVIS v. Washington (argued March 20, 2006, lost, 9-0, June 19, 2006). Ruled that a 911 phone call was not testimonial in nature and was not admissible at trial even though the caller is not available to be confronted because the Confrontation Clause of the Sixth Amendment, as interpreted in *Crawford v. Washington,* does not apply to "non-testimonial" statements not intended to be preserved as evidence at trial.

United States v. GONZALEZ-LOPEZ (argued April 18, 2006, won, 5-4, June 26, 2006). Ruled that a trial court's erroneous deprivation of a criminal defendant's choice of counsel violated the Sixth Amendment right to counsel and was a structural error, requiring reversal of conviction without harmless error analysis.

GLOBAL CROSSING TELECOMMUNICATIONS INC. v. Metrophones Telecommunications Inc. (argued October 10, 2006, lost, 7-2, April 17, 2007). Ruled that a company which owns payphones can sue a long-distance provider for that provider's failure to pay FCC-regulated fees to the payphone company, even though these regulations are not statutes.

BURTON v. Stewart (argued November 7, 2006, dismissed January 9, 2007). The retroactivity of *Blakely v. Washington* was at issue, but the Court dismissed the case on technical grounds after argument because the petitioner failed to meet gatekeeping requirements for bringing federal habeas corpus petitions.

Pending

Exxon Shipping Co. v. BAKER (argued February 27, 2008). The ruling will calculate the final bill that the Exxon Mobil Corporation must pay for the 1989 disaster in which the Exxon Valdez spilled 11 million gallons of oil into Alaska's Prince William Sound.

BURGESS v. United States (argued March 24, 2008). The issue is whether the "rule of lenity" applies to absolve a criminal defendant from a mandatory minimum sentence when it is not unambiguously clear that the mandatory minimum applies.

KENNEDY v. Louisiana (argued April 16, 2008). The issue is whether a convicted child rapist can be put to death, ending a 40-year period in the United States in which executions have been limited to murderers.

HERRING v. United States (to be argued October 2008). The issue is whether evidence that the police obtain in mistaken reliance on a warrant that has been quashed must be suppressed in a criminal prosecution.

MELENDEZ-DIAZ v. Massachusetts (to be argued November 2008). The issue is whether the Sixth Amendment's Confrontation Clause applies to forensic crime lab reports, such that defendants have the right to insist the prosecution put the forensic examiners who do such testing on the stand, instead of just submitting their reports as evidence.

Project for new facilities gets underway

It's official: The Law School's building expansion and renovation project has moved from the concept stage to the drawing boards.

On December 13, 2007, the University's Board of Regents gave the Law School the go-ahead to proceed with its first major instructional expansion of the William W. Cook Law Quadrangle since the Quad was completed in 1933.

Two Michigan Law alumni on the Board had the honor of ushering in the unanimous vote: Regents Andrew C. Richner, '86, and Laurence B. Deitch, '72, who, respectively, made and seconded the motion to approve the project.

The $99 million project (in 2010 dollars) consists of a new 100,000-square-foot academic building that will stand south of the Quad across Monroe Street and a 16,000-square-foot Law School Commons, to be built by converting Room 150 and a currently unused courtyard on the south side of Hutchins Hall and the Legal Research Building. (The University determines cost of building projects by referring to midpoint of construction, hence the 2010 figure.)

In addition, the project includes replacement of the gray metal siding on the Legal Research Building on Monroe Street and on the walkway that connects that building with Hutchins Hall, at a cost of $3 million.

PROJECT COSTS

South Hall and Commons construction	$99,000,000
Exterior renovations (siding removal on Legal Research)	$3,000,000
Total project cost	**$102,000,000**

FINANCING

Private support	$70,000,000
University support	$18,000,000
Law School resources	$14,000,000
Total financing	**$102,000,000**

PRIVATE SUPPORT

Raised to date	$30,000,000
Additional needed to break ground	$17,000,000
Balance needed	$23,000,000
Total private support	**$70,000,000**

What:	A new 100,000-square-foot academic building and 16,000-square-foot Law School Commons.
Where:	The new building will be south of the Law Quad across Monroe Street; the Commons will be adjacent to Hutchins and Legal Research in a currently unused courtyard.
Who:	Designing the building is the firm of Hartman-Cox Architects, of Washington, D.C., in association with Integrated Design Solutions Inc., of Troy, Michigan.
When:	Schematic designs are underway; the Law School hopes to break ground in 2009.
Why:	The building meets the Law School's need for additional and different kinds of spaces for classrooms, student organizations, faculty offices, the legal clinics, and administrative services; the Commons is the first-ever central gathering place for the Law School community.
How much:	$99 million for both the building and Commons.
What else:	The gray metal siding on Legal Research will also be replaced, at a cost of $3 million.

"We are thrilled to be moving forward with this project, which is so important to the Law School's future and to our ability to offer the best possible legal education," says Dean Evan Caminker. "We are grateful to President Mary Sue Coleman and to the Regents for recognizing the value of the expansion to our learning community, and to all alumni and friends of the Law School who have been so supportive of our project."

The Dean adds, "I am sure many alumni will join me in cheering the replacement of the unattractive siding on the Legal Research Building."

Hartman-Cox Architects of Washington, D.C., received approval to design the project, in association with Integrated Design Solutions of Troy, Michigan. Hartman-Cox worked with the Law School on a preliminary basis for most of 2007 on programming for the renovation and expansion. (See story on Hartman-Cox, p. 14.)

Now the schematic design phase is underway, during which the exterior appearance of the academic building and Commons is taking shape, as well as the size and location of the interior spaces. The finished schematic designs will become public upon Regental approval, likely to take place this year.

Each component of the project will provide the Michigan Law community

with long-sought space for 21st-century needs. The Commons, which will offer coffee and limited food service, will be the first central gathering space the Law School has ever had.

The new academic building will contain large lecture classrooms, smaller classrooms, and seminar rooms, as well as offices for the legal clinics, about one-third of the faculty, and some administrative functions. Throughout legal education, the traditional large-lecture class model has evolved to include hands-on learning and smaller, more participatory classroom experiences. Learning spaces in the new building, fully technologically equipped, will help meet the need for the longer and more diverse slate of class offerings.

In other respects too, Michigan has become bigger and more complex since the Quad was built. Hands-on learning is integral to the curriculum. Student organizations number more than 50. Offices like Admissions, Financial Aid, Career Services, and Public Interest/Public Service work with students at various points in their legal education. And the Law School's student-faculty ratio is the highest among its peer schools—the desire to hire additional faculty is there, but the Law School's ability to provide accessible, functional offices is not. The expansion and renovation project will provide spaces to meet all these needs.

Fundraising for the project has kicked into high gear, with a goal of breaking ground late in 2009. To date, alumni and friends have given a total of $30 million toward a $70 million goal in private funding. In order to break ground in the fall of next year, $17 million more must be raised by June 2009. Fundraising will continue past the groundbreaking until the remaining $23 million in private gifts has been secured.

The groundbreaking would be a high point of the Law School's 150th anniversary year, to be celebrated in 2009.

The Law School's Building Committee, chaired by Professor Rebecca Eisenberg and comprised of faculty, administrators, and students, oversees the project. Seven design groups, also made up of administrators, staff, and students, meet with the architects on design and technical requirements for specific departments and spaces, including the classrooms, the Commons, student organization areas, and IT functions. Dean Caminker says it is important to the Law School to involve all those who will use the building, especially students.

"A great design that truly meets our needs will require the insights and input of many people who serve the Law School in a range of capacities," the Dean says.

Preliminary project planning, known as programming, got underway in March 2007, when Hartman-Cox architects Warren Cox and Gail Douglass began meeting with Building Committee representatives to discuss needs for the new spaces. In addition, Douglass conducted in-depth interviews with groups and individuals who will use the building and Commons.

For Hartman-Cox, rigorous programming is an essential element of the design process.

"You have to immerse yourself," says Cox. "As we've tried to reach decisions, we've learned a lot about how the Law School sees things and how things really work at the School."

Programming helps determine space needs, such as number and size of classrooms, seminar rooms, and offices. Its most important inquiry has to do with function.

"What it's more about is: How does that space really work? How do the spaces work within themselves, and even more importantly, how do they start to affect the mission of the School?" says Douglass.

This knowledge is informing the schematic design process, as the building and Commons are beginning to rise from all the measurements, interviews, and anecdotes to take on the appearance of functional, three-dimensional structures that the Law School community will one day use.

A successful design will depend on other elements too, says architect Lee Becker, who has worked on all Hartman-Cox's Collegiate Gothic projects.

"It has to do with the quality of light, the ease of circulation, the ambience, the nature of the materials—all these things go hand in hand," says Becker.

In the end, the process is more art than science, an alchemy to produce an attractive, distinguished project that will both fit the character of the Quad and serve the Law School learning community well for many years to come. ■

Law students add to the planning

Students—one from each class—are important members of the Law School Building Committee, whose duties include oversight of the expansion and renovation. "A major goal of the Building Committee is to improve the spaces available for students to study, to meet together, and to hang out during off hours," says Committee Chair Rebecca Eisenberg, the Robert and Barbara Luciano Professor of Law. "Student input is crucial to be sure that we do this right."

Student members serve on the committee throughout their years in the Law School, to provide continuity. They participate fully in committee deliberations and reach out to classmates for thoughts and opinions that inform committee decisions. They are, Eisenberg says, "generous with their time and frank with their feedback."

Here, the three student members from the 2007-08 academic year share insights about their work on the committee at this historic time.

Sarah Bullard

Service on Building Committee: ***1 YEAR***

"I joined the committee for a couple of reasons. One, because I'm in the Environmental Law Society, and we have an initiative to make the Law School greener. I thought it would be nice to see it from both sides, and to be a voice. Also, I chose Michigan because of its atmosphere, and I give tours of the Law Quad to prospective students. I just really like showing it off. . . . I imagined all the professors on the Building Committee talking very theoretically about everything like they do in class, and it's not like that. It's very informal. Even though I'm a student, it's not hard to speak up . . . . From the discussions, I've learned things that as a first-year student, I didn't know anything about; for example, the clinics need more space and don't really have any room. From my own experience, it would be nice to have a common area with more study space . . . . I've talked to friends about the building project, and the feedback I've gotten is that they don't really know what they think, because they won't be here to see or to enjoy it. But I'm trying to get people to think for the future—what they would want."

Tatiana Melnik

Service on Building Committee: ***2 YEARS***

"It's very educational; you get to see a lot of the behind-the-scenes stuff. The best part is that the committee actually listens to what we [students] have to say. Going in I was apprehensive, thinking they just want us there for show, but that's not true at all. They want to know what we think, because we're in the building all the time. . . . In terms of our competitive edge, a lot of law schools in our class, the top 10, are building new buildings. So in order for the Law School to stay competitive, we almost have to build a new building. . . . I'm excited about the architect. We're now looking at early versions of the schematic designs. Before that, we looked at the requirements, such as how many offices to have, how big the classrooms are going to be . . . . It's really interesting to see the history, to see the financing end, and what the professors feel about the project. It's amazing to me that the faculty is really involved; they really care about these buildings. It makes me respect all the time they give to the University."

Scott Wilcox, '08

Service on Building Committee: ***3 YEARS***

"It has been a fascinating process. I joined the committee at a time when it was beginning to reevaluate the project. The need for additional facilities was quite obvious to everyone, but there were exciting deliberations about what the next step should be and how it could best take shape. It has been great to be able to add a student voice to that committee, because many of the needs are closely associated with requirements for students: better classroom space, space for the thriving student organizations on campus. . . .The Law School celebrates its environment—and it was a significant factor in some of us choosing to come here—but the tradeoff is that the buildings are old. We need to build on the wonderful campus that we've inherited to achieve facilities that reflect the world-class institution we have. . . . When construction is finished, I am sure there will be a great sense of accomplishment for everyone who has participated in the process. I will be happy to return to campus to celebrate my small role, but it really has been a group process from the beginning. I know that Dean Caminker and Professor Eisenberg continue to use their best efforts to make the process as inclusive as possible."

". . . .The Law School celebrates its environment – and it was a significant factor in some of us choosing to come here – but the tradeoff is that the buildings are old. We need to build on the wonderful campus that we've inherited to achieve facilities that reflect the world-class institution we have. . . .**"**

– Scott Wilcox, '08

Architects say: Law Quad Structures 'like families of brothers and sisters'

Why would an architect want to design a building for Michigan Law? Simple: the Quadrangle, the Quadrangle, the Quadrangle.

"If you're going to work on an addition to something, it's nice if the existing building is terrific," says Warren Cox, a founding partner of Hartman-Cox Architects and senior partner-in-charge on the Michigan project. "You like working with good buildings. It's inspiring. It gets your adrenalin going."

Hartman-Cox won the job of designing the Law School's new academic building and Commons in December, when the University's Board of Regents approved the project. Also on the Michigan project team are Lee Becker, a partner who has been with Hartman-Cox since 1974, and Gail Douglass, who joined the firm in 1994.

Headquartered in Washington, D.C., Hartman-Cox has developed a particular niche as go-to designers of those very special buildings that must fit established, even revered contexts like the Law Quadrangle.

"Figuring out what that character is and making sure we dovetail with it in an appropriate way is what we do," says Becker, partner-in-charge on the Michigan project.

In its 43-year history the firm has designed a wide range of public and private buildings for clients that include universities, museums, governments, and private owners.

The firm has also been the architect for renovations and restorations of major historic and monumental buildings including the National Archives Building, the Patent Office Building, and the Jefferson and Lincoln Memorials, all in Washington, D.C.

Architects Gail Douglass, Lee Becker, and Warren Cox discuss Michigan Law expansion plans.

Its awards include the American Institute of Architects Architectural Firm Award for 1988 and more than 100 citations for architecture, design, and historic preservation.

Hartman-Cox's bright, modest offices occupy two adjoining early 19th century townhouses in Washington's Georgetown neighborhood. The 25-person firm's location—just south of bustling M Street, just north of the serene Chesapeake & Ohio Canal, and wedged in comfortably with its neighbors—seems well suited to its reputation as a respecter of history and advocate for successful urban design.

Old home notwithstanding, all the firm's architects were trained as modernists—"indoctrinated," says Cox, who recalls that in his history of architecture classes he heard nary a whisper about traditional styles in academic building design, despite the fact that he was surrounded by them.

"Here we were at Yale in the middle of this wonderful Gothic stuff, and it was as though it didn't exist," says Cox.

Cox had grown up in Washington, a city of human-scale buildings that don't vie for attention with one another, and where classical references and historic structures abound. He returned there to practice and a few years later teamed up with George Hartman, who had also chosen the capital city as a place to live and work.

So even though much of their early work was modern—Cox's home, two blocks from his office, blends modern and classic styles—it wasn't long after the firm was founded in 1965 that the partners' style shifted to emphasize more timeless influences.

It helped that at the same time, clients were seeking alternatives to modernism, historic preservation was coming into vogue, and the city's architectural review boards stood firmly in opposition to the avant-garde.

Even with their most modern work, Hartman-Cox "began to get a reputation for being able to fit stuff in," says Cox, a former director of the District of Columbia Preservation League.

In the last two decades, campus building booms have generated a slew of university jobs for the firm, including projects for several law and business schools.

"Every university project we work on is because somebody is growing out of something," says Becker. "The programs are pushing the envelope."

Most of the firm's academic work is situated in the historic core of these campuses, where, as Cox says, "They hired us either to put an addition on the most important building on campus or to do a building right next to it."

As at Michigan, Cox notes, the Collegiate Gothic style of many of those signature buildings has become part of their universities' branding. (Just try to find a promotional spot for the University of Michigan that doesn't feature the Law Quad.)

The Collegiate Gothic style varies by region, by university, even by buildings in a single complex like the Quad. Though they share a common language of buttresses, arches, and pointed windows, each of the Quad buildings is a unique expression of those elements.

Such stylistic flexibility gives Hartman-Cox a lot to work with in designing the new project for Michigan Law's campus.

"It's like families of brothers and sisters," Becker says. "There are a lot of similarities, but they don't look exactly alike, and their personalities are different."

While the look of the new building and Commons remains to be determined, Cox predicts the new building will refer clearly to the Quad, designed in the early 20th century by the firm of York & Sawyer. The Commons, he says, will use existing exterior walls of the courtyard between Hutchins Hall and Legal Research and be covered with a glass roof.

What's clear is that for these architects, there is something enormously satisfying about designing for the future of a complex like the Quad, which is both cherished and architecturally significant.

"It reinforces that whatever you do, you need to do it right," says Douglass. "Because it's going to be there for awhile, and it's also an amazing complex." ■

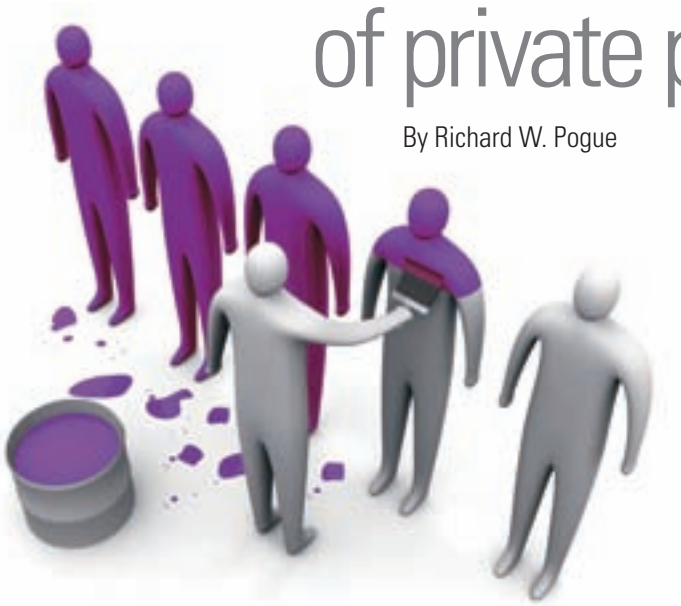
Hartman-Cox Builds Higher Ed

…at Duke University.

…at University of Virginia.

…at Washington University.

The Transformation of private practice



By Richard W. Pogue

The following essay expands on remarks that the author delivered at the Richard W. Pogue Law Firm Leaders Panel program at Michigan Law in March.

In response to a recent inquiry "how have conditions facing managements of large private practice law firms changed over the course of your career," I offer the following musings.

Sometimes I think that we tend to overlook the dramatic and fundamental change which has characterized the profession in the last 50 years or so. This metamorphosis was chronicled in *Tournament of Lawyers* (subtitle: *The Transformation of the Big Law Firm*), which was published in 1991 by a couple of University of Wisconsin law professors named Marc Galanter and Thomas Palay (University of Chicago Press). The book traces the development of the large law firm phenomenon in our country through the end of the roaring 1980s.

Before World War II the civil legal profession in the United States and England—going back for centuries—regarded itself strictly as a "learned profession"—certainly not a business.

It was in general a quiet, some would even say sleepy, profession.

1. Marketing, solicitation of clients, and advertising were strictly taboo. A rather extreme application of these strictures impacted me when, as a young lawyer active in the American Bar Association who was meeting lawyers in my (antitrust) field from various parts of the country (whom I recognized as possible geographical referral sources), I requested from my firm some business cards. The administrative partner denied my request—because of the firm's concern in those ancient days that it might be accused of providing a tool for solicitation activity! (So I printed my own.)

2. Lawyers almost never moved from one firm to another. I can recall an instance in which a partner in another firm wanted to join our firm; we wanted him very much but told him that he would have to resign from his firm before we would even talk with him. Fortunately, he did just that, at his own risk; after he resigned, we offered him a position, and he accepted. The point is that in those days the honor of the profession precluded us in our mind from taking the initiative while the individual was still a partner in a competitive firm.

Similarly, corporate clients seldom moved from one principal law firm provider to another.

"Sometimes I think that we tend to overlook the dramatic and fundamental change which has characterized the profession in the last 50 years or so."

3. Charging for services was trusted: frequently our managing partner would present a key client with a one-line bill at year end: "For all services rendered in Year _____."

4. There were very few corporate legal departments.

5. Almost all law firms had only a single office (a very few had a Washington office, or perhaps a London office).

6. In most cases the firms were run like an Athenian democracy, with all or most partners participating in decisions on even minor operating details. (I realize that this luxury is enjoyed even today by many small firms, whose partners "like it that way.")

7. Even the largest firms were tiny by today's standards: I recall that sometime in the early 1960s, Shearman & Sterling in New York—then the largest law firm in the world—cracked through the "100 lawyer barrier;" most of the profession thought at the time that such mammoth size was ridiculous—how could anyone hope to manage a collection of 100 lawyers? Today, some four or five decades later, sizes are huge: the November issue of the *National Law Journal* reported that as of 9/30/07 there were 25 law firms in the United States with over 1,000 lawyers (11 of them had annual revenues of $1 billion or more, according to the *American Lawyer*), and about 85 firms with 500 or more lawyers. Hundreds of firms have many offices, both domestic and abroad. And then there are literally thousands of wonderful small and middle-sized firms.

The turning point in this startling history occurred, I believe, in 1975. In that year the U.S. Supreme Court decided a case called *Goldfarb v.Virginia State Bar*, 421 U.S. 773. Before *Goldfarb* the legal profession for centuries had regarded itself as a learned profession, not a business. The case involved the question whether the practice of law fell within the meaning of "trade or commerce," a statutory term in the Sherman Antitrust Act. The Bar Association argued that as a learned profession, law practice was exempt from this term: "competition is inconsistent with the practice of [the legal profession] because enhancing profit is not the goal of professional activities; the goal is to provide services necessary to the community." Despite lawyers' nearly universal belief in this proposition in those days, the Supreme Court held 8-0 that the practice of law is not only a learned profession but also a business: "In the modern world it cannot be denied that the activities of lawyers play an important part in commercial intercourse."

(Why the case ever got to the Supreme Court was always a mystery. It involved a suit by a young antitrust lawyer whom I had met, who was unhappy because he could not get a single lawyer out of 36 he contacted to quote a fee on a home purchase transaction which varied from the suggested minimum fee schedule issued by the local Bar Association.)

Two years later, in 1977, the Court held in *Bates v. State Bar of Arizona*, 433 U.S. 350, that advertising by lawyers was permissible—thus again reversing centuries of understanding to the contrary.

In the *Goldfarb* and *Bates* cases a number of amicus curiae briefs were filed by various bar associations and other types of professional societies in support of the Bar's position. Not only were most of us shocked by the results in the two cases, but I think it is fair to say that the vast majority of lawyers deplored at the time those results.

However, enlightened law firm managements quickly realized that firms now had to get out there in the marketplace and compete, unseemly as that concept seemed to be. I recall that the managing partner of our firm (Allen Holmes, a 1944 graduate of Michigan Law School) had the vision to understand the new future under the *Goldfarb/Bates* rationale. He asked me, a young partner at the time, to give a talk to our partners on "client development" in the new day of competition in the profession.

I tried—but they stared back at me in disbelief. It took many lawyers about a decade to realize that law practice would never be the same again.

At about that time—in 1978—a pesky new publication called *American Lawyer* appeared. It took great pleasure in revealing internal facts about law firms which had always been top secret.

"Today the pace of change has been quickened even further by the Age of Technology . . ."

What followed was an explosion of law firm growth in the 1980s, which has continued ever since.

Today of course the competition among firms is open, vigorous, and sometimes boisterous. Mergers are commonplace; mobility among firms is notorious; many large firms have simply imploded under the pressures of competition; and much lawyer advertising has become so seedy as to besmirch the stature of the profession in the public's mind.

Whether all this is for the betterment of society is for others to judge. But what cannot be disputed is that there has been a total transformation of the law firm "industry"—triggered by a couple of little-known Supreme Court decisions—which would have been unthinkable 50 years ago.

Today the pace of change has been quickened even further by the Age of Technology, some aspects of which tend to accelerate the sense of fragility and nonpermanence which the business characterization of law practice has created. But technological change has primarily affected the way services are delivered, not the very structure of the profession itself.

All of this reminds us of the values of professionalism which hopefully can be communicated and absorbed during those three precious years in law school.

A veteran practitioner and keen observer of the legal profession, Richard W. Pogue, '53, graduated from Michigan Law in 1953 and is an adviser to Jones Day in Cleveland, where he has practiced for many years and served as managing partner from 1984-92. While teaching at the Law School in the early 1990s, he designed and taught the course The Business of Law, which has evolved into the current course Law Firms and Legal Careers, taught by adjunct professor Karl Lutz, '75, a former partner with Kirkland & Ellis in Chicago. In 1997, Pogue established the Richard W. Pogue Endowment to Support Studies of 'The Business of Law' at the Law School. This past academic year he sponsored two panel discussions that brought distinguished graduates who are leaders of their firms to the Law School to discuss changes in the practice of law. Pogue currently chairs Dean Evan H. Caminker's Advisory Council of distinguished, involved alumni.

Law firms tack into changing winds

Thomas J. Frederick, '84, wraps up changes in the practice of law in a pithy 11 words: "A call back the next day is no longer good enough."

Frederick is a dedicated observer of the practice of law. He chairs the litigation practice and sits on the executive committee of Winston & Strawn LLP, a national law firm that originated in Chicago and now has offices in a number of U.S. cities as well as overseas. He's watched his own and other firms grow, and he knows that an e-mail or text message may be better than a call, tomorrow may well be too late, and good enough may be measured by the promises of a competitor.

The practice of law hasn't quite become a NASCAR sport, but there's no mistaking the rising rpm's as it has accelerated from a profession of contemplative consultation into a business of competitive client courting.

Why has this happened, you ask? There are many reasons, probably beginning in the 1970s when the U.S. Supreme ruled first that the practice of law is a business and is subject to business regulation, and, second, that lawyers could advertise their services in much the same way that any other business promotes its products and assistance. (See page 16, "The transformation of private practice," by Richard W. Pogue, '53.)

If those Supreme Court decisions were like starting guns, it's obvious that technological and professional changes have accelerated since. It's also obvious that the practice of law has been changing to accommodate itself to such changes.

What's less obvious are the changes in expectations that young lawyers bring with them as they launch their careers. And growing numbers of these lawyers are women and/or members of the country's African American, Hispanic, or other minority groups. The legal profession that many people had stereotyped in the past as a good ole boys' club has been evolving, like the United States itself, into a profession with a multicultural face and a multilingual voice.

That doesn't mean, however, that the profession has easily and efficiently kept pace with the changing country of which it is a part. Indeed, some practitioners sense a disconnect between "progress" and professional satisfaction and client development.

Changing legal practice

Observers agree that the legal profession has changed radically over the past few decades. Some changes are good, some not, some both. Ask different observers to tally the changes, and you get slightly different but remarkably similar lists. For Thomas J. Frederick, '84, litigation practice chair and executive committee member of Winston & Strawn LLP, a firm that began in Chicago and now has offices across the United States and overseas, here are the top changes:

- Increasing client oversight. "In-house counsel for large corporations have increasingly taken a more active role in working with outside counsel firms and managing major litigation."
- Increasing law firm size: "Major law firms continue to grow in size and geographic scope, in an effort to achieve efficiencies of scale, offer clients a broad range of services, and increase profitability to compete more effectively for talent."
- Law firm culture is changing: "Increases in size and geographic reach, particularly through law firm mergers, have required firms to focus on ways in which to integrate and give a sense of common purpose to lawyers who come to a firm from a variety of backgrounds."
- Increasing speed of business: "The pace of events in the practice of law has continued to accelerate over the past 10 years, reflecting the increasing pace of the business world generally. E-mail and other technological advances in communications have required lawyers to adapt and be virtually constantly available to their clients via Blackberry, cell phone, etc."
- Growing importance of E-discovery: A specific development in litigation is the growing importance of E-discovery and the challenges facing companies to ensure that electronic information is captured and preserved at the outset of litigation.

Larry R. Shulman, '78, for example, misses the society of colleagues visiting each other's offices. Today, said Shulman, chairman of the executive committee of Bodman LLP in Detroit, interoffice communication often is by e-mail rather than face to face. And how, he asks, do you replace the client development that grows from lunches and other gatherings for which there seems to be less and less time?

For Bodman, a 140-lawyer firm whose offices all are in Michigan, personal and local contacts and community knowledge are important parts of doing business. But ask Shulman if he sees anything among the technological advances in the profession to foster such contact and he shrugs a silent "No."

"The first and foremost priority is to provide excellent client service," explains Frederick R. Nance, '78, who is regional managing partner and management committee member at Squire, Sanders & Dempsey in Cleveland, Ohio. In his firm's recent growth, "we placed our bet on being part of the global economy," he explained. "The capability to grow requires an attractive culture, competitive economics, quality work. It's a complicated equation. There's no one size fits all."

And when the size doesn't fit, or they feel it doesn't fit, many young lawyers bail out. Especially women, for whom legal profession attrition rates in the first decade far exceed those for men. Some of the reasons are the traditional ones—women bear the nation's children, and still provide most of the subsequent child and family care. Many firms have tried to provide solutions like flexible hours and part-time partnerships to make it easier for women—as well as those men for whom the office is not the be-all and end-all of their lives—to remain practicing attorneys within a firm and even eventually rise to partnership if they choose.

But there may be subtler forces at play here, too. "Does geography matter?" moderator Karl Lutz, '75, a Business Faculty Fellow at Michigan Law who teaches the course Law Firms and Legal Careers, asked during a recent panel discussion about legal practice. Panelist Nancy Williams, '80, answered as if her reply were shot from a gun. "I think geography matters tremendously," said the Seattle-based Williams, office managing partner and firmwide personnel partner for Perkins Coie. "Cities have different personalities. I'd never been to the Northwest before I interviewed with Perkins Coie. I liked the people in the firm. I found I liked the people who like Seattle."

The language of the law

Diversity, an often elusive goal for many law firms, comes in many forms. Race, religion, gender, age, education, you name it. One form is preferred language. Attorneys often must work with a client who speaks something other than English—or lose that client to someone who speaks his language. Lawyer-client discussions often expose very personal, deeply held, or seldom revealed beliefs, thoughts, or actions, and these discussions always are more fruitful if they can be done without a translator.

Thus, many law firms find it helpful to add multilingual skills to their repertoire for serving clients. Most commonly in today's United States, that other language is Spanish. But it also may be Arabic, Russian, Chinese, or the languages of other, earlier immigrant groups like German, Italian, or Polish.

Such a move also can increase a firm's client roster, as it did for Dallas-based Heygood, Orr, Reyes, Pearson & Bartolomei (Partners Jim Orr, Angel Reyes III, and Eric Pearson all are 1991 Michigan Law graduates). "During the early 1990s the firm began representing Spanish speaking personal injury clients," explained Reyes, a managing partner.

Today, he reported, "our firm seeks out bilingual attorneys through its hiring process." He said he and two others of the firm's 10 lawyers are fluent in both English and Spanish (a fact noted on the firm's website, www.reyeslaw.com), more than half the firm's personal injury clients speak only Spanish, and more than 70 percent of its staff members are bilingual, "so even if you don't speak Spanish, you must be comfortable being around people speaking Spanish in order to thrive at our firm."

"I use both languages in my practice," Reyes explained. "Many of my clients only speak Spanish. This is because of where I practice, Texas, and the kind of practice I have. I do mostly life altering personal injury cases. However, the firm also has a substantial commercial and business litigation practice."

Language diversity offers a win-win situation, according to Reyes. "We have settled dozens of life altering personal injury cases for Spanish speaking clients for multiple millions of dollars. The ability to communicate with our clients in their native language was critical for the success of those cases."

Williams' answer lifts the lid on the lifestyle goals that many young attorneys seek right from the starting gate. There's a shift away from the tradition of long, loyal, concentrated service to a firm that often requires personal and social sacrifices on the way to recognition and partnership. Indeed, some female Michigan Law students were incredulous when a panel of three veteran women attorneys, all partners in their firms who have practiced for at least 20 years, recounted the diligence and, on occasion, the sacrifices that marked their roads to partnership. One panelist said she limited herself to having one child in deference to her career; another said she that despite her best efforts she sometimes missed her children's school and sporting events because she was working.

If these stories of achieving success sound like those that some men have told for years, they are. But they are increasingly stories that young lawyers—women and men—do not want to carry into another generation. No one questions the dedication and hard work that is needed to be successful as a lawyer. But the single-minded dedication to the goal of partnership is being bruised by a rising generation that no longer wholeheartedly subscribes to it.

As one woman law student told the three women panelists, people get into the best law schools, like Michigan, partly because of the breadth of their interests and experience, and they have no intention of laying aside these interests when they begin to practice law.

And, she might have noted, those needs and interests can change as time passes.

"The days of starting and ending one's career with one employer are long gone," according to Susan Guindi, '90, Michigan Law's assistant dean for career services. "Instead, it is much more common for lawyers to make several moves over the course of their career, sometimes several moves in just the first five years of their career. Students rarely want to discuss with me the prospects of becoming partner. Rather, they want to know which employer is a good place to start their career, which employers will open doors to subsequent employers, and where is there a good work/life balance.

"In sum, this generation of lawyers is concerned with the quality of their work experience as well as quality of life, and with having options, rather than being primarily concerned with making partner. While some may bemoan the old days, there is much good that comes from this new attitude. Lawyers are now enjoying a rich variety of professional challenges.

'What do I do next?'

In a story unique but not unusual, Chandra Davis, '02, reports that she has found it physically and emotionally draining to maintain her billable hours—2000 per year to be eligible for bonuses—since her son was born in May 2007, despite her firm's generous three-month maternity leave followed by six months of 80 percent hours at full salary.

"I like my firm and feel like they are being very supportive, but practicing law in a firm is stressful and I am not sure how to do that and be the kind of mother I want to be," said Davis, an associate in McGuireWoods' Labor and Employment Department in Atlanta.

Davis said her husband is very helpful and capable, but she still feels many pressures: "Spending actual time with my son outside of nursing him, time with my husband, a sick parent, another parent that demands a lot of energy, and trying to have some adult time with friends. I have not been able to get any time for regular exercise (which was a struggle before my son) or to go back to regular church attendance (I end up working or trying to get some sleep on most Sundays)."

"I have always had a plan," said Davis, who served two separate clerkships before joining her firm. "In fact, my friends joke that I have a plan A, B, and sometimes C. For the first time, I don't know what I want to do next. I have invested so much time, energy, and money to get to this point and now I don't know if I want to be here. So, if not here, what do I do next?"

A week does not go by that I do not hear from an alumnus looking to make a career change: 'I've really enjoyed what I have been doing, but I've been here four years and I'm ready for a new adventure.'"

Firms are responding by offering partnership paths for part-timers, leaves of absence for reasons ranging from traditional maternity leaves to playing with a professional orchestra, and other accommodations to individual attorneys' needs and desires. There is growing recognition that lawyers' traditional involvement in community and other activities is a two-way street: It not only helps to attract clients and income; it also has an impact within the office in terms of who is there and when.

This diversification of interests is taking place at the same time that law firms, especially the legal giants with offices around the world, are looking and acting more like large corporations. Sure, they need good lawyers. But increasingly they also need lawyers with experience in international law and transactions, and perhaps other languages. And the sheer size of today's larger firms has created a new kind of professional—the law firm CEO or CFO. For many, the practice of law has become the conduct of business.

To many observers, both inside and outside the bar, this shift has subordinated high ethical ideals to the bottom economic line. Once viewed with esteem, the legal profession has seen its reputation sullied of late. Many have decried what they believe to have been the professional ethical lapse that allowed commercial frauds like the Enron scandal. Even more decry the shrinking level of civility within the ever more competitive profession.

In a situation where a lawyer's reputation is his armor and the mother of his future, it might seem that the goodwill of consumer and client are necessary to weather the relentless pressures of technology, oversight, and demands from within and outside of the profession.

Former Deputy U.S. Attorney General Larry Thompson, '74, for one, is optimistic that turnabout is in sight and the legal profession is climbing back toward the high esteem and practitioner satisfaction that it once enjoyed

"There's no doubt in my mind that for at least three to four decades the law had been transitioning from attracting people interested in service and delivering good legal service to people who simply wanted to have high earnings, and the law became a vehicle like an M.B.A. to make money," explained Thompson, now vice president/general counsel of PepsiCo.

But now, "I sense that the large law firms that to a great extent drive the profession and have a great impact on the profession are beginning to understand the new generation of law students. They understand that these people are not motivated by the same sorts of things that people of my generation are. And I'm sensing that law firms are willing to appeal to that. For example, there are more pro bono programs in law firms around the country. Young lawyers are getting more incentives. . .

Reed: Commercialization ≠ professionalism

"In the United States, the status of so-called trial lawyers (I say so-called since so few cases are actually tried any more) has dropped enormously in my lifetime," Michigan Law Professor Emeritus John Reed told The Advocates' Society in Toronto last year. "Part of that decline in status is a by-product of the increasing commercialization of law practice and the consequent decline of professionalism."

There are 42 pages of lawyer listings in the Yellow Pages for Ann Arbor, population 115,000, Reed noted. But there are only 45 pages of attorney listings for Toronto, which is 25 times larger, he said.

"A fair number of the colorful display ads include such words and phrases as 'tough,' 'put a fighter in your corner,' and, from a former prosecutor, 'tough then, tough now,'" Reed continued. "The most frequent self-characterization in the display advertisements placed by trial lawyers is 'aggressive.'

"When I see that in the ad of a firm listing family law and divorce as its specialty, I wonder whether aggressive is the right quality of advocacy in such disputes. I shan't even mention the Florida lawyer whose telephone number advertised for a time last year on billboards was 1-800-PIT-BULL."

"I'm beginning to sense that even at the senior associate and young partner stage people are being more accepting of looking at legal opportunities in terms of service to society and inner satisfaction, as opposed to just how much money they can make." ■

IN DETAIL

Want to teach law? Teach in a law clinic? Do scholarly research?

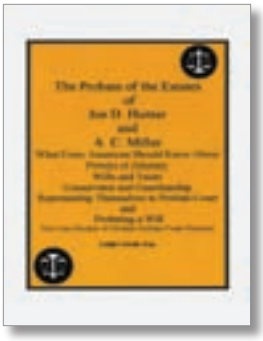
Are you a Michigan Law graduate interested in pursuing a career in academia? The University of Michigan Law School wants to help you navigate the academic hiring process. But first we need to know who you are. Graduates interested in law teaching, whether as research, clinical, or legal writing faculty, are invited to send an e-mail to AspiringLawProfs@umich.edu. Please let us know a bit about you, including your area of academic interest and when you plan to enter the teaching market. In addition, we invite e-mails to the same address from graduates who already are employed in legal academia who would be interested in helping others to launch their academic careers.

Answering the writer's muse

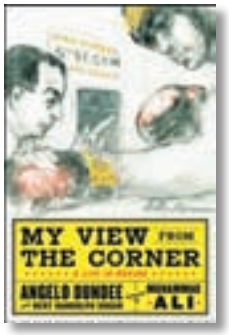
Lawyers are used to writing. It's a professional skill they hone often and well.

So it's little wonder that many Michigan Law graduates—and on occasion a law student—stretch their creativity beyond the confines of letters to clients, court briefs, and similar professional documents.

As you'll see here, Law School graduates are writers of fiction, researchers into scientific/ethical issues, chroniclers of behind-the-scenes involvement in current events, and corner-team historians, as well as short story writers and skilled professionals who write to answer the teacher's highest calling of sharing expertise to help others become better at what they do.



Herewith we introduce you to a rich sample of the many writers who are part of the Michigan Law family.



Meg Waite Clayton, '84 and *The Wednesday Sisters*

Meg Waite Clayton, '84

The Wednesday Sisters, the central characters of the new novel by Meg Waite Clayton, '84, come a long way through the book's 320 pages and 35 years.

Set in Palo Alto, where Clayton lives, *Sisters* presents five unlikely women brought together through their husbands' work, drawn to each other by their love of literature, and melded together through the acts of their lives and the cultural changes that rock their once-secure sense of themselves. Over the years of their weekly meetings, these Wednesday Sisters weather the winds of life—infidelity, illness, failure, and success—watch their children grow, and face cultural tsunamis like the Vietnam War, the U.S.-Soviet race to the moon, and the feminist movement that questions so much that they have thought and lived.

"Meg Waite Clayton gives us a group of spunky women—mostly young, married mothers—who make the unlikely decision in 1967 to form a writers' group," *Keeping the House* author Ellen Baker noted in advance comment on *The Wednesday Sisters*. "Their diverse journeys over the next years in their writing and in their lives add up to a compelling and deeply moving testament to the power of women's friendships."

Being published this summer by Ballantine Books, an imprint of Random House, *The Wednesday Sisters* is Clayton's second novel. Her first, *The Language of Light*, is set in Maryland and traces a young mother's attempts to rebuild her life after her husband's death. *The Language of Light* was a finalist for the Bellwether Prize and was a Fresh Fiction Pick by St. Martin's Press.

Clayton practiced law in Los Angeles before turning to writing. Her legal education and experience have served her well as a writer of fiction "trying to explore the world beyond myself."

"One of the ways I do that is through research," she explained in an interview. For *The Sisters,* "I pored through magazines and newspapers from the late 1960s, picking out clothes and hairstyles they would wear and trying to imagine which articles they might read and what they would think of them. I went through bestseller and top-40 lists and watched old movies. (It was a great excuse to watch old movies!) I got the kind and patient staff at the library to drag out files on Palo Alto history for me. I looked at a million photos. And for the things I hadn't personally experienced, I relished opportunities to touch base with someone who had."

"I have this recollection from law school," she continued. "A friend—I think it was Liza Yntema—took me into a room somewhere in Hutchins Hall to show me some old Michigan Law School class photos she'd found, to show me how few women there were in classes not many years before us. It was definitely an 'aha' moment for me. I don't think I had a clue what a difference the women's movement had made in my life before that. That is definitely something I wanted to explore here: the shift the movement provided in the way women—many women or maybe even all women, not just those who would call themselves feminists—think of themselves.

"That is part of the reason why I set the novel in the late 1960s and chose to have my characters pretty well settled in more traditional women's roles when the women's movement really became visible. It was a way to point up the real differences now in our lives: We run marathons. We attend colleges where the doors used to be closed to us. We can support ourselves financially; no one is requiring us to leave our positions because we've gotten married or had children.

"I think a lot of young women coming of age today, and even those of us who aren't so young, don't know this, or have lost sight of it."

Stem cell research — now and in the future

Philosopher-lawyer Cynthia B. Cohen, '85, takes the long view. To her, debating the morality of destroying human embryos to retrieve stem cells for research and potential cures for a host of human physical problems is only part of the question, perhaps a short-sighted part at that.

"We have been so intent on making the initial steps necessary to get stem cell research off the ground in ways that are ethically sound that we have not looked further downstream," she writes at the start of her newest book, *Renewing the Stuff of Life: Stem Cells, Ethics, and Public Policy* (Oxford University Press, 2007). "As a result," she warns, "we have not considered in much depth a host of ethical and policy questions that we will face in the future if and when stem cell research begins to realize its scientific and therapeutic promise."

"It is certain that this type of research will provide enormous technological possibilities," the *Journal of the American Medical Association* agreed in its review of Cohen's book. "However, it is not certain that it will be accepted in particular countries without immense public debate. *Renewing the Stuff of Life* provides the framework by which the public can intelligently engage in the debate and direct the future application of pluripotent [able to generate numerous types of cells] stem cell transplantation."

"Should we use dead embryos to treat living persons and, if so, how could we tell whether they were dead?" asks Cohen, a faculty affiliate at the Kennedy Institute of Ethics at Georgetown University, member of the Canadian Stem Cell Oversight Committee, and former chair of the philosophy department at the University of Denver.

"Should we create human-nonhuman chimeras in order to test how both human adult and embryonic stem cells spread throughout the bodies of living organisms? Might the introduction of research cloning tempt some maverick scientists to steal cloned embryos and use them to create babies by means of reproductive cloning? Would it be wrong to alter human neural stem cells genetically in order to use them as vehicles for treating or even enhancing the human brain? Will those who are economically well-off be the sole beneficiaries of stem cell research? Indeed, what, if any, are the limits of our search to renew the very stuff of life? Who should decide this and how stringent should the guidelines be that we impose on the conduct of stem cell research?"

Big questions, these, that Cohen believes we should be gearing up to answer.

"I believe that it is time to draw back from the bitter infighting and name-calling that have characterized public debate about the development of stem cell research policy in recent years and to develop an approach to this research that is both ethically responsible and supported by reason and reflection," she told *Law Quadrangle Notes*.

Cynthia B. Cohen, '85

Beginning with a primer on the what and how of stem cells, Cohen takes readers through chapters on the search for new sources of stem cells, the moral significance of human embryos in secular and religious thought, a comparison of three international approaches to stem cell research and research cloning, and other issues. Her five appendices include National Institutes of Health guidelines and documents regarding stem cell research, President George Bush's August 2001 speech on human stem cell research, and the President's veto of the Stem Cell Research Enhancement Act of 2005.

From that discussion, "I develop an approach to these issues that is embedded in our ordinary ways of moral reasoning, as well as shared values at the foundation of our constitutional democracy," Cohen explained.

"Drawing on the recommendations of several different stem cell oversight panels, I provide a model for a federally sponsored national stem cell review and oversight panel that would develop guidelines for stem cell research and a coherent national policy regarding this research," she said. "I recommend functions and membership for such a panel and emphasize the importance of a method of democratic deliberation and public consultation to its work.

"There is an ever more pressing need to establish such a national stem cell research panel to set out clear, carefully developed, and ethically sound stem cell research guidelines and national policy in view of the move that is currently emerging across the country and in the halls of Congress to expand the scope of stem cell research in the United States."

A question of intelligence

A.J. Rossmiller

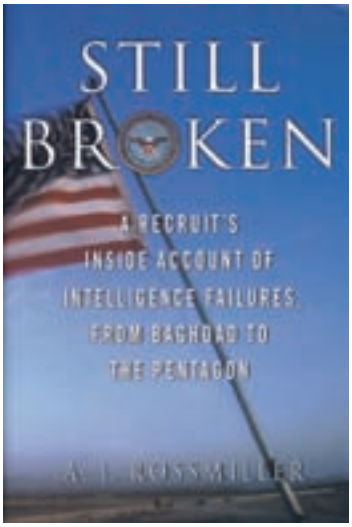
A.J. Rossmiller was a student at Middlebury College when terrorists piloted hijacked airliners into the twin towers of the World Trade Center and the Pentagon. Like many Americans, he experienced revulsion at what had occurred and a patriotism that made him want to do something for his country.

That something was to join the Defense Intelligence Agency (DIA) in 2004 after graduating from Middlebury with a degree in Middle Eastern studies. Shortly after joining DIA, Rossmiller volunteered to be assigned to Iraq. He spent six months in Iraq, then returned to the Pentagon to work as a strategic issues expert in the Office of Iraq Analysis.

In the process he found his optimism dashed and his disillusionment rising as he became part of a network of intelligence gatherers and analysts whose professional findings and conclusions were ignored, discarded, or re-framed to match political ends. Still, he stayed for nearly two years, showing a competence and professionalism that won him the Joint Civilian Service Achievement Award and the DIA Expeditionary Medal for valor and meritorious service.

Rossmiller now has turned to the law, and began legal studies at Michigan Law last fall. And recently he's been combining legal studies with the author's circuit. In February, Random House's Presidio Press published the account of his DIA career, *Still Broken: A Recruit's Inside Account of Intelligence Failures, from Baghdad to the Pentagon*. Written in the first person, with the sprinkles of humor that make the tragic bearable, *Still Broken* "is a blistering account of the ideology and incompetence that cripple our efforts to confront our enemies and fight our wars," according to Random House.

A blogger himself—Rossmiller is a contributing editor at Americablog.com—his book has been a frequent topic in the blogosphere. "Infuriating, mind-boggling and thoroughly depressing" but also "simultaneously wry, engaging, and easily readable," a reviewer wrote on Feministe.us. "A truly superb book," Glenn Greenwald said on Salon.com. "The principal strength of the book is that Rossmiller avoids grandiose assessments and instead confines the narrative to what he knows, to what he witnessed and experienced first-hand."



Adds Greenwald: "Although there have been widespread reports about hostility in the intelligence community towards the Bush administration for subverting the apolitical nature of intelligence-gathering, very few members of the intelligence community have had the courage and integrity to do what Rossmiller did: namely, leave their jobs as intelligence officers and do everything possible to alert the country about how profoundly corrupted the intelligence process has become as a result of the ideologues running the Bush administration."

"Rossmiller gives a lively insider's view of the petty and not-so-petty politics that affect the intelligence our leaders receive in their efforts to pacify Iraq; it is not a pretty picture," said *Publisher's Weekly*.

Rossmiller is no pollyanna. He knows that even a bad war like he believes Iraq to be deserves professional, competent intelligence services. As he told a questioner on Firedoglake.com, "I thought (and obviously continue to think) the war in Iraq was a huge strategic mistake, but I think that the process of intelligence should still work even in the face of a problem like that. And it's not like analysts weren't trying—we really did predict many of the problems that ultimately occurred over the past three or four years, but many of those papers were either edited significantly as they went up the chain of command or simply given a sort of pocket veto—they'd be held up until they were no longer 'timely'."

"From the beginning of my employment, and for most of my life, I had believed in the system, the government, and the goodness of civil servants, especially those paid to keep us safe," Rossmiller tells his readers.

"Most of all, I believe that it was better to be a part of the system, even if it was an uphill climb against all the ills of the bureaucracy, than to criticize it from the outside. I generally believe in solving problems quietly and efficiently, and the idea of taking a public stand on principle did not appeal.

"But I also knew that I might have an opportunity, however small, to affect some of the worst elements of the office simply by leaving it. It was no longer a question of whether I wanted to stay, but rather whether I would have the courage to depart."

Sugaring *My View from the Corner*

Angelo Dundee and Bert Sugar, '60

With Bert Sugar, '60, in his corner, how could Angelo Dundee lose?

He didn't.

My View From the Corner: A Life in Boxing, by Angelo Dundee with Bert Randolph Sugar (McGraw Hill, 2008) is Dundee's story as the trainer of champions from Carmen Basilio in the 1950s, Muhammad Ali in the 1960s and again in the 1970s, Sugar Ray Leonard in the late 1970s and '80s, and the comeback kid of all time, George Foreman in the 1990s. Named Manager of the Year in 1968 and again in 1979 by the Boxing Writers Association, Dundee was inducted into the International Boxing Hall of Fame in 1994.

My View from the Corner is Sugar coated throughout. Bert Sugar's boxing knowledge and vocabulary are legend. The most recognized writer on boxing in history, he's the former editor of *Ring* magazine and *Boxing Illustrated* and publisher of *Fight Game* magazine. He's written dozens of books on the sport.

As Dundee ends his book, he writes, "I know I've been on longer than Oscar Award winners, giving thanks to all those whose paths I've had the pleasure of crossing during my fistic travels of the last half-century, but wait!, as they say in those Ginzu knife commercials, there's more. There's my brother Chris, Gene Kilroy, Michael Mann, and Bert Sugar, who gave me a better view from my corner."

'Nuf said.

Other books by Michigan Law graduates

Women's worlds, stem cell research, U.S. actions in the Middle East, and the world of boxing aren't the only things Michigan Law graduates write about. Fiction. Nonfiction. You name it. Here are some we've learned of recently.

Michael A. Barnes, '75, is co-author, with two other Sonnenschein Nath & Rosenthal partners, of the chapter "Understanding Liability Insurance" in LexisNexis' three-volume *New Appleman Insurance Law Practice Guide* (2007). The chapter's 15 subsections introduce the field of liability insurance and discuss the insuring agreement, insurer duties, exclusions, conditions, allocation, policy limits, excess and umbrella insurance coverage, claims-made policies, lost policies, insurance litigation, tort and extra-contractual liability, and insured in bankruptcy. "Understanding Liability Insurance" is one of 40 chapters in the three-volume set.

Karen L. Brady, '88, a solo practitioner in the Denver area, has co-authored *Colorado Estate Planning and Taxation* (Bradford Publishing, 2007), a detailed guide to wills, estate planning, and inheritance matters in the context of Colorado and federal law. In 16 chapters, she deals with typical estate planning/taxation issues like intestacy in Colorado, federal gift and estate taxes, wills, and common estate planning tools. She also goes the extra mile and includes special sections on planning for disability and an entire chapter devoted to less traditional issues like planning for gay and lesbian partners, the single parent household, and the blended family.

Leigh Cravin, '73, a specialist in elder and consumer law, wills and trusts, and alternative dispute resolution in Colorado Springs, has blended her expertise with an examination of two actual cases in her book *The Probate of the Estates of Joe D. Hunter and A.C Miller: Two Case Studies of Modern Probate Court Practices* (Tree City Press Inc., Colorado Springs, 2007). Subtitled *What Every American Should Know About Powers of Attorney, Wills and Trust, Conservator and Guardianship, Representing Themselves in Probate Court, and Probating a Will,* the 276-page book is "both general and specific," Cravin explains in her Introduction.

It draws on court records and other documents of two cases: 1) Challenges to the will of Hunter, who died intestate in Mississippi in May 1995 and whose estate remained mired in legal challenges 12 years later, and 2) the eventual overturning for undue influence of the will of Miller, who died in Arizona in January 2005. The book's 32 chapters discuss "both general and specific aspects of estate planning issues including wills and trusts, guardian and conservatorship, probating a will, due process concerns, pro se litigant representation in probate court, undue influence, and exploitation of the elderly," Craven told *Law Quadrangle Notes.* "After reading this book two questions should come to mind: 1) What should Joe D. Hunter or A.C. Miller have done in their lifetimes to avoid what happened in the probate of their estates? And, 2) What should you do in order to avoid a similar fate?"

The Female Investigator in Literature, Film, and Popular Culture (McFarland, 2007), by **Lisa M. Dresner, '99,** examines how women detectives are portrayed in mass media and today's culture. Separate chapters in the 240-page book discuss the portrayal of female investigators in the Gothic novel, the lesbian detective novel, television, and film. Dresner is a special assistant professor in the Department of English and Freshman Composition at Hofstra University.

The Hon. **Harry T. Edwards, '65,** and Special Counsel **Linda A. Elliott, '86,** who both teach at New York University of Law, have written *Federal Courts—Standards of Review: Appellate Court Review of District Court Decisions and Agency Actions* (West Law School, 2008), an examination of the standards governing federal appellate decision making that comes in practitioner and student editions. Edwards is a senior circuit judge and chief judge emeritus of the U.S. Court of Appeals for the D.C. Circuit and a visiting professor at NYU School of Law; Elliott is special counsel to Judge Edwards, an adjunct professor at NYU School of Law, and formerly practiced with the Public Defender Service for the District of Columbia. Their book separately reviews district court decisions and reviews of agency action and points up the differences between then, examines the rules that define federal appellate review of district court decisions, analyzes standards that control appellate review under the Administrative Procedure Act, examines Supreme Court decisions that affect review as well as how other courts have analyzed issues the Supreme Court has not yet resolved, and includes for reference a thorough table of cases, index and appendix.

Howard A. Gutman, '82, a products liability specialist based in Parsippany, New Jersey, is preparing a new edition of his 484-page book *Lung Cancer and Mesothelioma* (Xlibris, 2005), expected to appear this year. "Lung cancer is the leading cause of cancer death in this country and [the] subject of controversy regarding legal questions," he noted in an e-mail to *Law Quadrangle Notes*. Listed as a trade book, "the book reviews chemotherapy, radiation, surgery, gene therapy, cancer stages, and many other critical topics," according to Amazon.com. The book provides "a wealth of relevant and useful information," Lorraine Kember, author of *Lean on Me—Cancer through a Carer's Eyes,* notes on the Amazon.com site.

Fred Krupp, '78, president of the nonprofit Environmental Defense Fund, is author of *Earth: The Sequel—The Race to Reinvent Energy and Stop Global Warming* (W.W. Norton, 2008). Co-authored with Miriam Horn, an award-winning journalist now with the Environmental Defense Fund, the book "reveals an exciting race that is just beginning—a race to develop low-carbon energy in time to turn our planet's greatest environmental crisis into our greatest economic opportunity," Krupp said in a pre-publication e-mail announcement of the book. Innovators and inventors—and increasingly entrepreneurs—are responding to climate change with "solutions that can power our economy without creating global warming pollution," according to Krupp. "But most people don't know the first thing about them, so Miriam Horn and I wrote this book to tell their stories."

Debbie Levy, '81, who writes books for children and young people, has added to her list of books with *Underwater,* a novel published by Darby's Creek Publishing, *Richard Wright: A Biography,* and *The Singing of the Magna Carta,* both published by Twenty-First Century Books. She is the author of 18 books for young people.

Judith Weinshall Liberman, '56, has published her memoirs as *My Life Into Art: An Autobiography* (Booklocker.com, Incorporated, 2007). The 340-page book begins in 1947 when Liberman arrived in America to pursue higher education after completing high school in her native Haifa, Israel (then Palestine), and chronicles her life until 1992, when some of her artworks about the Holocaust were exhibited in two important museums in her native land. She also candidly discusses her year at the University of Michigan Law School and her post-graduate career as a law teacher and editor.

Larry W. Sager, '99, a products liability attorney with Thelen Reid Brown Raysman & Steiner in San Francisco and a former White House Counsel's Office intern, has a winner his first time out. *No Guns, No Knives, No Personal Checks—The Tales of a San Francisco Cab Driver* (Everett Madison Publishing, 2006), won PMA's Benjamin Franklin Award for Best First Book last year. Sager did his cab driving at night while studying for a degree in English at San Francisco State in preparation for coming to Michigan Law. "The first couple of months I was driving, three different people pulled knives out," Sager recalled for the *Contra Costa Times.* "I started getting all types of strange people, and strange things started happening to me." Student of English that he was at the time, Sager would follow his 4 p.m.-2 a.m. cab driving shift by writing vignettes of his experiences. Life intervened for a decade, while Sager earned degrees in English and law, worked in the White House Counsel's office, and launched his career as an attorney. Then he teamed with illustrator Shannon Essex, did some editorial prep, and the rest, as some of his riders might have told him, is history. But he didn't forget the cab company where it all began. He went back with the book, some champagne and chocolates, and did a book signing there.

Peter R. Silverman, '81, a partner in the Toledo, Ohio, office of Shumaker, Loop & Kenrick LLP, was one of the experts chosen to write for the recently published *Mediation and Arbitration Best Practices* (Aspatore Books, 2007), a guide to resolving disputes outside of litigation. Silverman's chapter, "A Step-by-Step Look at Dispute Resolution," is one of 14 chapters and 12 appendices that make up the 288-page guide. Although Silverman's principal professional work is in commercial litigation, he also has acquired considerable experience in the use of alternative dispute resolution methods. *Best Lawyers* lists him as one of the country's top alternative dispute resolution lawyers, he is a member of the National Roster of Neutrals of the American Arbitration Association (AAA), and he has taught a number of AAA seminars.

Brent C. Taggart, '88, authored the book chapter, "Advocating, Negotiating and Counseling," in *Alternative Dispute Resolution Client Strategies* (Aspatore Books, 2007). He is a partner at Vorys, Sater, Seymour and Pease LLP in Columbus, Ohio.

John Vento, LL.M. '79, recently named chair of Division 8—International Contracting—of the American Bar Association's Forum on the Construction Industry, co-authored a chapter on discovery in international disputes for the ABA's *Discovery Deskbook for Construction Disputes.* Vento is a shareholder with Trenam Kemker in the Tampa, Florida, office and chairs the firm's construction law and government contracting practice group.

The **Hon. William C. Whitbeck, '66,** of the Michigan Court of Appeals, won first place in the Michigan State Bar's first short story contest with "In the Market," an excerpt from his novel *A Portion for Foxes.* "In the Market" appeared in the August 2007 issue of *Michigan Bar Journal* and can be seen at www.michbar.org/journal/pdf/pdf4article1191.pdf. Whitbeck told the *Journal* that his novel is "very loosely based on an actual event in Michigan history, the killing of State Senator Warren Hoper shortly after the end of World War II." Whitbeck's winning short story is taken from a novel he is preparing for publication by a major publishing house in New York City.

Embrace change, Bob Woodruff, '87, tells U-M graduates

"Don't fear change. Embrace it," ABC News special correspondent Bob Woodruff, '87, told University of Michigan graduates and their well-wishers during U-M's commencement ceremonies in April—ceremonies held on the Diag for the first time in the University's history because Michigan Stadium is in the midst of renovation.

Woodruff, who shifted to journalism after practicing law in China and New York, also received an honorary Doctor of Law degree at the ceremonies.

Injured by a roadside bomb in Iraq in 2006 shortly after being named co-anchor of ABC's World News, Woodruff was in a coma for 36 days and spent some 13 months recovering from his injuries before he could return to newsgathering. "Never underestimate the power of the human spirit," he told the graduates and their families. "People can fight back against great odds and triumph."

Woodruff tallied many of the world's conflicts—Iraq, Afghanistan, Myanmar, Darfur, and Tiananmen Square in 1989 in China, when he became a translator for CBS News—and told his listeners that poverty and a lack of resources often are the roots of conflict. "If you are a scientist or doctor, your work could save lives around the world, not just in your city," he said. "If you are in the business world, studying history or math, your teaching can be part of the workplace at large. Use all the tools that you have to problem solve, inform, and unify people. Apply a world view to what you do and learn and you have a chance to solve some of the world's great issues."

And, he urged, do not forget the members of the military services who make your good life possible: "In your day-to-day life at college, you probably don't think a heck of a lot about these service members, who are, most of them, just your age. They wake up every day wondering if this is going to be the day they stumble on an IED buried in a pile of trash, or roll down a road with a bomb dug into the dirt.

"You will inherit this next generation of wounded and it will be up to you, for the most part, to help them as they assimilate back into society and to express gratitude as a society for the fact that they raised their hands to go to Iraq and Afghanistan—so that you would not have to.

"Whether you are for or against this war, I believe that the veterans must be treated with dignity when they return home. This is not a political issue. It is simply the right thing to do."

NCAA honors Woodruff

ABC newsman Bob Woodruff, '87, who retains the athletic appearance of his college days at Colgate, has won a 2008 NCAA Silver Anniversary Award, which recognizes former student athletes who completed successful collegiate sports careers and have excelled in their chosen professions. The award recognizes the former student athletes on the 25th anniversary of completion of their collegiate athletics eligibility.

Woodruff was recognized for his career in lacrosse at Colgate, where he was a four-time varsity letter winner in the sport. Woodruff still holds the Colgate Raiders record of 184 total goals and points scored in a single season (82). He also ranks second in career points and single-season goals scored.

Bob Woodruff, '87, at Colgate

Suellyn Scarnecchia, '81, named U-M vice president/ general counsel

Suellyn Scarnecchia, dean of the University of New Mexico Law School since 2003 and Michigan Law's first associate dean for clinical affairs, has been named the new vice president and general counsel of the University of Michigan.

Her appointment, effective July 1, was recommended earlier this year by U-M President Mary Sue Coleman following a national search.

The eight-member search committee was chaired by Christina Whitman, '74, the Francis A. Allen Collegiate Professor of Law and professor of Women's Studies in the College of Literature, Science, and the Arts. Bruce Frier, the Henry King Ransom Professor of Law and the Frank O. Copley Collegiate Professor of Classics and Roman Law, and Robert B. Fiske Jr., '55, HLLD, '97, a partner with Davis Polk and Wardwell in New York City and a member of Dean Evan H. Caminker's Dean's Advisory Council, also were members of the committee.

Scarnecchia was a clinical professor of law and associate dean of the University of Michigan Law School from 1987-2002, and special assistant to the U-M provost in 2002.

Suellyn Scarnecchia, '81

"We're extremely happy to have Suellyn return to the University and Ann Arbor," said Dean Evan H. Caminker. "She was instrumental in strengthening and expanding Michigan Law's clinical law teaching program while she was on the faculty here, and we know that her experience and competence will be reflected in the performance of her new duties."

"We are delighted to be welcoming back to Michigan a superb administrator, a creative problem solver, and an effective consensus builder," said Coleman, who noted that "Scarnecchia's outstanding combination of skills and experience made her the clear choice of the search committee."

As vice president and general counsel, Scarnecchia will be responsible for the University's legal affairs, will set strategic direction, serve as senior legal counsel to the Board of Regents, University administration and University units, supervise the professional legal staff, and manage relationships with outside counsel.

"I am honored to have this opportunity to, once again, serve the University of Michigan," Scarnecchia said. "Collaboration with terrific colleagues and students in New Mexico has only strengthened my desire to dedicate my energies to the many fascinating issues facing higher education. I look forward to the new challenges of this position and to returning home to Ann Arbor."

Scarnecchia joined the University of Michigan Law School's Child Advocacy Law Clinic in 1987, and for the next 15 years supervised law students whose work in the clinic put them in the real world role of representing clients. She oversaw students' training and supervised their written legal briefs and their appearances in court, and she appeared herself in court when necessary. In that capacity she handled the high profile "Baby Jessica" case about a contested adoption that raised profound questions about the rights of children and parents.

Prior to joining the U-M faculty, Scarnecchia practiced employment law at the Battle Creek firm of McCrosky, Feldman, Cochrane & Brock.

An Ann Arbor native, Scarnecchia earned her Bachelor of Arts degree from Northwestern University in 1978.

Scarnecchia replaces Marvin Krislov, who frequently taught at Michigan Law while U-M general counsel. Krislov left to become president of Oberlin College.

Michigan Law grads named Young Global Leaders

Two Michigan Law graduates, Alejandro G. Ferrer, LL.M. '92, S.J.D. '00, and Jared Genser, '01, have been named Young Global Leaders by the Geneva, Switzerland-based World Economic Forum (WEF).

The listing includes 250 leaders from business, government, academia, media, and other fields. Honorees, all under the age of 40, range from instantly recognized figures like tennis player and refugee advocate Steffi Graf and actor/environmentalist Leonardo DiCaprio to less well-known leaders like Ahmad Nader Nadery, head of the Afghan Independent Human Rights Commission, and Leng You-bin, chairman, president and CEO of American Dairy in China. The list includes people from 70 countries and all continents.

Ferrer is Panama's minister of commerce and industry and has been instrumental in shaping the economic progress his Central American country is enjoying. He also has served as Panama's Minister of Foreign Trade.

Alejandro G. Ferrer, LL.M. '92, S.J.D. '00

Genser, an attorney in the global government relations group of DLA Piper US LLP in Washington, D.C., is founder and president of Freedom Now, a nonprofit organization that works to free prisoners of conscience worldwide. During the winter term this year, he taught a seminar at Michigan Law called The UN Security Council in the 21st Century: Operations, Impact, and Reform. (Genser was the subject of a feature story in *Law Quadrangle Notes* in Fall 2007.)

Over the next five years, Ferrer, Genser, and the other Young Global Leaders will have the opportunity to take part in many activities to initiate, develop, and implement solutions to world problems.

Jared Genser, '01

"This unique global network has the potential to tackle global challenges through knowledge sharing and leveraging horizontal networks of collaborative platforms," explained WEF Executive Chairman Klaus Schwab, who established the Young Global Leaders program in 2004. "Together, they form a powerful international force for the global common good."

Find friends, update your directory entry at the new AlumNetwork

Michigan Law's newly revised AlumNetwork website (www.law.umich.edu/alumnetwork) contains a wealth of helpful information for alumni as well as directory information for each graduate who did not opt-out when the printed directory was published last year. Information gathered for the printed directory now also is available electronically via a password-protected portal of AlumNetwork.

The electronic directory offers both information about fellow graduates and the opportunity to update your own profile.

"Alumni have the option at any time to select the information to be made available to fellow graduates, Law School administrators, and faculty and current students who are searching for classmates, colleagues, outside counsel, business partners, and advisors," according to Lara E. Furar, director of alumni relations and reunion programs. Furar encourages you to visit the site, review your directory profile, and make changes or corrections as necessary.

Alumni can search for fellow Michigan Law graduates by name, graduation year, work affiliation, legal practice area, etc., according to Furar. In addition to letting you search for an individual graduate, the directory will group classmates and other graduates by class year, geographic area and/or professional practice specialty, she added.

"Alumni are requested to return to the AlumNetwork Directory often to update their personal profiles, to find former classmates or colleagues, and use the resources provided by the Office of Career Sevices and the Office of Public Service," Furar said.

Indeed, AlumNetwork as well as the general Michigan Law website offer you a variety of assistance in job hunting, career shaping, or legal research, as well as general information about the history, faculty, programs, and other aspects of the Law School.

For example, while you're visiting AlumNetwork, click Career Toolkit in the left column, and you open pages that take you to information on a variety of services, including individual job counseling, job postings, procedures for joining e-mail groups of law clerks or government job listings, information on judicial clerkships, links to resources like the NALP Directory of Legal Employers, Martindale-Hubbell, and Findlaw.com. There also are links to assistance in looking for jobs teaching law and to connect with the website of the Law School's Office of Public Service, which also offers many online links for information, assistance, and aid.

Perhaps most directly useful, the Career Toolkit contains a job listing link that offers you the choice of searching through job openings by title, location, or date of posting.

The Office of Career Services and Office of Public Service sites also are accessible directly from the Michigan Law homepage, (www.law.umich.edu), which is a public site and not password protected. The homepage is the main electronic door to the virtual Law School. Directly from here, for example, you can click to the site for the Law Library, which offers a host of services. Just click Law Library in the left column when the homepage comes up.

You've entered the realm of nearly endless choice, the virtual version of roaming through the stacks and perusing the catalogs of a renowned and well-stocked library. For example, you can get a list of the library's electronic resources like "Find an Article," "Foreign Law Guide," "Index to Legal Periodicals," and others. There's an alphabetical subject index option, plus a link for U.S. law, and another for foreign and comparative law. Click the latter and you get links to choices like a guide to Canadian legal research and a full-text searchable database of Canadian federal court decisions.

Among other services the library site offers are:

- "Reference Resources," which contains clickable links to free resources and information about print resources.
- "How Do I . . .?" for help in tasks like finding federal regulations in the U-M Law Library, or, in a lighter vein, looking for class photos (composite images of graduating classes since 1966).
- A color slide show of the Smith Addition to the library.
- And a biography of Law School benefactor William W. Cook.

The links to library services and other services available through the web are too numerous to list here. We suggest that you spend some enjoyable time surfing through the Michigan Law site and AlumNetwork. And if you have a specific question, try the search function. It doesn't miss a thing.

CLASS NOTES

From top: Maclyn "Mac" T. Parker, '54, Barbara A. Burt, '60, William G. Giovan, '61, C. Peter Theut, '63, Peter V. Fazio Jr., '64, Stephen L. Gutman, '67

1953

55th Reunion

The class of 1953 reunion will be September 26-28, 2008

1954

Maclyn "Mac" T. Parker, a partner at Baker & Daniels LLP, was recently inducted into the Depauw University Athletic Hall of Fame in Greencastle, Indiana, for his accomplishments in both track and basketball while at the university.

1958

50TH REUNION

The class of 1958 reunion will be September 26-28, 2008

1959

John Jackson is a double winner of distinguished awards this year. In April, the American Society of International Law bestowed upon him the Manley O. Hudson Medal, awarded for pre-eminent scholarship and achievement in international law, and this fall the European University Institute will award him an honorary doctorate degree.

1960

Barbara A. Burt, chairman of the Foellinger Foundation in Fort Wayne, Indiana, is the 2007 recipient of the Hazelett Award for Leadership in Grantmaking. She was selected for this award by a panel of her peers and will contribute the accompanying award funds to the Joyce Schlatter Fund at the Community Foundation of Greater Fort Wayne to support basic human needs and services in the greater Fort Wayne area.

1961

The Hon. **William J. Giovan** has been appointed by the Michigan Supreme Court as chief judge of the Wayne County Circuit Court. The court has 63 judges and is the largest in Michigan.

1963

45TH REUNION

The class of 1963 reunion will be September 26-28, 2008

Lilia R. Bautista (LL.M. '63) of the Philippines has been appointed to the Appellate Body, the dispute settlement arm of the World Trade Organization (WTO). Her term runs until December 2011. At the time of her appointment late last year, Bautista was consultant to the Philippine Judicial Academy, the training school for the country's justices, judges, and lawyers. She chaired the Securities and Exchange Commission of the Philippines from 2000-04.

Webb A. Smith, an attorney in the Lansing, Michigan, office of Foster, Swift, Collins & Smith, PC, was among those recently selected for inclusion in *Best Lawyers in America* 2008 for his area of practice, which includes commercial litigation, energy law, First Amendment law, natural resources law, and oil and gas law. He has been included in the publication for 10 years.

Attorney and shareholder **C. Peter Theut** of the Ann Arbor office of Butzel Long has been appointed to the Board of Visitors of the Wayne State University College of Liberal Arts and Sciences by Dean Robert L. Thomas.

Stefan G. Tucker of Venable LLP, Washington, D.C., has been named to *Best Lawyers in America* for more than 20 years for real estate law, tax law, and trusts and estates.

1964

Peter V. Fazio Jr., a partner in Schiff Hardin's corporate and securities group in Chicago, has been elected to the board of directors of Commonwealth Edison Company, a unit of Exelon Corporation, one of the nation's largest electric utilities.

Fred J. Fechheimer, member of the real estate practice group of Dykema's Bloomfield Hills office, has been recognized in *Best Lawyers in America*.

Lloyd A. Semple, an attorney at Dykema's Detroit office, was included in the *Best Lawyers in America* in the area of corporate law.

1965

James R. Brown, of the Grand Rapids, Michigan, office of Mika Meyers Beckett & Jones PLC, has been listed in the *Michigan Super Lawyers* 2007 Magazine and the 2008 edition of *Best Lawyers in America*.

U.S. Immigration Judge **Joan V. Churchill**, retired, has been elected secretary of the National Association of Women Judges.

Ronald J. Santo, executive board member and former leader of Dykema's employment practice group in the Ann Arbor office, has been recognized in *Best Lawyers in America*.

From top: John C. Hartranft Sr., '67, John W. Fischer III, '68, Donald P. Ubell, '69

1966

Michael G. Harrison, an attorney in the Lansing, Michigan, office of Foster, Swift, Collins & Smith, PC, was among those recently selected for inclusion in *Best Lawyers in America* 2008 in the area of alternative dispute resolution.

E. Edward Hood, member of the litigation practice group of Dykema's Ann Arbor office, has been recognized in *Best Lawyers in America*.

1967

J. Kay Felt, an attorney at Dykema's Detroit office, was included in the *Best Lawyers in America* in the area of health care law.

Stephen L. Gutman recently joined Bodman LLP as a partner practicing in the firm's Detroit office. He is also a certified public accountant and represents businesses in tax matters (including tax litigation), retirement plans, contract negotiations, and mergers and acquisitions.

John C. Hartranft Sr., an attorney in the Columbus, Ohio, office of Porter Wright Morris & Arthur, LLP, was among those recently selected for inclusion in *Best Lawyers in America* 2008 in the area of banking law. He has been named a "Best Lawyer" for the past 10 years.

Ronald L. Rose, co-leader of the Bankruptcy practice group at Dykema's Bloomfield Hills office, has been recognized in *Best Lawyers in America*.

1968

40TH REUNION

The class of 1968 reunion will be September 26-28, 2008

John W. Fischer III of the Cincinnati, Ohio-based law firm of Peck, Shaffer & Williams LLP has been elected as a fellow to the American College of Bond Counsel. With 39 years experience as a bond counsel, he has advised clients on a range of tax-exempt financings for health care facilities.

Ronald R. Glancz of Venable LLP, Washington, D.C., has been named to *Best Lawyers in America* in the area of banking law.

1969

Michael E. Cavanaugh of Lansing- and Detroit-based Fraser Trebilock Davis & Dunlap has been named a Michigan Super Lawyer by *Law & Politics*.

Allan J. Claypool, an attorney in the Lansing, Michigan, office of Foster, Swift, Collins & Smith, PC, was among those recently selected for inclusion in *The Best Lawyers in America* 2008 in the area of tax law, and trusts and estates. He has been included in the publication for 20 years.

Milwaukee-based Quarles & Brady attorney **Steven R. Duback** has been selected for inclusion in *Best Lawyers in America* 2008.

Barry E. Sammons, an attorney at the Milwaukee-based Quarles & Brady, has been selected for inclusion in *Best Lawyers in America* 2008.

Donald P. Ubell, an attorney with Parker Poe Adams & Bernstein LLP, has been recognized as one of the *North Carolina Super Lawyers* 2008 in the area of bonds/government finance.

1970

Richard J. Erickson has been elected Alabama state treasurer, Military Officers Association of America.

Fiske named advisor to New York police probe

Robert B. Fiske '55

New York Attorney General Andrew M. Cuomo has appointed Robert B. Fiske, '55, a special advisor to the investigation of the New York State Police. Gov. David Paterson called for the probe of possible political interference within the law enforcement agency.

"Our goal is to conduct a thorough, fair, and objective examination and follow the facts wherever they lead," Cuomo said.

Fiske, a partner at the law firm of Davis Polk & Wardwell in New York City, said, "I look forward to working with the Attorney General's Office in conducting this important investigation in an absolutely impartial and thorough manner."

Fiske is a supporter of the Law School and a member of Dean Evan H. Caminker's advisory council. His dedication to public service is reflected in his establishment of the Fiske Fellowships, which each year award fellowships to Michigan Law graduates who take jobs in government. He has had extensive experience as a government prosecutor, including serving as the U.S. Attorney for the Southern District of New York from 1976 to 1980 where he oversaw numerous high profile public corruption investigations. Fiske also served as Independent Counsel in the Whitewater Investigation from January to October 1994. He was appointed by New York State Chief Judge Judith S. Kaye to chair the Judicial Commission on Drugs and the Courts, and by the 5th Circuit Judicial Council to investigate allegations of misconduct by a district judge.

A senior member of the litigation department at Davis Polk & Wardwell, Fiske has represented many major U.S. companies in Justice Department and SEC investigations and in private securities litigation. He also has extensive products liability experience and has represented numerous law firms in professional liability matters.

From top: John E. Jacobs, '71, Charles M. Lax, '71, James H. Geary, '72, Joseph W. Kimmell, '72,

Jane Forbes, an attorney at Dykema's Detroit office, was included in *Best Lawyers in America* in the area of non-profit/charities law.

David M. Lick, an attorney in the Lansing, Michigan, office of Foster, Swift, Collins & Smith, PC, was among those recently selected for inclusion in *Best Lawyers in America* 2008 in the area of commercial litigation and construction law.

1971

James P. Feeney, director of the firm's national litigation practice of Dykema's Bloomfield Hills office, has been recognized in *Best Lawyers in America*.

John E. Jacobs, a shareholder and attorney at Southfield, Michigan-based Maddin, Hauser, Wartell, Roth & Heller PC, has been named to *Michigan Super Lawyers* 2007 in the law and politics category. He was listed as a top practitioner in real estate, mergers and acquisitions, and business corporate fields.

Charles M. Lax, a shareholder and attorney at Southfield, Michigan-based Maddin, Hauser, Wartell, Roth & Heller PC, has been named in *Best Lawyers in America* 2008. He was also listed as a top practitioner in *Law & Politics' Michigan Super Lawyers* 2007 in Employment Benefits/ERISA, Tax and Business/Corporate.

Robert Stein of Robert Stein & Associates, PLLC in Concord, New Hampshire, has been selected as one of the distinguished group of attorneys who have been listed in *Best Lawyers* for 10 years or longer.

1972

John M. DeVries of the Grand Rapids, Michigan, office of Mika Meyers Beckett & Jones PLC, has been listed in the *Michigan Super Lawyers* 2007 Magazine.

James H. Geary, a civil litigation defense specialist with Howard & Howard Attorneys PC in Kalamazoo, Michigan, has been named a Michigan Super Lawyer.

Joseph W. Kimmell has joined the Ann Arbor office of Butzel Long as a shareholder. He concentrates on the firm's China and India practices.

Seth M. Lloyd, an attorney at Dykema's Detroit office was included in *Best Lawyers in America* in the areas of health care law, and labor and employment law.

Robert J. McCullen, an attorney in the Lansing, Michigan, office of Foster, Swift, Collins & Smith, PC, was among those recently selected for inclusion in *Best Lawyers in America* 2008 in the area of real estate law. He has been included in the publication for 10 years.

Gary J. McRay, an attorney in the Lansing, Michigan, office of Foster, Swift, Collins & Smith, PC, was among those recently selected for inclusion in *Best Lawyers in America* 2008 in the area of real estate law. He has been included in the publication for 10 years.

Michael D. Mulcahy, one of the managing members of the Bloomfield Hills law firm Dawda, Mann, Mulcahy & Sadler, PLC, has again been voted one of *Best Lawyers in America* for 2008. He specializes in a broad range of business, finance, and real estate transactional matters.

Barbara Rom, the partner in charge of Pepper Hamilton LLP's Detroit office, has been named one of Detroit's Most Influential Women for 2007 by *Crain's Detroit Business.* She has achieved this distinction all three times it has been offered—in 1997, 2002 and 2007.

Richard Roth, an attorney at Southfield, Michigan-based law firm Maddin, Hauser, Wartell, Roth & Heller, PC has been named in *Law & Politics' Michigan Super Lawyers* 2007 as a top practitioner in real estate, business/corporate, and estate planning and probate.

1973

35TH REUNION

The class of 1973 reunion will be September 26-28, 2008

Milwaukee-based Quarles & Brady attorney **Quinn W. Martin** has been selected for inclusion in *Best Lawyers in America* 2008.

David VanderHaagen, an attorney in the Lansing, Michigan, office of Foster, Swift, Collins & Smith, PC, was among those recently selected for inclusion in *The Best Lawyers in America* 2008 in the area of corporate law. He has been included in the publication for 10 years.

Former Congressman Porter heads PBS board

John E. Porter '61

Former Illinois Congressman John E. Porter, '61, is serving a three-year term as president of the board of the Public Broadcasting Service (PBS), which serves 355 public noncommercial television stations with on-air and online content.

Elected last November to head the 27-member board, Porter also is a partner with Hogan & Hartson in Washington, D.C., where he is a member of the law firm's health, education, and government advocacy practice groups.

In addition, Porter chairs the board of Research!America, a nonprofit organization that supports investment in medical and health research, and is vice-chair of the Foundation for the National Institutes of Health.

Porter, a Republican, represented Lake County and the northwestern suburbs of Chicago from 1980-2001 in the U.S. House of Representatives, where he championed both public broadcasting and the National Institutes of Health (NIH), which provides support for peer reviewed medical research. In 1995 he resisted efforts to eliminate funding for public broadcasting and eventually presided over considerable increases for it.

In the area of medical research, he is credited with doubling federal funding for NIH. The John Edward Porter National Neuroscience Research Center at NIH, named in his honor, is partially constructed and in use, but awaits additional funds for completion.

1974

Darryl S. Bell, an attorney at the Milwaukee-based Quarles & Brady, has been selected for inclusion in *Best Lawyers in America* 2008.

Michael C. Haines of Mika Meyers Beckett & Jones PLC, Grand Rapids, Michigan, was selected to be listed in the 2008 edition of *Best Lawyers in America*.

Bruce Howell has joined Powell Goldstein LLP's Dallas office as counsel, where he will work closely with the firm's national health care practice to grow this practice area in the Dallas market.

Cameron H. Piggott, an attorney at Dykema's Detroit office, was included in *Best Lawyers in America* in the area of real estate law.

1975

James H. Dobson has received an M.S. in mathematics, with a concentration in pure mathematics, from Purdue University. He is currently working as the director of math instruction at an Indianapolis school for children with dyslexia and related language learning difficulties.

Stephen I. Jurmu, an attorney in the Lansing, Michigan, office of Foster, Swift, Collins & Smith, PC, was among those recently selected for inclusion in *Best Lawyers in America* 2008 in the area of employee benefits law. He has been included in the publication for 20 years.

Joseph A. Ritok Jr., an attorney at Dykema's Detroit office, was included in *Best Lawyers in America* in the area of labor and employment law.

From top: Michael D. Mulcahy, '72, Barbara Rom, '72, Richard Roth, '72, Jerome R. Watson, '76, Jeffrey A. Sadowski, '77

1976

Dennis M. Haffey, member and director of Dykema's litigation department in the Bloomfield Hills office, has been recognized in *Best Lawyers in America*.

Joe Ryan of Seattle is leading efforts to restore wild salmon populations throughout Puget Sound as salmon recovery program manager for the new Puget Sound Partnership, which took over salmon restoration efforts last year.

Jerome R. Watson, a principal in the Detroit office of Miller Canfield and a managing director of the firm, was recently elected as a fellow in the College of Labor and Employment Lawyers. In addition, Watson was recognized this year in *Chambers USA: America's Leading Lawyers for Business, Best Lawyers in America,* and *Michigan Super Lawyers*, in which he was honored among the Top 100 Michigan Super Lawyers.

1977

James M. Elsworth, an attorney at Dykema's Detroit office, was included in *Best Lawyers in America* in the area of trusts and estates.

Jeffrey A. Sadowski of the Bloomfield Hills office of Howard & Howard Attorneys, PC, spoke at the January monthly meeting of the Michigan Intellectual Property Law Association in Southfield, Michigan. His topic was "Extending Provisional Rights Beyond 35 U.S.C. 154(d)."

From top: Elizabeth A. Campbell, '78, Randall R. Hall, '78, Darrell A. Lindmin, '78, Maria B. Abrahamsen, '79, Beverly Hall Burns, '79, W. Jeffrey Cecil, '79

1978

30TH REUNION

The class of 1978 reunion will be September 26-28, 2008

Elizabeth A. Campbell, a partner with Andrews Kurth in Houston and the firm's chief diversity officer, has been named to the Executive Women's Partnership Committee of the Greater Houston Partnership, which crafts strategies and policies to shape Houston's future. The group includes members from the area's leading energy companies, financial institutions, health care providers, professional service firms, and other corporate entities.

Fredric N. Goldberg has been named chair of the management committee for 2008 at Mika Meyers Beckett & Jones PLC of Grand Rapids.

Recently named shareholder **Randall R. Hall** has been named leader of Bloomfield Hills, Michigan-based Plunkett Cooney's real estate/transactional practice group.

Darrell A. Lindmin, a shareholder in the Michigan law firm of Fraser Trebilcock David & Dunlap, PC, was named one of the Michigan Super Lawyers for 2007 in the area of employee benefits/ERISA.

Stafford Matthews has been named a partner in the national law firm of Sonnenschein Nath & Rosenthal LLP. He will continue his practice of corporate and technology law in the San Francisco and Silicon Valley offices.

1979

Maria B. Abrahamsen, member of the healthcare practice group of Dykema's Bloomfield Hills office, has been recognized in *Best Lawyers in America*. She has also been appointed to Dykema's executive board, for a term which runs through 2010.

Beverly Hall Burns, a principal and member of the labor and employment group at Miller Canfield, has been elected to the board of directors of the Michigan Humane Society. She has also been named one of Inforum's most influential women in Southeastern Michigan.

W. Jeffrey Cecil, an attorney in the Columbus, Ohio, office of Porter Wright Morris & Arthur LLP, was among those recently selected for inclusion in *Best Lawyers in America* 2008 in the area of real estate law.

Charles A. Janssen, an attorney in the Lansing, Michigan-office of Foster, Swift, Collins & Smith, PC, was among those recently selected for inclusion in *Best Lawyers in America* 2008 in the area of trusts and estates. He has been included in the publication for 10 years.

Milwaukee-based Quarles & Brady attorney **David B. Kern** has been selected for inclusion in *Best Lawyers in America* 2008.

A turnabout at the Order of Leopold ceremony

A note from Terence Murphy, O.B.E., '66, chairman and CEO of MK Technology and a senior associate at the Center for Strategic and International Studies in Washington, D.C.:

Terence Murphy, O.B.E., '66, is invested as a Knight Officer of the Order of Leopold 1st by Belgian Ambassador Dominique Struye de Swielande

"Terry Murphy marked his 'special 39th' birthday in October 2007. In the presence of Michigan Law relatives and friends, including his mentor Professor Eric Stein, '42, and spouse Virginia, his brother Mal, '68, Judge Noel Ankatell Kramer, '71, Ed Hall, '67, and Captain Jack Tomion, '55, USN (Ret.) and their families plus friends from a long career, he was invested by the Belgian ambassador as a Knight Officer of the Order of Leopold 1st, the highest grade open to non-Belgian private citizens in Belgium's oldest and highest national order. The event took place exactly 14 years after a more modest honor had been presented by the British ambassador."

"But," Murphy generously explained in his cover note, "The star of the whole evening was not me but our very own Prof. Eric Stein, '42. He had been my mentor (and my brother's) at Michigan Law, and with his wife Ginny he honored us all by coming to Washington for this extraordinary event in the ambassador's newly-refurbished residence on Foxhall Road.

"To tell the tale briefly, I turned an extraordinary honor for me into one for him as the Great Man of European Law studies in America and probably in Europe."

Murphy, a longtime Law School supporter and advocate, had brought along Michigan Law pins for Law School graduates at the gathering. "I had pins for all Michigan Law alums, but Eric forgot his own," Murphy related. "So we 'invested' him."

From top: Daniel R. Conway, '80, David Foltyn, '80, Jesse S. Ishikawa, '80, Michael P. McGee, '82, Daniel J. Stephenson, '82, Patricia Lee Refo, '83

1980

James A. Burns Jr. has joined Reed Smith Sachnoff & Weaver, Chicago, Illinois, in the labor and employment group.

Daniel R. Conway, an attorney in the Columbus, Ohio, office of Porter Wright Morris & Arthur, LLP, was among those recently selected for inclusion in *Best Lawyers in America* 2008 in the area of communications law and energy law.

Honigman Miller Schwartz and Cohn LLP, a Detroit-based law firm, has elected **David Foltyn** as its fourth chairman of the board of directors and chief executive officer. He is a partner with the firm's corporate department and for the past three years has been recognized as a top lawyer in the corporate mergers and acquisitions field by *Chambers USA America's Leading Lawyers for Business.*

Jesse S. Ishikawa, a shareholder at Reinhart Boerner Van Deuren, is teaching a course in advanced real estate law at the University of Wisconsin Law School.

James B. Jensen Jr., an attorney in the Lansing, Michigan, office of Foster, Swift, Collins & Smith PC, was among those recently selected for inclusion in *Best Lawyers in America* 2008 in the area of tax law.

Marilyn A. Peters, managing member of Dykema's Bloomfield Hills office, has been recognized in *Best Lawyers in America*. Her practice focuses on complex commercial litigation with an emphasis on major construction cases and general business disputes.

1981

In March 2008, **Kenneth C. Mennemeier**, a partner with the Sacramento firm of Mennemeier, Glassman & Stroud LLP, argued before the California Supreme Court on behalf of Governor Arnold Schwarzenegger in the *In re Marriage Cases*, six consolidated cases in which the court will decide whether California's statutory ban on same-sex marriage violates California's state constitution.

1982

Timothy Hester was recently named the chair of Covington & Burling, a firm based in Washington with offices in New York, San Francisco, London, and Brussels.

Michael P. McGee has been elected to serve a two-year term as managing director at the Detroit office of Miller Canfield. He has been with the law firm for 23 years and is a principal practicing public finance law and is also the firm's hiring chair.

Milwaukee-based Quarles & Brady attorney **Robert D. Rothacker** has been selected for inclusion in *Best Lawyers in America* 2008.

Daniel J. Stephenson has been elected to serve a second term on Dykema's executive board. His term runs through 2010. His practice includes general civil litigation, with a focus on complex litigation and technology litigation.

George H. Vincent has assumed the leadership of Cincinnati-based Dinsmore & Shohl LLP, which he joined in 1982 as an associate in the corporate department. He will continue his practice of corporate law as a senior partner with the firm.

1983

25TH REUNION

The class of 1983 reunion will be October 3-5, 2008

Mark S. Demorest of Demorest Law Firm PLLC has been named to the Board of Directors of the Birmingham Bloomfield Chamber of Commerce. He was also named a 2007 *Michigan Super Lawyer* in the area of business/corporate law.

Mark L. Kowalsky, a partner with Southfield, Michigan-based Jaffe Raitt Heuer & Weiss PC, has been named a Michigan Super Lawyer in the practice areas of securities litigation, business litigation, and alternative dispute resolution.

Patricia Lee Refo, a partner with Snell & Wilmer LLP, has been named one of the "50 Most Influential Women Lawyers in America" by the *National Law Journal*. Her practice concentrates on complex commercial litigation. She has also been listed in five issues of *Best Lawyers in America* from 2003-2007.

1984

Marie R. Deveney, member of the taxation and estates practice group of Dykema's Ann Arbor office, has been recognized in *Best Lawyers in America*.

From top: Edward M. Segelken, '84, Robert A. Boonin, '85, Charles M. Greenberg, '85, Steven M. Wolock, '85, Sandra A. Hoffman, '86, Anthony Pacheco, '86, Bruce H. Wakuzawa, '86

D. Richard McDonald, assistant practice group leader of the corporate finance practice group in Dykema's Bloomfield Hills office, has been recognized in *Best Lawyers in America*.

Edward M. Segelken, an attorney in the Columbus, Ohio, office of Porter Wright Morris & Arthur, LLP, was among those recently selected for inclusion in *Best Lawyers in America* 2008 in the area of trusts and estates.

1985

Butzel Long attorney/shareholder **Robert A. Boonin** of Ann Arbor has been named president of the Litigation Counsel of America, a national honorary trial lawyer society with membership limited to one-half of one percent of American lawyers. A specialist in labor, employment, public contract, and education law, Boonin will serve through 2008.

Charles M. Greenberg, a partner at the Pittsburgh office of Pepper Hamilton LLP, has been elected to the Minor League Baseball Board of Trustees. He will represent the Carolina League on the board of trustees.

Barbara A. Kaye has joined the Ann Arbor office of Honigman Miller Schwartz and Cohn LLP as a partner in the corporate and securities department. She previously practiced with Dykema Gossett PLLC in Ann Arbor.

Mayer Brown LLP partner **Donna E. Morgan** was named one of *Worth* magazine's Top 100 Lawyers and featured in the December's issue. She has been with the Chicago-based firm since 1989 and currently serves as the wealth management practice leader.

Steven M. Wolock, a shareholder and attorney at Southfield, Michigan-based Maddin, Hauser, Wartell, Roth & Heller PC, has been named in *Law & Politics' Michigan Super Lawyers* 2007 issue.

1986

Sandra A. Hoffman was granted tenure at Resources for the Future, Washington, D.C., a nonprofit and nonpartisan research organization. She conducts research and writes on the economics and law of environmental and public health risk management.

Howard B. Iwrey, member of the litigation practice group of Dykema's Bloomfield Hills office has been recognized in *Best Lawyers in America*.

Lori McAllister, general counsel of the firm and member of the litigation practice group in Dykema's Lansing, Michigan, office has been recognized in *Best Lawyers in America*.

Anthony Pacheco, a partner at Proskauer Rose LLP in Los Angeles, has been elected president of the Los Angeles Police Commission, the civilian oversight board of the city's police department. He has been a commission member since 2005.

Bruce H. Wakuzawa has been named in *Best Lawyers in America* for 2008, in the insurance law category. He is an officer, director, and shareholder of Alston Hunt Floyd & Ing, Honolulu, Hawaii, and practices primarily in the area of insurance coverage, class actions, and commercial litigation.

Time Inc. announced the promotion of **Milton L. Williams Jr.**, of Manhattan, to deputy general counsel. He is also chief compliance officer for Time Inc.

1987

Michael S. Ashton, a shareholder in the Michigan law firm of Fraser Trebilcock David & Dunlap PC, was named one of the Michigan Super Lawyers for 2007 in the area of administrative law.

Peter Dunlap, a shareholder in the Michigan law firm of Fraser Trebilcock David & Dunlap, PC, was named one of the Michigan Super Lawyers for 2007 in the area of alternative dispute resolution.

Douglas A. Mielock, an attorney in the Lansing, Michigan, office of Foster, Swift, Collins & Smith, PC, was among those recently selected for inclusion in *The Best Lawyers in America* 2008 in the area of trusts amd estates.

From top: Joseph F. Bermudez, '88, Thomas C. Froehle Jr, '88, Craig Sumberg, '88, Karen Hassevoort, '89, Eric D. Pearson, '91, John M. Sommerdyke, '91

1988

20TH REUNION

The class of 1988 reunion will be October 3-5, 2008

Joseph F. Bermudez, a member of Cozen O'Connor based in Denver, lectured recently at Mealey's Product Recall Conference: Made in China and Beyond, speaking on "Business Interruption and Insurance Coverage." He is leader of the firm's food contamination coverage practice area.

Thomas C. Froehle Jr. has been named chair and chief executive partner of Baker & Daniels LLP. He was elected to a four-year term by fellow partners.

Craig Sumberg has moved from the Maryland suburbs of Washington, D.C., to Tucson to become senior vice president for resource development at the Jewish Federation of Southern Arizona.

1989

Ann D. Fillingham, member of the corporate finance practice group of Dykema's Lansing office, has been recognized in *Best Lawyers in America*.

Karen Hassevoort of the Kalamazoo, Michigan, office of Miller Canfield has been elected principal by the firm. She is a managing attorney for the firm's discovery and technology center.

Nancy L. Little, of Foster Zack Little Pasteur & Manning, PC in Okemos, Michigan, has been named among the "Top 50 Women Lawyers in Michigan" by Michigan Super Lawyers. She is chair-elect of the State Bar of Michigan Probate and Estate Planning Council, editor of the State Bar *Probate and Estate Planning Journal*, and co-author of *Trust Administration in Michigan* and *Probate Litigation—A Practitioner's Guide*.

David N. Lutz was elected co-managing partner for the Minneapolis office of Bowman and Brook LLP.

Schnader Harrison Segal & Lewis LLP, Philadelphia, Pennsylvania, attorney **Samuel W. Silver** has been inducted as a fellow of the American College of Trial Lawyers, one of the premier legal associations in America.

1990

Milwaukee-based Quarles & Brady attorney **Michael Aldana** has been selected for inclusion in *Best Lawyers in America* 2008.

University of Michigan business law professor **Dana Muir** has been awarded an Arthur F. Thurnau Professorship for her contributions to undergraduate education. Up to six of the special professorships are approved by the U-M Board of Regents each year. Muir, who has taught at Michigan Law as a visiting professor, was cited for several accomplishments, among them engaging students in a mock trial of former Enron CEOs to illustrate the issue of financial fraud.

1991

Accomplished Dallas trial lawyer **Eric D. Pearson** has been named partner at the newly renamed firm of Heygood, Orr, Reyes, Pearson & Bartolomei. Pearson is known throughout Texas for his trial and appellate skills in significant commercial disputes and catastrophic personal injury cases.

John M. Sommerdyke, a principal in the Grand Rapids office of Miller Canfield and deputy leader of the firm's corporate and securities practice group, was recently elected to the board of directors of the Association for Corporate Growth-Western Michigan. In addition, he was elected to the board of trustees of the Kendall College Foundation and serves as a member of the board's finance committee.

Sadhna G. True has been named partner for the Lexington office of Dinsmore & Shohl LLP.

From top: Christopher A. Ballard, '92, Mark Malven, '93, Jeffrey S. Cronn, '94

Frank H. Wu, who is returning to Washington, D.C., to teach after serving as dean of Wayne State University Law School since 2004, has been named one of two winners of a Chang-Lin Tien Education Leadership Award from the Asian Pacific Fund. The annual award, now in its second year, honors the legacy of Chang-Lin Tien (1935-2002), who served as chancellor of the University of California, Berkeley, from 1990-97 and was the first Asian American to head a major American University. Wu also delivered the morning keynote address at the conference "From Proposition 209 to Proposal 2: Examining the Effects of Anti-Affirmative Voters Initiatives" at the Law School in February.

1992

Christopher A. Ballard, a partner in the Ann Arbor office of Bodman LLP, was named Community Legal Resources' Volunteer Attorney of the Year at the organization's ninth annual recognition event. He has volunteered for Community Legal Resources for four years and is noted for his accessibility and knowledge.

Thomas E. Bejin has joined the Bloomfield Hills, Michigan, office of Rader, Fishman & Grauer PLLC, a leading national intellectual property law firm, as a member.

Mark D. Rasmussen, a partner in the bankruptcy practice at Chapman and Cutler, LLP, Chicago, has been named one of the "40 Illinois Attorneys Under Forty to Watch" for 2007. He represents lenders, noteholders, and indenture trustees in bankruptcy and related litigation matters.

Michael J. Simpson, a partner in the Rapid City, South Dakota, law firm of Julius & Simpson, LLP, was selected for inclusion in the 2008 edition of *Best Lawyers in America* in the area of workers' compensation.

1993

15TH REUNION

The class of 1993 reunion Will be October 3-5, 2008

Mark Malven has been named leader of Detroit-based Dykema's Technology Transactions Practice, which represents clients in structuring and negotiating transactions involving acquisition of technology products and services, advises technology-based businesses, and represents vendors and customers in designing and negotiating Internet and e-commerce agreements.

1994

Jeffrey S. Cronn of Portland, Oregon, has been appointed chair of the Tonkon Torp Business Department, which includes practice groups focused in the areas of corporate finance, mergers and acquisitions, and taxation and corporate governance, among others.

Glenn E. Forbis, a managing partner at the Bloomfield Hills law firm of Rader, Fishman & Grauer PLLC, was recognized by *Crain's Detroit Business* as a "40 under 40" award winner for 2007. He is an experienced litigator focused primarily on patent infringement and validity. He was also named as one of the Michigan Super Lawyers by *Law & Politics*.

Two million people, 55 million acres, 35 states

Jerry Gidner, '90

Recently appointed Bureau of Indian Affairs Director Jerry Gidner, '90, says one way to get your head around the BIA is to think of it as a provider of city services.

Except that most municipalities don't sprawl across an entire continent—and beyond.

"We basically do it all—firefighting, probate, police, detention, and a slew of other city-type services," said Gidner, who assumed his new role in September after serving as Deputy Bureau Director for Indian Services. "But it's spread out over 55 million acres in 35 different states, so there are logistical difficulties that we have that a city may not have."

Besides those logistical difficulties, other quirks of Native American life also affect the Bureau, Gidner explained. For one thing, the BIA manages the largest land trust in the world, because all 55 million acres are held in trust for the tribes. And for another, the BIA deals each day with 562 sovereign nations—one for each federally recognized tribe.

"We're aware of our mission, we're aware of the challenges, and we adapt to the reality," Gidner said.

Gidner, an enrolled member of the Sault Ste. Marie Band of Chippewa Indians, leads the Bureau's roughly 5,000 employees from an office in Washington. Those employees, in turn, provide varying levels of service to roughly 2 million Native Americans at service points around the country.

Coordinating the sprawling organization is key, Gidner explained. One goal is working with 12 regional directors and visiting as many of the 85 agencies on or near reservations as possible, he added.

"Here's my vision," Gidner said. "I want us to be the best damned organization in the federal government."

To accomplish that vision, he's pushing a comprehensive training program.

"That way, a new employee can come in and say on his first day on the job, 'Maybe someday I'll be the Bureau Director'," Gidner explained. "Then they can say, 'And here's the training I need to get there.' "

From top: Glenn E. Forbis, '94, Adam W. Perry, '94, Christine Gregory, '96, John Millspaugh, '96, Michael Muczynski, '97

Laura Lindstrand has been named to the position of civil rights specialist at the Washington State Human Rights Commission. She is also a speaker on disability law for the National Employment Law Institute.

Adam W. Perry, a partner in Hodgson Russ's business litigation and employment litigation practice groups, has been named a commissioner of the Niagara Frontier Transportation Authority. He will serve a five-year term on the governing board, which manages all public surface transportation, airports, and ports in Erie and Niagara counties in New York State.

1995

Andrew S. Baer has joined the Washington, D.C., office of Sullivan & Cromwell LLP as special counsel in the firm's financial institutions group.

Collins, Einhorn, Farrell & Ulanoff, PC, Southfield, Michigan, announced that **Paul R. Bernard** has joined the law firm, bringing more than 10 years of experience to the defense litigation firm. He concentrates his practice in appellate and insurance coverage litigation.

D. James Greiner has joined Harvard Law School as a full-time professor. His teaching subjects include civil procedure, expert witnesses, and litigation.

President Bush has appointed **Matthew Latimer** as Special Assistant to the President and Deputy Director of Speechwriting. Latimer previously had served as Special Assistant to the President for Speechwriting and as Director of Speechwriting in the Office of the Secretary of Defense.

Kristine (Johnson) Zayko has been appointed deputy general counsel of Michigan State University. She concentrates on faculty employment, student affairs, civil rights, academic governance, athletics, and conflict of interest matters.

1996

Jay P. Edelson's prior firm, Blim & Edelson LLC, has entered into a merger with Kamber & Associates LLC to form KamberEdelson LLC, with offices in New York, Los Angeles, and Chicago.

Christine Gregory was appointed Assistant Dean for Student Affairs at the University of Michigan Law School in November 2007.

Joseph S. Lieber has become a partner at Klein Hornig LLP, a firm that specializes in affordable housing and community development.

John Millspaugh, partner and chair of the science/technology section of Indianapolis-based Bose McKinney & Evans LLP, has been elected to the board of the directors of the Venture Club of Indiana, which supports the creation and growth of entrepreneurial businesses.

Jeffery Spalding has joined the Senate Judiciary Committee staff of Senator Dianne Feinstein (D-CA), where he serves as lead counsel on terrorism, homeland security, and crime issues for the senator.

1997

Tim Kasten has been elected to the partnership of Van Beal & Bellis, where he focuses on European competition (antitrust) law.

Michael Muczynski, a partner with Marshall, Gerstein & Borun LLP, has been recognized by *Law and Politics* as a "rising star" in the legal community. His practice focuses on patent prosecution and client counseling, with particular emphasis on the chemical and mechanical arts.

Rob Olin and wife, Kat, welcomed Ty Garrett Olin on November 24, 2007. He joins Jacob (5) and Sydney (2).

1998

10TH REUNION

The class of 1998 reunion will be October 3-5, 2008

The Chicago law firm Butler Rubin Saltarelli & Boyd LLP has named associate lawyer **Julie Rodriguez Aldort** to partnership. She concentrates her practice in reinsurance and complex commercial litigation.

From top: James S. Birge, '98, Tung Chan, '98, Ruth A. Skidmore, '98, Trevor J. Belden, '99, Kathleen (Kate) Raven Gurrola, '99, Paula A. Hall, '99

Indianapolis-based Baker & Daniels LLP has voted partnership to **James S. Birge**, a member of the firm's emerging companies and private capital groups. He returned to the firm in 2004 after serving as deputy chief of staff to Indiana Governor Joe Kernan.

Tung Chan, the Hawaii State Commissioner of Securities for the Department of Commerce and Consumer Affairs, was named one of the "Best Lawyers under 40" by the National Asian Pacific American Bar Association. She is Hawaii's top state securities regulator and has worked with the Securities and Exchange Commission to combat securities fraud perpetrated against seniors.

Tiffany Pollard has been elected to the partnership at Fried, Harris, Shriver & Jacobson LLP. As an attorney in the New York corporate department, she focuses her practice on private equity transactions, and mergers and acquisitions.

Scott J. Popma has been elected partner at Finnegan, Henderson, Farabow, Garrett & Dunner, LLP.

Ruth A. Skidmore has been named partner with the Grand Rapids, Michigan, law firm McShane & Bowie. Her areas of practice include commercial law and real estate along with business and commercial litigation.

1999

Trevor J. Belden has been named a partner at Indianapolis-based Baker & Daniels LLP. He joined the firm in 2000 and practices as part of the firm's health and life sciences group.

Michael G. Dickler was named partner at Sperling & Slater, PC in Chicago. His practice focuses on commercial litigation.

Butzel Long has elected **Kathleen (Kate) Raven Gurrola**, Farmington Hills, Michigan, as shareholder. She was previously an associate attorney and practices in the area of real property law and complex business transactions.

Butzel Long has elected **Paula A. Hall**, Bloomfield Hills, Michigan, as shareholder. She was previously an associate attorney and practices in the area of commercial restructuring and business bankruptcy.

David R. Grand of the Ann Arbor office of Miller Canfield has been elected principal by the firm. He has successfully represented the National Collegiate Athletic Association and other sports associations in numerous federal and state antitrust cases across the country.

Jon K. Jurva has been named a partner at Schiff Hardin LLP in Chicago. He is part of the firm's corporate and securities group.

Christiaan Johnson-Green is proud to announce the birth of his daughter Elizabeth Sarah on June 8, 2007. Baby Ellie, big brother Saul, and Elissa are all doing well.

The Chicago law firm Butler Rubin Saltarelli & Boyd LLP has named associate lawyer **Mark A. Schwartz** to partnership. He concentrates his practice in reinsurance and complex commercial litigation.

David D. Tawil has recently been promoted to the title of director at Credit Suisse's Leveraged Finance Group, focusing on the sourcing and trading of distressed, illiquid assets.

Benjamin A. Zainea, a member of Mika Meyers Beckett & Jones PLC in Grand Rapids, Michigan, has obtained certification from the National Football League Players Association to act as a player contract advisor.

2000

Varnem, Riddering, Schmidt & Howlett LLP, Grand Rapids, Michigan, attorney **Marla Schwaller Carew** has been named to the board of the Michigan Women's Tax Association.

Thomas W. Cunningham was recently appointed shareholder for Brooks Kushman PC, Southfield, Michigan. His practice involves all aspects of intellectual property and he has litigated in federal and state courts all over the country.

From top: David R. Grand, '99, Jon K. Jurva, '99, Thomas W. Cunningham, '00, David D. O'Brien, '00, Mark Smith, '00, Bree Popp, '01






Abhijit "Beej" Das has joined the firm of Molinaro Koger as managing director, India. Formerly based in New York, he is opening the company's offices in Mumbai.

After five years at the University of Chicago, **Michael B. Machen** has started Machen Ventures LLC, where he advises legal organizations on CLE requirements.

David D. O'Brien of the Ann Arbor office of Miller Canfield has been elected principal by the firm. He practices criminal defense and commercial litigation.

Mark Smith of the Tampa office of Carlton Fields has been elected shareholder. His practice focuses on construction litigation.

2001

Bonnie Schroeder McGuire of Ropes & Gray LLP is one of 15 new members of the Boston Bar Association's prestigious Public Interest Leadership Program. This program, now in its fifth year, is for lawyers who have practiced law for fewer than 10 years, and fosters the professional relationships that are essential to success.

The Lansing office of Miller Canfield announced that **Bree Popp**, an associate in the public law group, was recently selected as one of the Lansing regions' Ten Over the Next Ten up-and-coming young professionals whose hard work and commitment make Lansing a great place to live and work.

USADA's William Bock III, '89: Drugs take the joy out of sport


William Bock III, '89

If a hundredth of a second can make all the difference, so can a surreptitious application of "the cream" or "the clear."

And in the hypercompetitive world of elite athletes, where world-class is separated from also-ran by the thinnest of razor margins, the temptation to gain even a tiny advantage through illegal means is simply too strong for some to resist.

That's where people like William Bock III come in. The 1989 Michigan Law graduate and Indianapolis resident is settling into his new role as general counsel for the United States Anti-Doping Agency, whose jurisdiction includes athletes competing in the Olympics, the Paralympics, and the Pan-Am Games.

That puts Bock in charge of managing and evaluating cases against athletes suspected of doping—that is, of using performance-enhancing drugs or hormones from a list of substances banned by international agreement. Some athletes in sports that require power or speed, Bock said, are tempted by steroids. Others who require exceptional endurance gravitate toward erythropoietin, or EPO, which increases the production of red blood cells and, consequently, the ability of an athlete's blood to transport oxygen to muscles.

"It's tough, because athletes often build their self-images on what they accomplish, and when you do that—and when what you accomplish is in itself false—then you start to really wonder, 'Why am I doing this?' " Bock said. "People lose the joy of participating in sport, because it becomes such a business when using drugs to succeed that you no longer get any joy out of winning."

Accused athletes are informed of the charges against them, then given the option of accepting the USADA's proposed sanction or going to a hearing before a three-member American Arbitration Association panel. Since assuming his new position in September, Bock—who remains a partner at the Indianapolis-based Kroger, Gardis & Regas—has managed several arbitrations, while several more athletes have accepted USADA's proposed penalty.

Bock has seen both sides of the doping issue. He began working with USADA as outside counsel after several years representing accused athletes. But despite his interest in top-level athletes, his main personal involvement with athletic competition is watching some of his five children race up and down the soccer field.

In his daily work for USADA, those kids are never far from his thoughts.

"If we can help a few people to make better life decisions and avoid some dire health consequences, that's satisfying," he said. "Having kids, you think about that all the time. You want your kids to make good choices, and that's how we view what we do at USADA—we're trying to help athletes make better choices, and to protect the games."

From top: Angel E. Banks, '02, Manu Bhardwaj, '04, Brian S. Tobin, '04, Phillis Rambsy, '05, Dan Scripps, '05 and Jamie (Weitzel) Scripps '05

Who wins when a fellow graduate is your judge?

You never know when a fellow member of the Michigan Law family may turn up as your "judge," even when you're not a practicing attorney yet. That's how it was early this year when two teams of Michigan Law students tested their courtroom skills to determine which two-person team would represent the Law School in the American Intellectual Property Law Association's 35th annual Giles Sutherland Rich Memorial Moot Court Competition's regional contests in March in Chicago.

Two competing teams of law students—Esha Krishnaswamy and Dwayne Stresman vs. Teresa Lin and Andrew Wicklund—used the state-of-the-art facilities provided by Rader, Fishman & Grauer in Bloomfield Hills for the moot court duel. Rader Fishman makes its courtroom, which features wall-mounted projection screens, jury box monitors, video conferencing equipment, wireless Internet connections, and sound proof deliberation rooms, available to a number of Michigan law schools for moot court competitions and other legal education activities.

This time, the Michigan Law students ran into both a welcome and a judgment from two members of the Michigan Law family—managing partner Michael Stewart, '91, who welcomed them, and Tom Bejin, '92, a member of the firm who specializes in intellectual property law who joined with two other firm lawyers to judge their performance.

"The competition is a tremendous opportunity for intellectual property Law School students to build trial skills," explained law student Kelly Vega, president of Michigan Law's chapter of the Intellectual Property Student Association and part of last year's winning Law School moot court team.

Bejin and his fellow judges ruled the Krishnaswamy-Stresman team winners in the hypothetical patent case the AIPLA posed for this year's qualifying competition.

Rader, Fishman & Grauer managing partner Michael Stewart, '91, welcomes Michigan Law students to the firm's courtroom in Bloomfield Hills, where they competed to represent the Law School chapter of the Intellectual Property Student Association in regional competition in Chicago. The team of Dwayne Stresman and Esha Krishnaswamy, below left, won the judgment over the team of Andrew Wicklund and Teresa Lin, right. Raderman Fishman attorney Tom Bejin, '91, served as one of three judges for the occasion.

2002

Angela E. Banks has joined Brantley, Jenkins, Riddle, Hardee & Hardee and is representing clients involved in personal injury, wrongful death, social security, workers' compensation, and nursing home abuse and neglect cases. She is working in both the law firm's Goldsboro and Raleigh offices.

Elizabeth Anne Khalil recently became a senior attorney at the Office of the Comptroller of the Currency in Washington, D.C.

2003

5TH REUNION

The class of 2003 reunion will be October 3-5, 2008

Pippin C. Brehler and Janice Brehler proudly announce the birth of Lisette Eleanor on February 8, 2008.

Sonia E. Rolland, a lecturer-visiting faculty member at Michigan Law this past academic year, will join the tenure track faculty at Northeastern University Law School in Boston in January and will teach public international law and international trade law.

2004

Manu Bhardwaj recently finished a one-year clerkship with United States District Judge Margaret B. Seymour and is slated to begin working as an associate at Wilkie Farr & Gallagher in Washington, D.C.

From top: Matthew G. Morris, '06, Michael B. Jacobson, '07, Kelvin M. Lawrence, '07, Thomas P. McNulty, '07, Anthen T. Perry, '07

Brian S. Tobin of the Southfield, Michigan, office of Brooks, Kushman PC, was honored for his voluntary pro bono work during the past year at the Annual State of the Court and Pro Bono Recognition Luncheon hosted by the United States District Court, Eastern District of Michigan Chapter of the Federal Bar Association.

Geoffrey M. Williamson has joined the law firm of Brownstein Hyatt Farber Schreck's Denver office as an associate.

2005

Phillis Rambsy has joined Sherrard & Roe in Nashville, Tennessee, as an associate.

Dan Scripps and **Jamie (Weitzel) Scripps** were married on October 6, 2007.

2006

Matthew G. Morris has joined Baker & Daniels LLP in Indianapolis as an associate practicing labor and employment law.

2007

Brian C. Doughty is joining Brooks Kushman PC, a national leader in IP law. He has been serving the firm as a law clerk since May 2006.

Baker & Hostetler LLP has added **Michael B. Jacobson** as associate to its Cleveland office.

Zdenek Kuhn (S.J.D.) has assumed his duties as justice of the Supreme Administration Court of the Czech Republic in Brno and continues teaching with a reduced load at Charles University Law Faculty in Prague. Kuhn helped organize the Czech Society of European Law, which has named its first series of studies The Eric Stein Papers in European Law, after Michigan Law Hessel E. Yntema Professor of Law Emeritus Eric Stein, '42.

Kelvin M. Lawrence has joined Baker & Hostetler LLP as an associate in the firm's Columbus, Ohio, office.

Baker & Hostetler LLP has added **Thomas P. McNulty** as associate to its Cleveland office.

Anthen T. Perry has joined the real estate practice in Dykema's Detroit office. His practice focuses on all aspects of real estate law, including acquisition and disposition, leasing, commercial finance, and due diligence.

Submit your Class Note electronically

We're always glad when you let us know about your new promotions, awards, re-locations, and other activities. And now you—or your firm's designee or public relations agency—can send us this information and a color photo electronically.

Just open Michigan Law's homepage—www.law.umich.edu—and left click on "Alumni and Friends" in the left column. A panel will drop down to the right of that column. Track your mouse down that panel to "Submit a LQN Class Note" and left click. A form called "LQN Class Notes" will pop up on your screen.

The form has open blocks for you to type in your name, class year, e-mail address, and a box for "Your news/updates." Just below the box is a highlighted line you can click to upload your prepared press release and/or a color photo. For the color photos, please send photos of 300 dpi or better to ensure good reproduction.

Near the bottom of the form are boxes for the name and e-mail address of the person submitting the information.

And, finally, for you retro fans of snail mail—or those who are sending a glossy color photo or other material that doesn't lend itself to electronic transmission—there is our traditional mailing address (see inside front cover).

Please let us know what you've been up to.

In Memoriam

Terrence A. Elkes, '58

Long-time Michigan Law and University of Michigan supporter Terrence A. Elkes, '58, died suddenly on January 18 at the age of 73. His wife, Ruth, for whom he had provided attentive care in her final illness, died last November.

Elkes' "energy, support, and enthusiasm for all things Michigan Law will be sorely missed," Dean Evan H. Caminker said in announcing Elkes's death to Michigan Law faculty members. "Terry was very actively engaged with the alumni leadership of the School," said Caminker, who noted that Elkes chaired the Campaign Steering Committee for the capital campaign that ran in the 1990s, and in that role also spearheaded the effort to create the 'Elkes Leaves' for faculty to devote more time to research or other duties.

"He remained an active honorary chair of the current Campaign Steering Committee, and served on President Mary Sue Coleman's Presidential Advisory Group as well," Caminker noted. "And for the past 15 years he served as the Law School's co-trustee (along with Citi) of the Cook trust, which supports our research efforts in many ways."

Lee C. Bollinger knew and worked with Elkes over a period of many years, both during Bollinger's time as faculty member and dean of the Law School and later as president of the University of Michigan. "Terry Elkes was completely committed to the Law School, and the University, for all the right reasons," said Bollinger, who has been president of Columbia University since 2002. "He believed in its values as a public institution and loved the fact that it had provided access to excluded or disadvantaged young people for many generations. He was also a good and loyal friend."

John M. Nannes, '73, whose generosity supports the annual Nannes 3L Challenge, which provides funds to Law School student organizations designated by third-year students who pledge to donate to the Law School for three years after they graduate, also knew and worked with Elkes for many years.

"For Terry, there was no limit on what the Law School could accomplish," said Nannes, a partner with Skadden Arps Slate Meagher & Flom in Washington, D.C. "When the Law School was about to announce a fund-raising campaign in the early 1990s, my recollection is that the dean upped the goal by $15 million at the last minute. I always suspected that Terry had gone to the dean and said the Law School should aim higher, and then he chaired the campaign to make sure that we met that goal. This was pure Terry."

Born and raised in the Bronx, Elkes studied at the City College of New York before earning his J.D. at Michigan Law. After serving in a legal capacity at companies such as Norwich Pharmaceuticals and Parson and Whittemore, he became general counsel at Viacom, where he rose to eventually serve as president and CEO. Under his leadership Viacom grew into one of the largest media companies today. In recent years, he served as a principal at Apollo Partners, an investment group in New York.

A generous philanthropist whose involvements made him a model and inspiration for many people, he established the Elkes Foundation, which supports the University of Michigan as well as other schools and organizations. He is survived by his sons David, Stephen, and Daniel.

Kimberly M. Cahill, '85

Immediate past Michigan State Bar President Kimberly M. Cahill, '85, died January 21 following a brief battle with cancer. She was 47 and the first Michigan Law woman graduate to head the state bar.

"Those of us who were lucky enough to spend time with Kim will never forget the intelligence, wit, and humanity she brought to everything she did." said State Bar President Ronald D. Keefe.

"Kim Cahill was an extraordinarily gifted lawyer who was generous beyond measure in sharing her talents on behalf of the profession she loved," said fellow Michigan Law graduate and state Bar Executive Director Janet K. Welch, '88. "Her inspiring leadership and tireless efforts on behalf of access to justice have left an indelible mark, and have strengthened both the organized bar and the legal system in Michigan. Those of us who had the pleasure of working with her are richer for having known her, and we will miss her exuberant spirit and uncommon common sense."

Cahill practiced law in Center Line, Michigan, for more than 20 years. Her long-time law partners were her mother, Florence Schoenherr-Warnez, and sister, Dana M. Warnez. Their practice focused on real estate, probate, and estate planning and family law matters. She was also the president of Schoenherr Developments Inc., a company that acquires, develops, constructs, and leases commercial, industrial, and office properties.

A lifelong resident of Warren, Cahill was active in her local community. She served as president of the Macomb County Bar Association in 2001-02, was a founding member and recent past-president of the Macomb County Bar Foundation, and served as president of both the Macomb region of the Women Lawyers Association of Michigan (MLAM) in 1989 and the state WLAM in 1996. She also served as treasurer of the WLAM Foundation, which promotes educational opportunities for women lawyers and law students.

Albert (Beto) Alvaro Munoz II, '74

Alberto (Beto) Alvaro Munoz II, '74, of Roma, Texas, died January 13. He was 57.

Munoz was a longtime supporter of the Law School and a member of the Dean's Advisory Council. He also was a continuing supporter of the Juan Tienda Scholarships, awarded at an annual banquet that draws some 200 participants.

Munoz began law practice in McAllen, Texas, with Atlas & Hall. He later practiced with Ralph Flores and Bob Sanchez and eventually became a partner in Munoz, Hockema & Reed.

Active in support of the Boy Scouts of America (BSA), he served on BSA's National Executive Board, as president of the Rio Grande Council and the 13th State Southern Region, and chaired the National Scoutreach Committee. BSA honored him for his service to youth and conferred upon him its highest commendation, the Silver Buffalo Award, for "truly noteworthy and extraordinary service." Other recipients have included Neil Armstrong, Walt Disney, Colin Powell, Franklin Roosevelt, Dwight D. Eisenhower, Irving Berlin, and Francis Cardinal Spellman.

In Memoriam

Victor Rabinowitz, '34

Victor Rabinowitz, '34, the fiery left-leaning attorney who was a founding member of the National Lawyers Guild in 1937 and convinced the U.S. Supreme Court in 1964 that the United States should not interfere with Cuba's nationalization of U.S.-owned property, died last November 16 at his home in Manhattan. He was 96.

Perhaps most widely known as the last counsel for Alger Hiss, the American diplomat convicted of perjury in 1950 after being accused of spying for the Soviet Union, Rabinowitz earned both his bachelor's and law degrees at Michigan. A longtime legal associate of civil liberties lawyer Leonard Boudin, he was a founder of the firm now known as Rabinowitz, Boudin, Standard, Krinsky, and Lieberman.

The firm is thought to have represented more clients before the House Un-American Activities Committee than any other—Rabinowitz once said he had represented some 225 people before the committee—and over the years clients included author Dashiel Hammett, singer/actor Paul Robeson, Pentagon Papers figure Daniel Ellsberg, civil rights and political leader Julian Bond, and antiwar activists like child specialist Dr. Benjamin Spock and the Rev. Philip Berrigan. During the 1960s Rabinowitz defended civil rights workers in the American South, including his own daughter, Joni, arrested in Albany, Georgia.

Rabinowitz wrote of his actions and beliefs in his 1996 book, *Unrepentant Leftist, A Lawyer's Memoir.*

'33	Gabriel N. Alexander	9/14/2007
	Kenneth J. Logan	3/10/2008
'34	Victor Rabinowitz	11/16/2007
'36	Perry T. Garver	10/21/2007
'37	William F. Farrell	1/14/2008
'39	John H. Morgan	9/14/2007
	Ladimir John Moudry	2/21/2008
'40	Tom Downs	12/26/2007
	Edward H. Walworth Jr.	10/15/2007
'41	Dennis John Lindsay	10/2/2007
	Robert A. Reeder	1/20/2008
	Jay Camburn Taylor	11/30/2007
'42	David Davidoff	11/25/2007
	James A. Harper	2/27/2008
	Wilbur Jacobs	9/28/2007
	Frederick M. Stults Jr.	10/19/2007
'46	George R. Thornton	11/28/2007
'47	Zoe S. Burkholz	3/8/2008
	Stephen W. Karr	9/28/2007
	Richard F. O'Hara	9/29/2007
	Richard Carl Scatterday	3/9/2008
'48	Jacob J. Boesel	2/27/2008
	Leslie W. Fleming	2/2/2008
	William R. Forry	9/7/2007
	Harry Albert Lockwood	1/17/2008
'49	Allan D. Behrendt	1/26/2008
	W. Park Catchpole	9/16/2007
	Michael R. Gallagher	10/27/2007
	Robert G. Johnson	9/14/2007
	Don V. Souter	11/5/2007
'50	Sylvester J. Petro (LL.M.)	11/10/2007
	Everett M. Scranton	1/25/2008
	Theodore E. Troff	10/5/2007
'51	Theodore H. Drews	11/14/2007
	Rex Eames	12/22/2007
	Stanley D. Elkind	8/8/2007
	Joesph H. Redmon	9/16/2007
	Thomas A. Reynolds Jr.	2/14/2008
	Ellis Free Robinson	12/11/2007
'52	Dudley J. Godfrey Jr.	12/20/2007
	Ralph W. Larson	9/22/2007

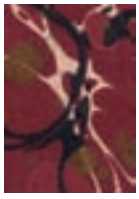
’53	Stanley A. Friedman	1/14/2008
	E. James Gamble	10/20/2007
	Anthony F. Leone	3/4/2008
	Duane Morris	8/28/2007
	John J. Namenye	2/28/2008
’54	F. Neil Aschemeyer	12/23/2007
	Jack L. Miller	1/8/2008
	Robert G. Quinn Jr.	1/16/2008
’55	David M. Preston	10/28/2007
’57	John F. Foley	8/29/2007
	James J. Kilsdonk	1/2/2008
	Latham B. Lawton Jr.	10/21/2007
	Julian J. Linde	9/2/2007
’58	Robert Dunlap	2/14/2008
	Terrence A. Elkes	1/18/2008
	Eugene J. Farrug Sr.	9/17/2007
	Jacqueline Szewczyk-Berthelot (LL.M.C.L.)	2/2/2007
’60	Elliott M. Epstein	12/5/2007
’62	Alan G. Friedman	10/28/2007
	Charles G. Symmonds	2/7/2008
’63	Robert G. Lanes	1/20/2008
’64	Paul E. Gillmor	9/5/2007
	Henry R.H. McAllen	1/7/2008
	Roger C. Ohlrich	11/10/2007
’65	Fred J. McDonald (LL.M.)	12/9/2007
	Justin C. Ravitz	12/26/2007
’66	Terrance K. Boyle	3/17/2008
	Robert P. McBain	1/4/2008
	Richard J. Taylor	10/17/2007
’67	James M. Deimen	11/6/2007
	Marilyn W. Groves	4/23/2007
	J. Kenneth Gulden	2/6/2008
’68	John L. Hayes	11/8/2007
’69	James W. Pyle	12/26/2007
’72	Phillip J. Bowen	9/18/2007
’74	Alberto A. Munoz II	1/13/2008
’77	Paul J. Grant	11/20/2007
’85	Kimberly M. Cahill	1/21/2008
’87	Neil F. Siegel	10/31/2007
’95	Sheri L. Everson	2/12/2008

Campaign Report

IN DETAIL

52 End paper detail from "History of English Literature," Vol. IV, Part II by H.A. Taine, D.C.L., 1898.

Part of the collection of William W. Cook's books located in his library, Room 913 Legal Research Building.



Campaign coming to a close

Michigan Law is heading into the final months of the Building On Campaign, which concludes December 31.

In our campaign, everyone wins—our students, our faculty, and you, our alumni, who see the value of your degrees enhanced by the generous gifts that keep Michigan among the world's great law schools.

I want to extend my heartfelt thanks to those who have already given—many of you multiple times—to the Building On Campaign. Your partnership is one of the Law School's most significant assets. Your support is essential to the School's future.

I hope you'll save the weekend of November 14-15 to help us celebrate the success of our campaign.

And I encourage you to consider making a campaign commitment before December 31, even if you have already given, but especially if you have not.

You have the opportunity to support Michigan Law in all four of our goal areas, as the donors you'll read about in the following pages have done:

- The building expansion and renovation project
- Student support
- Faculty support
- The Law School Fund

Elsewhere in this magazine you'll read about the progress of the historic building project. We're very excited to be moving forward on the expansion and renovation of the Law Quad, which will have a huge impact on the Law School's mission for many years to come. But we have much work to do to bring this historic project to fruition, and we welcome your help in reaching our goal.

Also, did you know that gifts for Law School scholarships are currently receiving a one-to-two match? That's right: To encourage support of graduate and professional students, University President Mary Sue Coleman's Donor Challenge initiative will match all gifts for this purpose by 50 cents on the dollar for a limited time. That gives you the opportunity to stretch your scholarship gift even further to help the Law School in this critical area of need. The program continues until $40 million in gifts have been received (for graduate and professional aid at the University) or until the Michigan Difference Campaign ends December 31, 2008, whichever comes first.

Your gift made by year's end will be the best possible birthday present you can give to Michigan Law, whose sesquicentennial celebration begins January 1, 2009.

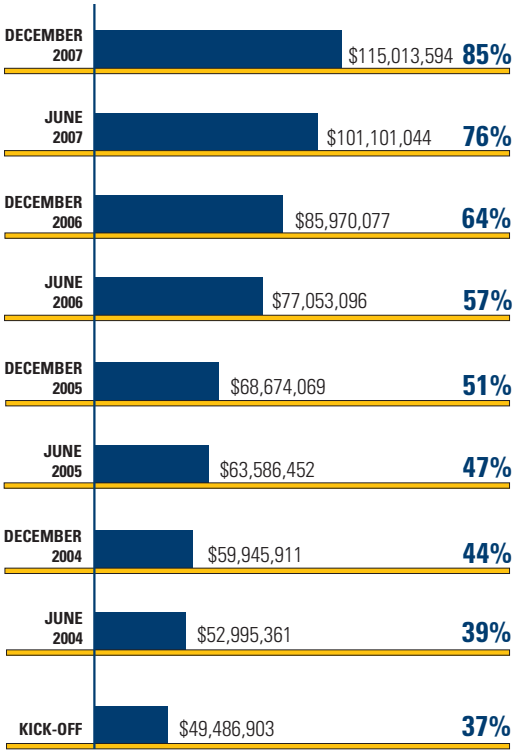
Please join your fellow alumni in helping to make the Law School strong for the next 150 years. For information on making a gift, call 734.615.4500. For more information on the Building On Campaign, please visit www.law.umich.edu/campaign.

Todd M. Baily
Assistant Dean for Development and Alumni Relations

P.S. Have you considered including the Law School in your estate plan? Please contact us at the number above to explore your options.

BUILDING ON...
THE CAMPAIGN FOR THE UNIVERSITY OF MICHIGAN LAW SCHOOL

THE CAMPAIGN FOR THE UNIVERSITY OF MICHIGAN LAW SCHOOL



Quinn creates new endowment for scholarships

Yvonne S. Quinn, '76, of New York City, has made a recent gift of $530,000 establishing the Yvonne S. Quinn Scholarship Award Fund.

Of that total, $450,000 will receive a one-to-two match from the President's Donor Challenge, an initiative launched last fall by President Mary Sue Coleman to encourage gifts for graduate and professional student support. The matching funds will raise the level of Quinn's new scholarship endowment to $755,000.

Quinn's campaign giving also includes a challenge gift of $100,000 made in honor of her 30-year reunion. She previously made a gift of $100,000 for scholarship support and is a longtime benefactor of the Law School Fund.

"I am pleased to assist the Law School in addressing its great need for scholarship support by taking advantage of the President's Donor Challenge opportunity," says Quinn. "Promised support from an endowed scholarship fund was a determining factor in my choosing Michigan Law over other terrific law schools 30 years ago. I want to give other students the opportunity to make that same choice. Equally important, given that the cost of a first-rate legal education has risen dramatically in recent years, Michigan Law must work even harder to ensure that the most promising students can afford to choose Michigan. I hope this fund will help."

Upon graduation from the Law and Economics program at Michigan, Quinn initially went to work for Cravath, Swaine & Moore and then shifted to Sullivan & Cromwell in 1980 and became a partner there in 1984. She is a member of Sullivan & Cromwell's litigation group and one of the two partners in charge of coordinating its antitrust practice, which includes antitrust litigation, counseling, and global merger clearance work. She also handles a variety of commercial litigations.

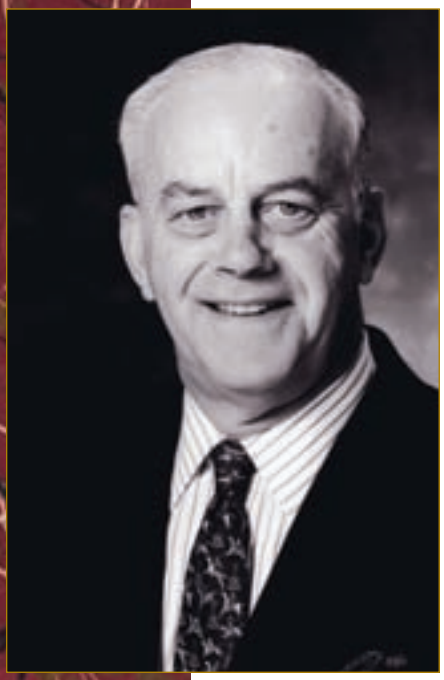
Quinn serves on the University's Tri-State Major Gifts Committee.

Luciano supports new building with naming gift

Robert P. Luciano, '58, of Morristown, New Jersey, has made a commitment of $1.5 million to support the building expansion and renovation project.

In recognition of the gift, he will name the suite of offices in the new building that will house the Office of Career Services and the Office of Public Service.

A longtime benefactor of the Law School, Luciano, with his wife, Barbara, made a gift to endow a professorship during the Law School's last campaign. The Robert and Barbara Luciano Chair has been held since its inception by Professor Rebecca S. Eisenberg, a specialist in intellectual property law whose research and teaching often focuses on the role of intellectual property in biopharmaceutical research.



He previously established and made additional commitments to the Robert P. Luciano Endowed Dean's Discretionary Fund at the Law School.

Luciano is chairman emeritus of Schering-Plough Corporation. He served as the company's chief executive officer from 1982-1996 and as chairman of the board from 1984-1998. He led the transformation of Schering-Plough into a focused, research-based pharmaceutical company, expanding its presence into international markets and directing its entry into biotechnology. Luciano's early focus on biotechnology enabled Schering-Plough to introduce some of the first commercially viable cancer treatment drugs.

Luciano served on the former Committee of Visitors and the Law School's New York Major Gifts Committee. He has served the University on the President's Advisory Group, the Campaign for Michigan National Committee, and the Manhattan Major Gifts Committee.

In appreciation for Luciano's volunteer leadership in both the Law School and the College of Pharmacy, he was honored in 1990 with the University's Presidential Societies Service Citation for exceptional leadership in fundraising.

Jentes reaffirms commitment to merit scholarships

As a youngster, William Jentes, '56, had a clear view of his career path. "I'm going to be a lawyer," he told anyone who asked.

Bill, who has called Chicago his home since graduating from the Law School, had an equally clear idea of how he wanted to thank the School for the outstanding education it provided him. For nearly two decades, he has made it possible for students with a dream similar to his to receive a Michigan Law education. Each year since 1989, three incoming students have been chosen as recipients of Jentes Merit Scholarships, full tuition awards made on the basis of undergraduate achievement and potential to excel at Michigan Law.

He created the program because he believes the School benefits "from the presence of exceptionally qualified students who could add to the dynamism of its academic environment," as he writes in a statement sent to each new Jentes Scholar. Jentes says, "The Law School has had an immense influence on my achievements inside and outside the practice of law, and I want to show my appreciation."

Bill recently reaffirmed his commitment to his merit-based program with a new gift of $1 million to fund the Jentes Scholarships in future years. His gift will be matched by $500,000 from President Mary Sue Coleman through her Donor Challenge for graduate scholarships.

Jentes is an alumnus of the University's former Combined Curriculum in Letters and Law, a six-year program in which he earned both a B.A. degree (in 1953) and a J.D. (Order of the Coif in 1956), as well as serving as undergraduate president of the Michigan Union and as an associate editor of the *Michigan Law Review.*

Upon graduation, Bill went to work for Kirkland & Ellis, one of the nation's premier firms with a particular emphasis on litigation, the practice area that most interested him. "I happened to arrive on the scene at exactly the right time as the firm's large-case litigation work grew dramatically," he recalls.

The whole character of trial law was changing, and Jentes became a major player. Today he teaches a seminar in complex litigation at the Law School, in which he draws on the knowledge and experience he gained from nearly four decades of practice as lead trial and appellate counsel in many of Kirkland & Ellis's most significant cases.

More recently, he left the firm to concentrate on his practice as an independent arbitrator and mediator of major domestic and international commercial disputes, which he began in 1998. "Interestingly, the type of cases I arbitrate and mediate are very close to the cases I used to handle as an advocate—generally very complicated factual and legal matters," Jentes says.

In addition to his teaching at the Law School and his funding of the Merit Scholarships, Jentes serves as an honorary chair of the Law School's Building On Campaign.

Family honors Stanley S. Schwartz, '55, with memorial scholarship fund

Ilene P. Schwartz, of Franklin, Michigan, together with her sons Steven of Ann Arbor and Bob of Huntington Woods, have made a gift to establish a scholarship fund in memory of their husband and father, Stanley S. Schwartz, '55, who died in 2004.

The Stanley S. Schwartz Scholarship Fund will assist students on the basis of both need and merit.

"We are attempting to honor him and to honor the scholarship recipients who embody his passion for the law and his desire to use his legal acumen to help individuals and families in their greatest time of need," said the Schwartz family in making the gift. "My husband was a legendary trial attorney and recognized as one of the country's preeminent litigators in the field of tort law, as well as a pioneer in the field of birth trauma litigation," said Ilene Schwartz. "His deft and brilliant skills at depositions and in the courtroom were well known and he was famed for his meticulous attention to preparation. He was also an accomplished author."

A New York City native, Mr. Schwartz was born in the Bronx and attended undergraduate school at the University of Michigan where he earned a B.A. with honors in English in 1952. He went on to graduate with honors from the Law School and began his career with the Detroit law firm of A. Albert Sugar. He was a founding partner, along with his brother Leonard B. Schwartz, '59, in the prestigious firm of Sommers, Schwartz, Silver & Schwartz.

He wrote five books on medical malpractice law, including *The Anatomy of a Lawsuit, Michigan Malpractice Law,* and *Handling Birth Trauma Cases: Volumes I and II.* Mr. Schwartz was also an adjunct professor at the University of Michigan Law School, where he taught an advanced seminar on trial advocacy and medical malpractice.

He was active in many professional associations, including the American Bar Association, the American Trial Lawyers Association, the Michigan Trial Lawyers Association, the Michigan Bar Association, the California Trial Lawyers Association, and the Illinois Trial Lawyers Association. He lectured regularly at trial associations, bar associations, and other professional organizations throughout the United States, and was also involved in various charities, including the Crohn's and Colitis Foundation of Michigan and the ALS Association.

The $1 million gift comprises an $810,000 commitment from the Schwartz family and a gift of $190,000 made by Stanley Schwartz during his lifetime. The new gift made by the family received a $405,000 match from President Mary Sue Coleman through her Donor Challenge initiative to encourage support for scholarships for professional and graduate students.

New Professorship from Practice honors Jeffrey Liss

When Jeffrey Liss, '75, died of pancreatic cancer in March 2007, hundreds mourned his loss.

The co-managing partner of DLA Piper's U.S. offices was eulogized as passionate and funny, a consummate professional whose family meant the world to him, a fierce competitor who never lost sight of his personal values, a champion of his law firm and everyone in it, and a tireless advocate for the public good.

Now, many of those whose lives Liss touched have come together to give a total of more than $1 million to create a most appropriate memorial at the Law School: the Jeffrey F. Liss Professorship from Practice, honoring Liss's many contributions to the legal profession and the life of the School.

In January, Dean Evan H. Caminker named David M. Uhlmann, inaugural director of the Environmental Law and Policy Program, as the first Jeffrey F. Liss Professor from Practice.

"The reason we wanted to create a Professorship from Practice is because that's what Jeffrey did at the Law School for many years—he brought the world of practice into the academy, he bridged those worlds," says his wife, Susan Liss, of Chevy Chase, Maryland.

She has been deeply moved by the broad-based support for the professorship. Gifts at all levels came not only from family, friends, and professional colleagues, but also from DLA Piper's administrative staff. "It was just so incredibly generous, thoughtful, and sincere," she says.

Andy Marks, '76, and Susan Esserman, '77, of Bethesda, Maryland, friends of the Lisses for more than three decades, headed up a group of 10 couples who made generous personal gifts to the professorship and encouraged many others to do the same.

"We went over Jeffrey's extensive Rolodex," says Marks, "and did a broad outreach to friends, clients, professional and personal acquaintances of Jeffrey, to tell them what a wonderful tribute the Liss Professorship was and how much it meant to Susan."

Not forgotten in the appeal were Liss's fellow players in the Ponce de Leon League, a Washington-area baseball league for men over 30 where he earned the nickname "Scrap Iron." Liss, who played catcher well into his 50s, was also a regular at the Baltimore Orioles' annual Fantasy Camp.

In recognition of Liss's significant role in the firm's growth, development, and values, DLA Piper also made a generous gift to create the Liss Professorship.

"Jeff Liss was the moral compass of our firm, and his commitment to the University of Michigan and its Law School were important to him," says Lee Miller, the firm's joint chief executive officer. "It was important to us to memorialize that, and to move forward with a program that was consistent with the values that Jeff brought to bear on his life."

1. Jeff Liss, center, with Ted Novak, left, and David Reifman, fellow partners in DLA Piper.

2. From left, DLA Piper Joint CEO Frank Burch, Jeff Liss, DLA Piper Juvenile Justice Project Fellow Carolyn Frazier, and DLA Piper Joint CEO Lee Miller.

Liss felt a strong commitment to public service. He believed every lawyer had a responsibility to serve the public, and he worked to increase dramatically the scope and depth of DLA Piper's pro bono work, including the firm's international pro bono initiative, the New Perimeter Program. Liss led by example, acting, in one notable success, as lead counsel in an important class action lawsuit involving the civil rights of corrections workers in jails in Washington, D.C.

"Jeff also appreciated how a commitment to the public good and to the needs of the less fortunate is a powerful galvanizing agent for a firm like ours, which is a product of numerous combinations," says Frank Burch, the firm's joint chief executive officer.

Among many other volunteer roles, Liss chaired the American Bar Association Commission on the Billable Hour and the Washington, D.C. Bar Task Force in Civility on the Profession; served on the advisory board of the D.C. Bar Foundation, which raises and gives money for pro bono services; and served as an officer of the Baltimore Symphony Orchestra, where he headed the search committee for the new president and new conductor.

He was a longstanding adjunct faculty member at Michigan and other law schools, teaching subjects that matched his wide range of interests. At the same time, Liss maintained a full load as a litigator, and was a recognized authority on environmental and insurance coverage law who tried a number of cases every year. Since his days as an associate he was involved in firm management, helping lead the firm—previously known as Piper & Marbury—through a period of tremendous growth and expansion, eventually helping to create an international law firm with 63 offices in 24 countries.

Liss, whose sense of humor was legendary, also loved a good time. And he was dedicated to the Maize and Blue, turning the annual Michigan-Ohio State game into a destination party for family and friends. He was a three-degree Wolverine who also earned a B.A. in history and an M.A. in philosophy from the University. In law school, Liss was notes editor for the *Journal of Law Reform.* After graduation, he became a committed volunteer and donor to the Law School and the University.

"From early in his career, he felt an obligation to the Law School," says Susan Liss. "He felt like he got so much out of his experience there, not just in classes and on the *Journal of Law Reform,* but through his engagement with his professors and his interest in a whole range of issues."

Two scholarships in the College of Literature, Science, and the Arts were created to honor Jeffrey's memory: one providing annual support for students in the Michigan in Washington Program, a second providing annual need-based assistance to undergraduate students, endowed by James and Doris Brogan of St. Davids, Pennsylvania.

Friends and colleagues agree that the Liss Professorship from Practice was an inspired way to honor this special man. "There will never be another Jeffrey," says Marks. "He was a great role model of how you can be serious, even ambitious, and work really hard, and still have time to laugh and to mentor and inspire people. He was the soul of his law firm, and that same soul came through in everything he did."

Parents honor Diane Kaye's memory with need-based scholarship

As first-generation Americans, Charles and Mildred Kaye of Southfield, Michigan, learned the importance of education at an early age. They instilled their daughters, Diane, '75, and Barbara, '85, with the same core value.

The Kayes, who received help to complete their educations—Charles Kaye, a CPA, through the GI Bill, and Mildred Kaye, a retired business education teacher, through the National Youth Administration program—also understand the tremendous need for scholarship assistance.

So when Diane died of cancer in July 2007, her parents felt that creating a need-based scholarship in her name at the Law School was the most appropriate memorial the family could make.

"We were taught that the only things that remained permanent were education and hard work," says Charles Kaye. "Those things could not be taken away from you."

The Kayes' generous gift of $100,000 endowed the Diane Lynn Kaye Memorial Scholarship at the Law School. Their gift will be matched by $50,000 from President Mary Sue Coleman through her Donor Challenge for graduate scholarships.

The first recipient of the award is Sarah Holt, of Novi, Michigan, who at 16 founded the nonprofit group Teens Aiding the Cancer Community to help children with cancer.

"I'm really honored to be chosen for the award," says Holt, who just finished her 1L year. "The Kayes are a great family, and this is a great thing that they've done to memorialize their daughter."

Diane Kaye came to the University of Michigan as an undergraduate, majoring in political science and graduating in 1972 as a member of Phi Beta Kappa. She considered a teaching career, but opted instead for law school, a good choice, her father says, for a person with her considerable verbal skills. She served on the *University of Michigan Journal of Law Reform* and worked for Harry T. Edwards, '65, then on the Michigan Law faculty and appointed in 1980 to the U.S. Court of Appeals for the District of Columbia Circuit, where he served as Chief Judge from 1994-2001.

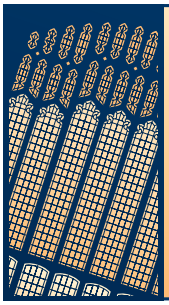
Diane Kaye, '75

Upon graduation from Michigan Law, Diane joined the legal staff of General Motors, where she served in a variety of legal counseling positions. In 1978 she became general counsel of Motor Enterprises Inc., the General Motors Minority Enterprise Small Business Investment Committee. She was named GM corporation secretary in 1983.

She went on to serve as general counsel of Federal Mogul and later returned to GM, becoming secretary to the board of its former division, Delphi.

The Kayes enjoyed meeting their scholarship student earlier this year. As he talks about his pleasure at the impact of the gift, Charles Kaye recalls a quote from Winston Churchill of which he is fond: "We make a living by what we get, but we make a life by what we give."

Through their philanthropy, the Kayes are demonstrating to many the value of making a life.



How to make a gift to Michigan Law

Online credit card gifts: Visit **www.law.umich.edu/campaign** and click on Michigan Online Giving.

Gifts of securities: Call toll free **877.647.9090** or e-mail **umgiftsec@umich.edu**

For assistance: Call the Office of Development and Alumni Relations **734.615.4500**

Gorlin supports building and Law School Fund

Robert H. Gorlin, '77, of Northville, Michigan, has made a gift of $175,000 to the building expansion and renovation project and of $12,500 to support the Law School Fund at the Cavaedium Society level for the next five years in honor of his 30th reunion.

A vice president and senior advisor at Guardian Industries Corp., Gorlin previously made a campaign gift of $75,000 for building support and is a longtime supporter of the Law School Fund.

"The University of Michigan Law School gave me the opportunity to have a very interesting and productive career, and it is only natural to give something back," Gorlin says. "A new building and improved infrastructure are a necessity if the Law School is to remain a premier institution. I also believe that contributions to the Law School Fund will give the School's leadership greater flexibility and independence in the future."

Robert H. Gorlin, '77

Gorlin earned a Ph.D. in Russian history from the University before coming to the Law School, where he was editor in chief of the *Michigan Law Review* and graduated Order of the Coif. He is a former partner with Dykema Gossett and was General Counsel of Guardian until 2007.

He serves on the University Library Leadership Council and the Advisory Council of the Center for Russian and East European Studies in the College of Literature, Science, and the Arts. He is also a member of the Executive Committee of the Michigan Members of the Stratford Shakespeare Festival.

Honigman firm endows memorial scholarship

Jack Miller, '35

Honigman Miller Schwartz and Cohn LLP recently gave $100,000 to establish a new scholarship fund in memory of Jack Miller, '35, a founding partner of the Detroit-based firm. Miller died March 6, 2007.

The commitment qualifies for a one-to-two match from President Mary Sue Coleman's Donor Challenge Fund, bringing the new gift for endowment to $150,000.

The new scholarship fund will provide a scholarship annually to an incoming first-year law student, who will also be offered the opportunity to work as a summer associate at Honigman. Preference will be given to financially challenged students from Detroit, where Miller was raised and Honigman was founded and headquartered.

"We are proud to be able to celebrate Jack Miller's amazing life and accomplishments with this gift," says Alan S. Schwartz, chief executive officer at Honigman.

Sumitomo Mitsui Banking Corporation gives to building project

Sumitomo Mitsui Banking Corporation has made a gift of $500,000 to support the building expansion and renovation project.

SMBC President Masayuki Oku, LL.M. '75, presented Dean Evan Caminker with a check at a luncheon ceremony in Ann Arbor on January 14. Other SMBC officials in attendance were Tetsuya Kubo, SMBC Managing Director and Head of The Americas Division, and Yoshihiro Hyakutome, General Manager of corporate finance.

They were joined by Virginia Gordan, assistant dean for international affairs, and Mark West, the Nippon Life Professor of Law and director of both the University's Center for Japanese Studies and the Center for International and Comparative Law at the Law School.

This was Oku's first campus visit since he attended a reunion of international students in 1992. He received a campus tour and an update on the building project from the Dean.

"The Law School is deeply appreciative of this generous gift from Sumitomo Mitsui Banking Corporation, and we were honored to host our alumnus Mr. Oku and his colleagues for their visit to campus," says Dean Caminker. "We are pleased that the relationship between the Law School and Sumitomo will continue for many years to come."

Oku, whose career with the bank spans 40 years, was the first SMBC executive to study at Michigan Law. He recalls his time at the Law School as both challenging and rewarding.

"It was my first experience to live and study in the States, so in that sense it was a very tough time," he says. "I had to live without speaking Japanese; also, the legal system here is very different from the Japanese legal system. But I liked it very much."

Oku also worked in the United States, an experience he believes is essential for Japanese working in international business. Indeed, many SMBC executives, like Kubo and Hyakutome, come to the U.S. for graduate study and to work, as Oku did.

"To know the outside world is very important," says Oku. "Multicultural experience is very important for Japan, which is very much a trade-oriented country."

The gift continues the longstanding relationship between SMBC and the Law School. In 1990 the bank made a generous gift to establish the Sumitomo Bank Endowment Fund for Japanese/American Legal Studies. The fund has supported such initiatives as courses within the program, study abroad opportunities in Japan for J.D. students, Michigan Law's faculty exchange program with the University of Tokyo Faculty of Law, visiting professors and scholars from prominent Japanese institutions, the LL.M. program for Japanese students, and the Law Library's extensive collection of materials related to Japanese law.

Recent Gifts

Lance J. Johnson, '65


Camille A. Olson, '83


Raymond R. Kepner, '77

The Law School's current campaign, "Building On: The Campaign for Michigan Law," is in its final months. Here are a few of the most recent gifts from among hundreds of alumni and friends who have given to the campaign:

The estate of **Dean L. Berry,** '60, of Aurora, Ohio, has made a gift of $100,000 establishing the Dean L. Berry Scholarship, to be awarded on the basis of need.

Kenneth and **Judy Betz,** of Rockford, Michigan, have made a gift of $100,000 to the Debt Management Program, adding to the endowment they created in 2005 to benefit the program. The couple's daughter **Heidi M. Thornton,** of Chicago, is a 1996 alumna of Michigan Law. Kenneth Betz is retired co-owner of Betz Industries in Grand Rapids, Michigan.

Lance J. Johnson, '65, has made a commitment of $200,000 to the Child Advocacy Law Clinic (CALC) that continues his previous support, as well as a bequest of $500,000 benefiting CALC.

Raymond R. Kepner, '77, and his wife, **Trischa O'Hanlon**, of Pasadena, California, have made a commitment of $50,000 to support the Theodore St. Antoine Collegiate Professorship. Kepner is a partner with Seyfarth Shaw LLP in the firm's Los Angeles office.

L. Bates Lea, '49, of Glenview, Illinois, and Naples, Florida, has made an additional $50,000 gift to the L. Bates Lea Fund, an endowment he created in 1993 to support international visiting professors and to promote long-term relationships between the Law School and foreign institutions. Lea is retired vice president and general counsel of Amoco Corporation.

S. Noel Melvin, '51, of Columbus, Ohio, has given $50,000 to the building expansion and renovation project. Melvin retired from Kegler, Brown, Hill & Ritter in Columbus, where his practice focused on litigation representing insurance companies.

Gregor N. Neff, '61, of Dobbs Ferry, New York, has made a gift of $35,000 to support both the Class of 1961 Memorial Scholarship Fund and the Gregor N. Neff Scholarship Fund. Neff is of counsel to Kramer Levin Naftalis and Frankel LLP.

Camille A. Olson, '83, of Chicago, has made a commitment of $50,000 to support the Theodore St. Antoine Collegiate Professorship. Olson is a partner with Seyfarth Shaw LLP in the firm's Chicago office. She recently served on the host committee for the Michigan Difference Seminars in Chicago event.

Kurt J. Wolff, '58, of Chicago and La Quinta, California, has made a gift of $50,000 to the Law School Fund. Wolff retired from legal practice with Otterbourg, Steindler, Houston & Rosen, PC of New York City "at the end of the last millennium," he writes.

Stanley R. Zax, '61, of Beverly Hills, California, has made a gift of $35,000 to support the Class of 1961 Memorial Scholarship Fund and the Law School Fund, continuing his giving at the Cavaedium Society level. Zax is chairman of Zenith National Insurance Company.

Class of 1961 endows memorial to classmates

The Class of 1961 has established a scholarship fund that honors and memorializes every member of the class, the first such scholarship to be created at the Law School since the 1920s.

The death of Kenneth Sparks, '61, in May 2007 prompted several classmates to ponder an appropriate lasting memorial at the Law School. Remembering other 1961 alums who had died, and considering that the class necrology would grow with the years, the group decided to expand its tribute to include the entire class.

They have met their initial fundraising goal of establishing a named scholarship, which received a one-to-two match from President Mary Sue Coleman's Donor Challenge for graduate scholarships. The class is continuing to add to the fund through additional donations, which will be matched one-to-two by the President's challenge fund through December 31.

The scholarship will be awarded for the first time in the 2008-2009 school year.

Leading the fundraising initiative are 1961 alumni Jim Adler of Los Angeles, Larry Scoville of St. Helena Island, South Carolina, Mac Trapp of Chicago, and Bill Webb of Devon, Pennsylvania, who have all made major gifts to the scholarship fund.

To make a gift to the Class of 1961 Memorial Scholarship Fund, or for information about the Fund, please call Janice Glander at 734.615.4521 or e-mail jglander@umich.edu.

Nannes 3L Challenge tops pledge goal for third year

John Nannes, '73, and Nannes 3L Challenge student co-chairs Matt Maddox, '08, and Brian Ferry, '08, at a luncheon at Michigan Law in October.

These days, students simply call it "Nannes"—evidence that the Nannes 3L Challenge is firmly embedded in the Law School culture.

And it's a winner for the third year in a row, thanks to a student fundraising committee and the commitment of a generous alumnus.

The Nannes Challenge ran from October 4-25 and resulted in 205 pledges from 3Ls to support the Law School Fund annually during the first three years after graduation—five pledges more than the goal of 200.

Following the successful conclusion, Challenge sponsor John Nannes, '73, of Bethesda, Maryland, made a gift of $51,250, which was distributed to the Law School student organizations of the donors' choices. Each student pledge secures $250 from Nannes, who makes his gift to encourage alumni giving in the first years out of school.

This is the third year that a student committee has run the Nannes Challenge, which is a major factor in the drive's success. So is the program's longevity, says Matt Maddox, '08, who co-chaired the committee this year after serving on it last year as a 2L.

"It seemed a lot easier this year," says Maddox, "a lot less having to ask and more people clamoring to pledge. There were people asking about this before we even kicked off."

The official launch took place on October 4 with a happy hour at Bar Louie that was made happier by unseasonable 80-degree temperatures.

Committee members are selected to represent all sections from the class's 1L year and a variety of student organizations, with the hope of extending the committee's reach to as many 3Ls as possible.

In turn, a spectrum of organizations benefited from Nannes' generosity, with Student Funded Fellowships the big winner by a significant amount.

To an extent, that's because many 3Ls have benefited from the fellowships, says co-chair Brian Ferry, '08. But that doesn't tell the whole story, he says.

"People really care about the program," says Ferry. "They realize there are others in the Law School community who rely on the money."

That reflects the Michigan Law community, Ferry says. "The Nannes program is a great example of that (spirit), and it also tends to foster it."

Thanks to the Nannes 3L Challenge Committee members: Ro Adebiyi, Dario Borghesan, Marianne Chow, Sarah Donaldson, Brian Ferry, Samantha Ford, Andrew Knepley, Ian Labitue, Wallace Lee, Matt Maddox, Sarah Molenkamp, Anjali Patel, Derald Seid, Vivian Shen, Scott Wilcox, and Shekar Krishnan.

Nannes 3L Challenge namesake John Nannes, '73, enjoys a light moment with Ian Labitue, '08, and Sarah Molenkamp, '07, during a visit with Nannes Challenge student committee members at the Law School last fall.

Lyzzette Bullock, '08, former co-chair of Outlaws, John Nannes, '73, and Scott Wilcox, '08, Nannes committee member, chat during a luncheon that celebrated the challenge's successful conclusion.

Crawford continues longtime support

Dewey B. Crawford, '66

Dewey B. Crawford, '66, of Winnetka, Illinois, considers the University of Michigan to be part of his lifeblood. His grandmother taught at the School of Music. His parents and sister were Michigan graduates; so were several uncles and aunts.

A native of tiny Breckenridge, Michigan, near the center of the Lower Peninsula, Crawford first came to campus at about age 4, when his parents brought him to a Wolverine football game. After graduating from the Law School, he left the state to serve in the military, then to forge a legal career in Chicago, but his enthusiasm for Ann Arbor has never waned.

"There are defining moments in your life and in your career, and certainly the Law School sent me on my way," says Crawford. "I've always had the greatest respect for the Law School and the University itself."

These days, Crawford is expressing his enthusiasm though generous giving. He and his wife, Nancy, recently made a gift of $457,000 to support the building project and another purpose to be designated. The Crawfords have also remembered the Law School in their estate plan and are continuing their loyal support of the Law School Fund at the Cavaedium Society level.

Crawford is a partner with Foley & Lardner LLP and co-chair of the firm's Chicago Business Law department. Previously he was a partner in the Chicago office of Gardner, Carton & Douglas, where he was past chair of the firm's corporate department and served on the Management Committee.

He has served the Law School as a member of his class reunion committee, as a firm captain for the annual giving program, and as a member of the Chicago host committee for the Building On Campaign.

Bickners are Hermelin Award recipients

For the second year in a row, a Law School alumnus has received the prestigious David B. Hermelin Award for Volunteer Fundraising Leadership from the University of Michigan.

Bruce P. Bickner, '68, chairman of the Law School's Building On Campaign, and his wife, Joan, of Sycamore, Illinois, were among the four recipients of the award, all key supporters of the University through generous gifts of time and resources.

President Mary Sue Coleman presented the awards October 26 during the Michigan Difference Weekend, an all-University campaign celebration.

"Joan and Bruce Bickner provide a rare dedication to and enthusiasm for the University," Coleman said.

Bickner was recognized for his leadership of the Law School's Campaign Steering Committee and service on the President's Advisory Group and the Dean's Advisory Council. Joan Bickner was honored for her service on the Division of Kinesiology's Campaign Steering Committee and in particular, her partnership in raising funds for the Division's building addition.

The Hermelin Awards honor volunteers who best reflect the character, fundraising prowess, and passionate dedication to the University exemplified by the late alumnus David Hermelin, a Detroit area philanthropist and entrepreneur who became U.S. ambassador to Norway. Hermelin served as a national leader in the University's Campaign for Michigan in the 1990s.

Bruce P. Bickner, '68, and his wife, Joan, with University of Michigan President Mary Sue Coleman, left, show the David B. Hermelin Award for Volunteer Leadership presented to them by the University.

Reunion Giving

Alumni reclaim the halls of Hutchins.

The recognition on these pages reflects all class giving during the 2007 class reunion counting period, which began July 1, 2006, and ended November 16, 2007. Total class giving includes all gifts made during this period to all aspects of the Law School's mission. Gifts and pledges to the Law School Fund, Michigan Law's annual giving program, are included in total class giving and noted separately as well. In addition, all gifts made during this period have been counted toward the Law School's current campaign, "Building On: The Campaign for the University of Michigan Law School."

Every effort has been made to ensure the accuracy of this report and the inclusion of each donor who supported the School's 2007 reunion campaign. If your name is misspelled, omitted, or incorrectly listed, we sincerely apologize. Please contact the Office of Development and Alumni Relations so that corrections can be made in future publications and in our records.

Save the dates!
2008 REUNIONS

- **September 26-28, 2008**
  Classes of 1953, 1958, 1963, 1968, 1973, 1978
- **October 3-5, 2008**
  Classes of 1983, 1988, 1993, 1998, 2003

For reunion updates, please visit
www.law.umich.edu/alumniandfriends/Pages/Reunion.aspx

CLASS OF 1952
55th Reunion

Fundraising Co-Chairs:
Warren G. Elliott
Kiehner Johnson

Participation Co-Chairs:
Burton Ansell
Wallace D. Riley

Reunion Committee:
Thomas D. Allen
W.H. (Bert) Bates
Frances E. Bilmes
Robert P. Duff
Bristol E. Hunter
James A. Kendall
John H. Kunkle
Patrick J. Ledwidge
William J. Marcoux
John R. Milligan
John H. Mitchell
Donald A. Odell
Martin C. Oetting
Kenneth O. Shively
Ralph Sosin

Total Class Giving.....$2,272,520
LSF Gifts and Pledges....$156,170

$1,000,000 and above
George A. Skestos

$100,000 to $249,999
Laurence L. Spitters

$50,000 to $99,999
Dudley J. Godfrey*

$10,000 to $24,999
Edward Goldstein
Kiehner Johnson
Wallace D. Riley
Clark A. Shanahan
Norman M. Spindelman

$5,000 to $9,999
Richard W. Billings
Martin B. Breighner
Robert P. Tiernan

$2,500 to $4,999
William A. Clark
Bernard Petrie*
Joseph S. Ransmeier
Kenneth O. Shively

$1,000 to $2,499
Burton L. Ansell
W.H. (Bert) Bates
Jon J. Chinen
John J. Douglass
James I. Huston
James A. Kendall
Peter C. Kostantacos
John H. Kunkle
Rodney C. Linton
John M. Longway
William J. Marcoux
Robert D. McFee
John R. Milligan
John H. Mitchell
Sonia Z. Shaw
Forrest W. Simmons
Nubar Tashjian
Joseph K. Wee

$1 to $999
Thomas D. Allen
George R. Ariyoshi
Raymond V. Arnold
Joseph C. Balich
Carleton D. Beh
Frances E. Bilmes
Willard L. Boyd
John J. Callahan
Thomas C. Cecil
Raymond F. Clevenger
Hugh A. Cook
Clan Crawford
Raymond L. Curran
Robert P. Duff
Charles E. Gibson
Loeb H. Granoff
Robert S. Griggs
Donald L. Hersh
Milton E. Higgs
Carl L. Horn
L. Douglas Hoyt
Bristol E. Hunter
Lawrence H. Johnson
Patrick J. Ledwidge
Martin R. Lewis
Cornelius E. Lombardi
Joseph R. McDonald
Richard P. McManus
Philip G. Meengs
Sol Mix
Martin C. Oetting
Warren K. Ornstein
Ton Seek Pai

Amy Rosenberg, '92, and Steve Hicks, '92, ready son Jonah for the big game.

Friends capture the moment at the Class of '92 dinner.

Burton Perlman
Howard J. Pridmore
George R. Reller
David W. Rowlinson
Robert P. Schwartz
Barbara Y. M. Simons
Ralph Sosin
Donald J. Veldman
James L. Weirbach
Hardin A. Whitney
Robert F. Williams
Louis E. Wirbel
John W. Woodard

CLASS OF 1957
50th Reunion

Reunion Chair:
Robert S. Rosenfeld

Reunion Committee:
Lee N. Abrams
David F. Breck
Sidney C. Kleinman
Robert L. Knauss
Frederick Mahan
David H. Marlin
George E. Montgomery
Jules M. Perlberg *
Robert S. Tancer

Total Class Giving.....$152,266
LSF Gifts and Pledges....$146,166

$25,000 and above
Robert S. Tancer

$10,000 to $24,999
John A. Beach
John H. Fildew
Sidney C. Kleinman
David H. Marlin
Cyril Moscow
Howard N. Nemerovski

$5,000 to $9,999
Lee N. Abrams
Frederick Mahan
Robert S. Rosenfeld

$2,500 to $4,999
David F. Breck
S. Jonathan Emerson
Philip A. Fleming
Thomas J. Hughes
Whitmore Gray
Kenneth E. Long

$1,000 to $2,499
George J. Caspar
Kenneth B. Cutler
Rodger T. Ederer
Francis R. Grebe
Edward C. Hanpeter
Mary A. Hartung
Robert M. Hunziker
Livingstone M. Johnson
Thomas P. Kelly
Robert L. Knauss
George F. Lynch
David L. Nelson
Frank F. Reed
John T. Rogers
James F. Sams*
Gerard C. Smetana
Byron L. Sparber
John C. Tower
Gerald Tuchow

$1 to $999
Khalid A. Al-Shawi
James B. Beckett
George E. Benko
George T. Bennett
Jacob Bernstein
Jack L. Borst
Hugo E. Braun
James C. Bray
Phillip C. Broughton
David F. Cargo
Eugene H. Ciranni
Richard E. Day
Francis B. Drinan
Ralph H. Erickson
Frederick W. Fraley
Stephen G. Fuerth
Eliot S. Gerber
Robert E. Hammell
James R. Hanson
Kenneth H. Haynie
Richard M. Hughey
David Kaufman
Michael F. Kelly
Philip L. Kennedy
James J. Kilsdonk*
Ross A. Kipka
James J. Kobza
Richard F. Kohn
Arthur F. Lamey
Robert E. Lawson
James A. Leavengood*
Robert A. Link
Arthur T. Lippert
George W.T. Loo
Edward A. Manuel
Roger C. Markhus
William H. McCready
Donald D. Meyers
Frank R. Morris
E. William Oakland
James M. Porter
Thomas F. Quinn
Don L. Reynolds
John P. Schaefer
Richard A. Scheer
Francis M. Small
Jerome K. Walsh
Charles A. Wasserman
Robert B. Webster
A. Duncan Whitaker
Walter F. Wolf
Paul B. Wolfe
L. Bennett Young

CLASS OF 1962
45th Reunion

Fundraising Chair:
Roger B. Harris

Participation Chair:
Thomas P. Scholler

Reunion Committee:
Charles E. Blank
Robert M. Bordeau
Peter D. Byrnes*
Thomas D. Heekin
Warren M. Laddon
John M. Niehuss
Garo A. Partoyan
Henry J. Price
L. William Schmidt
Stuart D. Shanor
Thomas C. Shearer
Robert B. Wessling
James J. White
John A. Wise

Total Class Giving.....$357,114
LSF Gifts and Pledges....$251,114

$100,000 and above
Oliver E. Seikel

$50,000 to $99,999
Peter D. Byrnes*

$25,000 to $49,999
William K. King
Garo A. Partoyan

$10,000 to $24,999
Roger B. Harris
Norman A. Jacobs
Daniel E. Singer

$5,000 to $9,999
Charles E. Blank
Eben G. Crawford
Morton L. Efron
Karl L. Gotting
W. Philip Gray
Warren M. Laddon
C. Barry Montgomery
Frank G. Reeder
Thomas C. Shearer
Robert B. Wessling

$2,500 to $4,999
Martin J. Adelman
Alan G. Friedman*
Robert M. Grover
Thomas D. Heekin
William R. Nicholas
John R. Nichols
William B. Rees
Thomas P. Scholler
Thomas W. Taylor
John A. Wise

$1,000 to $2,499
Joseph M. Abele
Stephen H. Bard
Robert A. Butler
Michael R. Flyer
Lynne B. Johnson
Amalya L. Kearse
Malcolm E. Martin
Charles H. Miel
John M. Niehuss
Henry J. Price
Stuart D. Shanor
David C. Tracey
Bowen H. Tucker
Kent J. Vana

$1 to $999
Randolf H. Aires
William S. Bach
Livingston Baker
Hugh D. Barnett
John A. Benning
Robert M. Bordeau
*Deceased

Reunion Giving

Alytia Levendosky and Ambre Ellenson, wives of David Nacht, '92, and Peter Ellenson '92, share a joke.

Richard S. Borland
Willard L. Boyd
William M. Brukoff
Robert G. Burton
Francis E. Collins
Raymond E. Cornelius
Douglas S. Dales
Walter T. Dartland
Robert P. Davidow
George Deshensky
Jon F. DeWitt
Benton S. Duffett
Frederic L. Dupre
Gerald F. Ellersdorfer
Brian C. Elmer
David L. Finkelman
James M. Flaggert
Jon E. Floria
Edward M. Grabill
Morrison L. Heth
John E. Hodgson
Philip S. Hollman
Albert P. Horrigan
C. Vernon Howard
Richard A. Hyde
Alan F. Kane
Philip E. Kaplan
Robert A. Karbel
David H. Katz
Joseph P. Koucky
Conrad W. Kreger
Larry W. McCormack
Thomas J. McKey
Robert L. Metzger
A. David Mikesell
Paul F. Mordy
Harvey S. Morrison
Joseph Murray
John B. Pendleton
Richard E. Rabbideau
Irwin R. Rein
Carl M. Riseman
Arthur G. Rosenberg
Michael J. Schiff
L. William Schmidt
Donald J. Spero
Reed F. Steele
James L. Stokes
Donald P. Stone
Robert W. Swain
Roy Y. Takeyama
John J. Timmer
Peter A. Titta
David A. Watts
David N. Weinman
Robert J. Yock
Raymond A. Yost

CLASS OF 1967

40th Reunion

Fundraising Chair:
Charles V. Thornton

Participation Chair:
Christopher B. Cohen

Reunion Committee:
Michael J. Davis
Anthony A. Derezinski
Sally Katzen Dyk
Samuel J. Goodman
Edward W. Harris
Jeffrey G. Heuer
Charles K. Marquis
Michael F. McCarthy
Matthew P. McCauley
Richard D. McLellan
J. Thomas Mullen
William C. Pelster
Eric P. Reif
John A. Sebert
Joseph R. Seiger
Gerald D. Skoning
Thomas E. Swaney

Total Class Giving.....$447,100
LSF Gifts and Pledges....$310,925

$50,000 and above
E. Miles Prentice
Charles V. Thornton

$25,000 to $49,999
Barbara Kacir
Joseph R. Seiger

$10,000 to $24,999
James M. Amend
Samuel J. Goodman
James R. Lamb
Charles K. Marquis
Dick McDonough
Richard D. McLellan
Guy H. McMichael
Jeffrey H. Miro
J. Thomas Mullen
J. Larry Nichols

$5,000 to $9,999
Randolph H. Fields
Roger M. Golden
Sally Katzen Dyk
James P. Kleinberg
J. David Mackstaller
Philip A. Nicely
William C. Pelster
Eric P. Reif
George M. Smrtka
James E. Walter

$2,500 to $4,999
Michael J. Davis
James B. Fadim
Jeffrey G. Heuer
Matthew P. McCauley
Robert K. McKenzie
Richard B. Nesson
W. Robert Reum
Larry J. Spilkin
Ronald G. Vantine

$1,000 to $2,499
Joel S. Adelman
Joseph H. Ballway
Calvin E. Bellamy
James A. Boucher
Ronald E. Brackett
William M. Brodhead
William H. Conner
M. Donald Drescher
Carl E. Esser
Duane A. Feurer
Lon Foster
John M. Gardner
Hurst K. Groves
Marilyn W. Groves*
Edward W. Harris
William R. Hineline
William D. Hodgman
Richard J. Mandell
Michael F. McCarthy
Jack L. Neuenschwander
Thomas J. Shannon
Thomas H. Snyder
John H. Stout
Thomas E. Swaney
Larry Victorson
Stanley P. Weiner

$1 to $999
Michael S. Adelman
Lewis T. Barr
Thomas F. Blackwell
Hope K. Blucher
John M. Briggs
Robert M. Brimacombe
Thomas H. Bround
William C. Buhl
Jack M. Burkett
Christopher B. Cohen
I. William Cohen
James H. Cohen
Bruce L. Colton
Timothy J. Curtin
Peter A. Dankin
Dixon B. Dann
Charles A. Dunkel
A. Jerome Dupont
Scott H. Engroff
J. Kay Felt
Arnold M. Flank
John J. Flynn
Jack E. Ford
George E. Freese
David R. Getto
Ronald R. Gilbert
Robert E. Guenzel
Charles D. Hackney
George O. Hamilton
Marshall Hamilton
John C. Hartranft
Louis J. Hellerman
Robert L. Hood
William J. Hutchinson
Karen H. Jacobs
Gregory C. Jones
Joel D. Kellman
W. Wallace Kent
Marc S. Kirschner
Douglas D. Lambarth
Allan Lapidus
Kenneth M. Lapine
James Laughlin
Robert R. Lennon
Joanne Leveque
Travis H. D. Lewin
James A. Locke
Joyce Q. Lower
Michael P. Malley
Thomas O. Mann
Howard D. McKibben
Robert H. McSweeny
James L. Meretta
Whitney F. Miller
Aida S. Montano
Philip W. Nantz

Charlie Thornton, '67, Jim Kleinberg, '67, and Joe Seiger, '67, get reacquainted before a talk by classmate Sally Katzen Dyk, '67.

Alumni gear up for a Wolverine victory over Purdue at Saturday's tailgate.

John H. Norris
Joseph F. Page
Charles L. Pitcock
Edward H. Powers
John W. Puffer
William F. Reichenbach
Ronald I. Reicin
John J. Roper
Ronald L. Rose
J. David Sabine
John A. Sebert
William C. Shedd
James A. Smith
Richard N. Stein
Geoffrey M. Stoudt
John T. Svendsen
Jeffrey H. Swartzbaugh
Steven H. Thal
Bruce A. Timmons
Peter L. Truebner
Michael D. Umphrey
Donald A. Wascha
Robert A. Wells
Sharon L. White
Thomas L. Whittington
David G. Wise
Michael W. York
John F. Zulack

CLASS OF 1972

35th Reunion

Fundraising Co-Chairs:
Leonard J. Baxt
Paul L. Lee

Participation Chair:
Barbara Rom

Committee:
Michael L. Hardy
Robert E. Kass
William F. Martson
Patrick F. Murray
Timothy A. Nelsen
Robert T. Pickett
Kim L. Swanson
Larry J. Titley
Winship A. Todd
Mark A. Vander Laan

Total Class Giving.....$614,099
LSF Gifts and Pledges....$425,448

$100,000 and above
Paul L. Lee
Jane Waterson Griswold
Michael L. Hardy

$50,000 to $99,999
Leonard J. Baxt

$25,000 to $49,999
Dean C. Storkan
Robert J. White

$10,000 to $24,999
William J. Abraham
Nora A. Bailey
William J. Davis
Saul A. Green
James E. Lurie
Thomas G. Morgan
Patrick F. Murray
Timothy A. Nelsen
S. Michael Peck
Barbara Rom
Janice Siegel
Mark A. Vander Laan
Joseph C. Zengerle
Lynda Siegel Zengerle

$5,000 to $9,999
Lawrence W. Dam
Zachary D. Fasman
Joseph W. Kimmell
Stephen P. Lindsay
William J. Meeske
Thomas W. Palmer
Larry J. Titley
William P. Weiner

$2,500 to $4,999
Nelson G. Alston
Donald J. Clark
Robert E. Kass
John B. Pinney
William M. Schlecte
Kim L. Swanson
John A. VanLuvanee

$1,000 to $2,499
William T. Bisset
John H. Boggs
John G. Brian
Christopher J. Dunsky
Jeffrey J. Greenbaum
Ronald S. Holliday
Diane L. Jensen
Kenneth T. Johnson
Louis L. Joseph
David Kirshman
Robert G. Kuhbach
Dale L. Lischer
Joseph D. Lonardo
Joanna London
William F. Martson
Richard K. Mason
Gary J. McRay
Terrence G. Perris
Alan M. Rauss
Morton M. Rosenfeld
George C. Steeh
William B. Wilson

$1 to $999
Alan T. Ackerman
David N. Adair
Warren Adler
Millard F. Aldridge
John W. Allen
Gerald A. Ambrose
Michael J. Anderegg
David G. Baker
Phillip J. Bowen*
Robert H. Brown
Thomas C. Brown
H. Patrick Callahan
Thomas D. Carney
Frank E. Ceynar
Lawrence S. Coburn
William L. Cooper
Edward J. Cox
Jeffrey Davis
Donald J. Dawson
Laurence B. Deitch
Reinhart H. Densch
Gershwin A. Drain
Robert N. Drake
Charles A. Duerr
Stephen S. Eberly
Peter B. Farrow
Paul S. Felt
Neil J. Firetog
Robert W. Fleishman
David E. Frasch
John P. Freese
Bruce M. Friedman
Jeffrey E. Froelich
James M. Garlock
James H. Geary
Adamont N. Georgeson
Richard B. Ginsberg
Morris H. Goodman
Leonard Green
Ronald E. Greenlee
Dennis M. Haley
Stephen S. Hart
Richard J. Hilfer
Mark B. Hillis
Craig D. Holleman
Gary A. Hollman
Gregory A. Huffman
Neil J. Juliar
Robert M. Justin
Linda B. Kersker
Calvin B. Kirchick
Jeffrey H. Klink
John T. Klug
Creighton F. Klute
Kenneth A. Kraus
Barbara A. Lane
Nielsen V. Lewis
Frank B. Lienhart
Richard A. Martens
Bob F. McCoy
Robert J. McCullen
Thomas J. McGinn
M. David Minnick
Philip M. Moilanen
James M. Moore
K. William Neuman
Harold R. Oseff
Douglas R. Penny
John P. Quinn
Paul B. Rasor
Charles D. Reite
Michael J. Renner
James A. Rice
William J. Richards
Charles T. Richardson
James W. Riley
Lawrence A. Rogers
Norman H. Roos
Barth E. Royer
David J. Rude
Stuart W. Rudnick
Jim E. Scott
Peter R. Scullen
Stephen F. Secrest
Gerald P. Seipp
Michael B. Shapiro
Frank A. Shepherd
Craig A. Smith
Jay M. Starr
Miriam B. Steinberg
James D. Supance
William L. Sweet

*Deceased

Rachel Godsil, '92, Sarah Zearfoss, '92, Lydia Loren, '92, and Beth Behrend, '92, enjoy each other's company.

Lewis M. Taffer
Peter N. Thompson
Sandra A. Thompson
Richard L. C. Virtue
Richard R. Weiser
J. Bryan Williams
John D. Wilson
John F. Young
Robert Zegster
David H. Zoellner

CLASS OF 1977
30th Reunion

Reunion Chair:
Michael A. Marrero

Reunion Committee:
Alexander R. Domanskis
Fred C. Fathe
Samuel T. Field
Rebecca A. Freligh
James L. Hiller
James S. Hogg
Bruce C. Johnson
Harold L. Kennedy
Gary A. Nickele
Mark H. Penskar
Charles G. Schott
James R. Spaanstra
George A. Vinyard

Total Class Giving.....$685,896
LSF Gifts and Pledges....$314,895

$100,000 and above
Martin J. Bienenstock
Robert H. Gorlin
Gary A. Nickele
George A. Vinyard

$50,000 to $99,999
Raymond R. Kepner

$25,000 to $49,999
Susan G. Esserman
Fred C. Fathe

$10,000 to $24,999
Peter V. Darrow
Michael A. Marrero
James R. Spaanstra

$5,000 to $9,999
St. Clair O. Davis
Richard B. Drubel
James L. Hiller
Harold L. Kennedy
Brian K. Porter
John B. Sherrell
Bruce C. Thelen
David Westin

$2,500 to $4,999
James L. Allen
Amory Cummings
Samuel T. Field
Philip R. Fileri
Edward M. Frankel
Elizabeth R. Hilder
James S. Hogg
Bruce C. Johnson
Marc E. Manly
Mark L. Mann
Michael G. McGee
David B. Miller
Tish L. Niehans
John B. Palmer
Donald F. Parman
Bruce K. Posey
James H. Schnare
Stephen L. Wilson

$1,000 to $2,499
Andrew M. Campbell
Robert B. Cassey
William L. Cathey
Alexander R. Domanskis
Charles S. Ferrell
Franklyn D. Kimball
Karen J. Kirchen
Sumio Kuriaki
James M. Lawniczak
Kevin P. Lucas
Joseph W. Medved
John C. Mezzanotte
Reuben A. Munday
Kent Y. Nakamura
Stewart O. Olson
Mark H. Penskar
Robert D. Rippe
Joel Scharfstein
Lawrence D. Swift
Sally C. Swift
Robert J. Vanden Bos
Bruce J. Wecker
Mark D. Willmarth
Kenneth R. Wylie

$1 to $999
Stephen D. Anderson
Steven R. Anderson
Diana M.T.K. Autin
James P. Blake
Earl K. Cantwell
Vincent F. Chiappetta
James S. Cunning
Donna J. Donati
Stephen A. Dove
Peter L. Edwards
Laurence A. Elder
Mary K. Ellingen
Susan D. Falkson
Robert Fine
Joseph Freedman
Rebecca A. Freligh
Penny Friedman
Alan Gilbert
Michael L. Glenn
Elizabeth A. Goodman
Anita N. Gottlieb
D. Stewart Green
Harry Griff
Sandra Gross
Howard E. Gwynn
Susan D. Hartman
Thomas G. Herman
Robert H. Hume
Robert H. Jerry
Stuart M. Jones
Michelle D. Jordan
Morris Klein
Gary W. Klotz
Thomas A. Knapp
David N. Knipel
William S. Leavitt
Curtis J. Mann
Laurence S. Markowitz
Edward A. Marod
Walter V. Marsh
R. Charles McLravy
Susan D. Miner
Arturo C. Nelson
Paul A. Ose
William M. Paul
Greg L. Pickrell
Richard T. Prins
Dana L. Rasure
Stanley J. Reed
Rosalyn J. Rettman
Phyllis C. Rozof
Eileen Scheff
Charles G. Schott
Jerome M. Schwartz
Mark C. Shaprow
Florence Sprague
Robert A. W. Strong
Charles F. Timms
Ellen L. Upton
James A. Vose
Charles P. Wolff

CLASS OF 1982
25th Reunion

Reunion Chair:
Douglas S. Ellmann

Fundraising Chair:
John M. Lummis

Reunion Committee:
James E. Brandt
Kathryn Weg Brandt
Rachel Deming
L. Joseph Genereux
Matthew J. Kiefer
Patrick J. Lamb
David J. Lauth
Suzanne M. Mitchell
Anita Porte Robb
Richard J. J. Scarola
John K. Schwartz
James L. Tilson
Rebecca K. Troth
George H. Vincent
Richard I. Werder
Sara E. Werder
Myint Zan

Total Class Giving.....$703,108
LSF Gifts and Pledges....$669,108

$50,000 and above
James E. Brandt
Kathryn Weg Brandt
John M. Lummis
Anita Porte Robb
Richard I. Werder
Sara E. Werder

$25,000 to $49,999
Bijan Amini
Brian S. Dervishi
Timothy C. Hester
Kenneth B. McClain

$10,000 to $24,999
Daniel J. Bergeson
Michael A. Bucci
Douglas S. Ellmann
Patrick J. Lamb

Joseph Koucky, '62, and Dan Singer, '62, tinker with technology in Hutchins Hall.

Student Matt Weinberg and Judge Kurtis Wilder, '84, chat at the Meet the Judges Breakfast during the first reunion weekend.

Michael P. McGee
Richard S. Meller
Richard J.J. Scarola
John K. Schwartz
Robb L. Voyles

$5,000 to $9,999
Michael S. Bukiet
Rachel Deming
Thomas A. Eff
Mary McFarland Fisher
Stuart J. Goldring
Robert M. Isackson
Gregory P. Jenkins
Matthew J. Kiefer
Catherine J. LaCroix
Kevin M. LaCroix
David J. Lauth
Michael A. Levey
Peter M. Lieb
Susan Block Lieb
Kevin C. Randall
David M. Schreier
Richard D. Snyder
Steven M. Stankewicz
George H. Vincent
Wayne B. Weisman
Gary T. Zussman

$2,500 to $4,999
Sharon R. Barner
Brian H. Boyle
James A. Elgass
Douglas S. Ellmann
David S. Inglis
Andrew M. Katzenstein
Barry L. Katzman
Nancy F. Krent
David J. Lauth
Peter C. Manbeck
John V. McDermott
Robert L. Rosenfeld
Mark C. Van Putten
Avery K. Williams
Paul M. Wyzgoski

$1,000 to $2,499
Elizabeth A. Allaben
Jeffrey A. Berger
James H. Bluck
Quentin R. Boyken
Nancy A. Chafin
Matthew A. Chambers
Stephen E. Crofton
Michael P. Coakley
Jeffrey A. DeVree
Bryant M. Frank
Douglas E. Hart
Jeffrey D. Izenman
Mary J. Larson
Mark R. Ortlieb
Larry Pachter
Janet L. Parker
Glendon B. Pratt
J. Gregory Richards
Randall K. Rowe
Sarah T. Schubert
Dale E. Stephenson
Dean R. Tousley
Rebecca K. Troth

$1 to $999
David C. Bahls
Betsy B. Baker
Richard A. Barr
Jeffrey A. Becker
Timothy R. Beyer
Joseph Blum
David W. Burhenn
Joseph A. Cipparone
Thomas Cottier
John A. Crable
Ross L. Crown
Paul A. Curtis
Stephen D. Davis
Janice M. Dinner
Gershon Ekman
William D. Ellis
Barry H. Epstein
John E. Fagan
Susan B. Fine
Michael C. Flom
J. Kevin French
Kurt Gehlbach
L. Joseph Genereux
Steven Gersz
Stuart J. Goldring
Arthur N. Gorman
Volker Gross
Ellen Guerin
Robert M. Gurss
Shane B. Hansen
Mark L. Harris
Bonnie L. Hoff
Craig W. Horn
Paul J. Houk
Deborah S. Howard
Blair B. Hysni
David P. Irmscher
Fusao Kaneda
Richardo I. Kilpatrick
Robert D. Kraus
Richard W. Krzyminski
Kyle E. Lanham
Craig M. Lawson
Jonathan A. Levy
Alan E. Lieberman
Eric A. Love
Brian J. McCann
Ellen T. McKnight
David E. McLay
Rolando V. Medalla
David G. Moore
Portia R. Moore
Melissa H. Murphy
Richard W. Murphy
Elaine H. Nekritz
Robert M. Neustifter
Catherine A. Novelli
James G. Pachulski
John S. Palmer
Dorothy B. Richardson
Thomas D. Richardson
Carolyn H. Rosenberg
Laurie L. Roulston
Richard E. Sarver
Richard H. Sauer
Sue A. Sikkema
James R. Sobieraj
Michael S. Sperling
Daniel J. Stephenson
Ray Sterling
P. Val Strehlow
Kent D. Stuckey
Peter Swiecicki
Mark P. Tanoury
Thomas T. Tate
Daniel B. Tukel
James E. VanValkenburg
Nancy H. Welber Barr
Deborah Young
Gifford R. Zimmerman
Sara Z. Zwickl

CLASS OF 1987
20th Reunion

Fundraising Chair:
Thomas J. Knox

Participation Chair:
Diane V. Dygert

Reunion Committee:
Sally Churchill Kulka
Marcus R. Colwell
Todd G. Frank
James H. Gale
Douglas R. Ghidina
Gretchen J. Hudson
Kimberly Wyche Huyghue
Michael L. Huyghue
M. Elaine Johnston
Jan Kang
James L. Komie
David A. Lullo
John Mucha
Carol Shuman Portman
James S. Portnoy
J. Adam Rothstein
Kevin F. Ruf
MaryAnn Sarosi
Giuseppe Scassellati-Sforzolini
Reginald M. Turner
Robert W. Woodruff
John S. Zavitsanos

Total Class Giving.....$286,940
LSF Gifts and Pledges....$239,065

$25,000 and above
M. Elaine Johnston

$10,000 to $24,999
Thomas J. Knox
Guiseppe Scassellati-Sforzolini

$5,000 to $9,999
Alexander W. Joel
Jan Kang
J. Adam Rothstein

$2,500 to $4,999
Sally Churchill Kulka
Marcus R. Colwell
Mary R. Gordon
Troy W. Gordon
Frances W. Hamermesh
Gretchen J. Hudson
John D. Hudson
Winston K. Jones
David A. Lullo
Creighton R. Magid
Thomas Schuerrle
Reginald M. Turner
Tina S. VanDam

$1,000 to $2,499
P. Georgia Bullitt
Robert B. Clayton

Reunion Giving

Lee Woodruff, wife of Bob Woodruff, '87, shares the story of their family's ordeal.

Domenica N.S. Hartman
Robert J. Hill
James L. Komie
Michael J. Kron
Mitchell B. Lewis
Teri Threadgill McMahon
Michael R. Mills
Nancy L. Nagel
Debora L. Osgood
David J. Plewa
Josephine A. Raimondi
James M. Recker
Herbert F. Riband
Monica Rimai
MaryAnn Sarosi
Bradley C. Weber
Robert W. Woodruff
John S. Zavitsanos

$1 to $999
Charles E. Armstrong
Julie M. Arvo MacKenzie
Jeffrey W. Beswick
Lynn Pope Bikowitz
Andrew S. Boyce
Susan H. Bragdon
Robert G. Branca
Christine E. Brummer
William L. Burakoff
John R. Cahill
Mark S. Cohen
Robert L. Cohen
Suzanne Cohen Hard
Kendall W. Daines
Scott K. Daines
Jeffrey O. Davidson
James J. Davis
Lawrence H. Dickson
Kathryn A. Donohue
Diane V. Dygert
Rodney S. Edmonds
Cheryl Fackler Hug
Douglas R. Fauth
Elizabeth A. Fish
Todd G. Frank
Jeffrey A. Fries
James H. Gale
Geoffrey Garver
Justin A. Gerak
Jeremy A. Gibson
Rebecca A. Ginsburg
Steven Greene
Laura F. Harrity
Max M. Hirschberger
Kimberly W. Huyghue
Michael L. Huyghue
Brent E. Johnson
Russell N. Johnson
Constance L. Jones
Eduardo J. Juarez
Scott M. Kalt
Anne S. Kenney
David F. Kolin
Alan M. Koschik
Dominique H. Lechien
Jon M. Lipshultz
William F. Little
Scott L. Long
Miriam Lopez
Gregory R. Merz
Douglas A. Mielock
Richard O. Miles
Shelly A. Mishal
John Mucha
Richard Nagle
Deirdre C. Newton
Glenn D. Oliver
Callie G. Pappas
Andrew F. Perrin
Linda A. Petersen
Steven P. Petersen
Larry M. Pollack
Mark C. Pomeroy
Catherine A. Riesterer
Dale R. Rietberg
Laura T. Rivero
Tomaz Rizner
Bruce E. Rothstein
Donn A. Rubin
Jordan S. Schreier
Julie M. Sheridan
Matthew G. Shirley
Kimberly A. Stelter
Linda K. Stevens
Edward J. Strong
Susan J. Suminski Palms
Graham E. Taylor
Patricia J. Thompson
Lee M. Tumminello
Jack L. VanCoevering
Mark A. Vickstrom
Linda A. Wadler
Lee A. Wendel
Karin M. Wentz
John M. West
Sui-Yu Wu
David L. Wunder
Jianyang Yu

CLASS OF 1992
15th Reunion

Fundraising Chair:
Michael A. Mazzuchi

Participation Co-Chairs:
Pamela L. Peters
Amy Wintersheimer-Findley

Reunion Committee:
Corinne A. Beckwith
Henry R. Chalmers
Peter F. Donati
David M. Glaser
Jeffrey P. Hinebaugh
Amy A. Laughlin
Lydia Pallas Loren
Patrick F. McGow
Edwin W. Paxson
Amy L. Rosenberg
Stephen D. Sencer
Sylvia A. Stein
Rocco E. Testani
Nancy Brigner Waite
Sarah C. Zearfoss

Total Class Giving.....$137,641
LSF Gifts and Pledges....$127,940

$10,000 and above
Myles R. Hansen
Michael A. Mazzuchi
Charles C. S. Park
Sarah C. Zearfoss

$5,000 to $9,999
Amy Wintersheimer Findley

$2,500 to $4,999
Michael D. Martin

$1,000 to $2,499
Margaret G. Beck
Beth A. Behrend
Randy A. Bridgeman
Mark H. Colton
Kristina M. Dalman
Denise Esposito
William J. Evans
Amy A. Laughlin
Charles K. Maier
David Newmann
Mark T. Phillis
Neil A. Riemann
Brian C. Silbernagel
Teresa L. Snider
Sylvia A. Stein
Mary K. Warren

$1 to $999
Craig Y. Allison
Christopher A. Ballard
Corinne A. Beckwith
Thomas E. Bejin
John F. Birmingham
Mark S. Brownstein
Daniel C. Brubaker
Henry R. Chalmers
John W. Christopher
John E. Connelly
Carla Conover Aly
Elizabeth C. Coombe
L. Andrew Cooper
Ted C. Craig
Kathleen L. Davis
Frederick C. Dawkins
Christopher DeLuca
Peter F. Donati
William J. Dubinsky
David R. Eberhart
Roberto A. Echandi
Eliot S. Ephraim
Michelle M. Gallardo
Timothy E. Galligan
Bruce J. Goldner
Gregory P. Gulia
Jeffrey P. Hinebaugh
Thomas P. Howard
Carolyn C. Jackson
Amy B. Judge-Prein
Jeffrey S. Kim
William C. Komaroff
Lydia Pallas Loren
Diane L. Mack
Koji Matsumoto
Patrick F. McGow
David A. Nacht
Linda Popovich Nicastro
Robert E. Norton
John W. Ogilvie
Kelly Browe Olson
Robert A. Pearlman
Pamela L. Peters
Edward J. Prein
Gary W. Reinbold
Sharyl A. Reisman
Matthew J. Renaud
B. Andrew Rifkin
Sinisa Rodin
Margaret T. Sassaman
Stefan J. Scholl
Scott A. Schrader
Robert A. Seltzer
Thomas L. Shaevsky
William E. Smith

Demian Ahn, '03, husband of Mariela Olivares, '02, shares a moment with daughter Amalia.

Julie and Justin Powell, wife and son of Anthony Powell, '87, and Kimberly Wyche Huyghue, '87, relax after dinner.

Craig C. Stevens
Brian Tauber
Hiroto Terashima
Rocco E. Testani
Thomas D. Titsworth
Joanne H. Turner
Marc A. VanAllen
Nancy Brigner Waite
Valerie J. Wald
Gretchen M. Wallacker
David R. Walner
Michael D. Warren
Michael G. Weisberg
Rebecca S. Whitehouse
D. Peters Wilborn
Sandra L. Wright
Steven A. Wright

CLASS OF 1997
10th Reunion

Reunion Co-Chairs:
Freeman L. Farrow
Kelli S. Turner

Reunion Committee:
Kiana W. Barfield
Rebekah Eubanks
Meredith B. Jones
Michael D. Leffel
Kathleen M. Olin
Hardy Vieux

Total Class Giving.....$72,720
LSF Gifts and Pledges.....$71,520

$10,000 to $24,999
Meredith B. Jones
Kelli S. Turner

$5,000 to $9,999
Kathleen M. Olin
Robert B. Olin
Hardy Vieux

$1,000 to $2,499
Elizabeth H. Graham Olson
Daniel J. Kheel
Liesl A. Maloney
Elizabeth M. Provencio
Chad A. Readler
Matthew J. Russo
Yvette M. VanRiper

$500 to $999
Dina J. Lashetz Bakst
Alexander D. Baldwin
Jonathan Brennan
Julia L. Ernst
Rebekah Eubanks
Michael D. Leffel
Emily McCarthy
Liat R. Meisler
Carrie G. Palmer
Timothy M. Pinto

$1 to $499
Todd S. Aagaard
Laura A. Adderley
Arvie J. Anderson
Steven J. Azzariti
Elizabeth R. Bain
Kiana W. Barfield
Arthur K. Bartlett
Thomas R. Beehler
Matthew G. Borgula
Angie Chen
Patrick G. Curley
Scott L. Darling
Jennifer S. Ellenbogen
Greg Farkas
Freeman L. Farrow
Vicki E. Fishman
Kristin M. Flynn
Jennifer A. Gallagher
Andrew R. Gifford
Hilary E. Hoover
Emily A. Hughes
Jeffrey H. Kahn
David R. Karasik
Helene T. Krasnoff
Todd H. Lebowitz
Joshua W. Leichter
Matthew A. Lipson
Joshua D. Luskin
Sarretta C. McDonough
Neil J. McNabnay
David S. Mendel
Cristina G. Niccolini
Koji Nonomura
Angela I. Onwuachi-Willig
Adam E. Parsons
Nikolaos M. Peristerakis
Dara D. Pincas
Jerome J. Roche
Rachel L. Sagan
Jacqueline S. Stamell
James M. Stephens
Matthew J. Thomas
Steven H. Tobocman
Nancy E. Vettorello
Corinne Vorenkamp
Jennifer S. Warren
Andrew T. Wise

CLASS OF 2002
5th Reunion

Reunion Co-Chairs:
Rasheeda N. Creighton
Vernon P. Walling

Reunion Committee:
Catherine S. Carrigan
Jessica S. Champa
Chandra Davis
Renee Dupree
John Gaddis
Tariq S. Hafeez
Markeisha J. Miner
Mariela Olivares
Shannon N. Salinas
Frederick G. Sandstrom
David B. Sikes
Andrew R. Toftey

Total Class Giving.....$41,097
LSF Gifts and Pledges.....$38,597

$5,000 and above
Elizabeth L. Carr
Rasheeda N. Creighton
Nicholas A. Smith
Vernon P. Walling

$1,000 to $2,499
Ryan M. Harding
Tamara Gray Jain
Jennifer L. Marks
Shannon N. Salinas
Frederick G. Sandstrom
Erin L. Webb
Emily J. Zelenock

$500 to $999
Lisa J. Cole
Neill P. Jakobe
Stacy S. Jakobe
Jeffrey D. Klingman
Lawrence M. Markey
Markeisha J. Miner
Mariela Olivares
David B. Sikes
Brenton M. Williams

$1 to $499
Alvaro M. Alvarez
Marina Lamps Alvarez
Naheed Amdani
Hector Arangua Lecea
Eric A. Baker
Karl F. Balz
Anne S. Becker
Christina L. Brandt-Young
Joshua A. Brook
Stephanie L. Browning
Jennifer Buckley Deibel
Jon C. Clark
Linda K. Clark
Joshua A. Creem
Sarah D. Creem
Jeanine Harvey Dankoff
Ryan J. Danks
Chandra Davis
Joshua B. Dobrowitsky
Eric W. Doherty
David F. Dologite
Charlotte E. Gillingham
Elizabeth B. Harned
Colin C. Heitzmann
Lindsay James
Laura E. Juhnke
Joanne Kim
John H. Kim
Trevor J. Koski
Ricardo J. Lara
Noah S. Leavitt
Breton Leone-Quick
Amy Y. Liu
James L. Mathewson
Jessica P. Mathewson
Sarah A. McKune
Benu Mehra
David E. Mills
Benjamin C. Mizer
Michael P. Moreland
David H. Mulle
Brian C. Neal
Peter B. Nemerovski
Eri Nishikawa
Christopher R. Noyes
Anthony E. Orr
Lora M. Reece
Matthew M. Riccardi
Tina Samanta
Jordan B. Schwartz
Andrew J. Silverman
Jason A. Spak
Daniel F. Spies
Leslie A. Stern
Jalyn M. Sweeney
Peter L. Tamm
Felicia M. Brooks Thomas
Peter P. Tomczak
Tatyana Trakht
John D. Webster
James R. Whitney
Brian C. Wilson
Jane H. Yoon

IN DETAIL

Mark your calendars!

Fall 2008 Conference
Environmental Law & Policy Program
An Environmental Agenda for the Next Administration
Thursday-Friday, September 25-26, 2008

Climate Change Panel
Moderator: Thomas P. Lyon
Director of the Erb Institute for Global Sustainable Enterprise
University of Michigan

Alternative Energy Panel
Moderator: Gary S. Was
Director of the Michigan Memorial Phoenix Energy Institute
University of Michigan

Lunch Address
Speaker: Lisa Heinzerling
Professor of Law, Georgetown University Law Center

Sustainability Panel
Moderator: Richard J. Jackson, MD
Director of the Graham Environmental Sustainability Institute
University of Michigan

For more information:
www.law.umich.edu/centersandprograms/ELPP

Michigan Law adds externships in Geneva, Switzerland

Day 4: *Today was a really exciting day! For one, I finished reviewing the biotechnology study I was looking at. But more importantly, I met with the Dispute Settlement Program Office to find out what I would be doing for the next three months. One word—WHOA! There are so many exciting and dynamic things to do. . . . I get to write for* BRIDGES Weekly *on current WTO disputes and the like; I get to help research information and dispute settlement activities for the past year to prepare a report for the organization's donors (I don't know why I find that very exciting, but I do); I get to dabble in WTO jurisprudence, and if I find anything interesting or noteworthy, I get to write an article about it; and they're even trusting me to help plan meetings. I love NGOs.*

— *Geneva Program extern* ***Alicia Handy***

So went second-year law student Alicia Handy's fourth day as an extern at the International Center for Trade and Sustainable Development in Geneva, Switzerland. Handy, who plans to work on issues of law and energy after graduation, was one of eight Michigan Law students who spent the winter term in Geneva, working and learning at a variety of international agencies.

The program in Geneva began last January, for the first time offering a group of Michigan Law students the opportunity to gain credit and experience in what many observers feel is the most international city in the world. New it may be, but the program is a natural addition to the Law School's longstanding involvement in international legal education. (See "International Programs and Study Abroad Opportunities" at www.law.umich.edu/centersandprograms/cicl/Pages/programs.aspx.)

Launched and directed by international law specialist and Professor of Law Steven R. Ratner, with close involvement on the part of Assistant Dean for International Affairs Virginia Gordan and the enthusiastic support of Dean Evan Caminker, the new program is unusual for its inclusion of an in-Geneva liaison who draws on her own international legal experience and knowledge of Geneva as well as the presence of Michigan Law alumni in Geneva to enrich and expand on the externs' experiences at their individual agencies.

"This experience has been absolutely fantastic," reported extern Ashwini Habbu, who worked at the International Service for Human Rights, a watchdog organization that monitors sessions of United Nations treaty- and charter-based bodies and trains human rights defenders.

"So far during my externship," Habbu told *Law Quadrangle Notes* in late March, "I have produced reports on Morocco's presentation to the Committee to Eliminate All Forms of Discrimination Against Women (CEDAW), several sessions of the newly minted Human Rights Council, and will produce a number of others by the end, including the U.S. review by the Committee to End Racial Discrimination (CERD)."

Two high points of the externship already stood out to her then: Attending the United States' presentation to CEDAW and attending the month-long session of the Human Rights Council.

"I remember sitting in Professor Ratner's class, talking about what makes the Council different from the Commission," Habbu explained of her attendance at the Council session. "Admittedly, I wasn't around to see the Commission at work, but watching the Council live has no substitute. There are so many little things that you simply can't get sitting in a classroom."

By incorporating an on-site coordinator, the new program also provides externs a variety of experience to expand on and enrich their work at their individual agencies. The on-site coordinator is Claire Mahon, a New Zealand-born Australian international lawyer and lecturer who has acquainted externs with events in the area, arranged visits to agencies and meetings with leaders, and helped facilitate a variety of other activities.

"I facilitated a series of visits to international organizations and NGOs, so that the externs could speak with high level legal and policy advisors about the work that they do and the legal issues they deal with," Mahon explained in an e-mail in late March. "So far, our visits have included hearing from University of Michigan alumni in places like the United Nations High Commissioner for Refugees, the U.S. Mission to the United Nations, the World Health Organization, and others, from the International Committee of the Red Cross to the World Trade Organization.

Externs have appreciated this extra component. "Claire Mahon has been amazing at setting up meetings for us with heavy hitters from around Geneva," Habbu reported. "As time goes on," she added, "I think our questions to these professionals become more informed because we ourselves have had the opportunity to live in their world."

"We decided to set up the program to give students an opportunity simply not available in the United States, with top-flight international and non-governmental organizations," said Professor Ratner.

Like the externs themselves, the Geneva Externship Program landed running, Ratner reported after visiting Geneva in February. "Students have been busy and learning a great deal," he explained. "Such hands-on, experiential learning is an invaluable complement to their classroom education. The multinational richness of Geneva is unique, and we're elated to be able to place student externs into it."

The new program is a "tremendously exciting" addition to Michigan Law's lineup of international opportunities, said Assistant Dean Gordan. "It offers an extraordinary opportunity for our students to gain exposure to the work of leading international agencies and NGOs and to engage with some of the most pressing problems in the international arena."

From left: Jennifer Wyeth, liaison Claire Mahon, Alicia Handy, Assistant Dean Gordan, Craig Ortner, Ashwini Habbu, Lindsay Denault, and Sunny Choi. Not shown are externs David Brown and Simone Colgan Dunlap.

Virginia Gordon, Claire Mahon, and Steven R. Ratner.

More opportunities next year

The Geneva externships program will expand to 16 placement options next year. This inaugural year, law students (listed in parentheses) worked in externships at these agencies: International Center for Trade and Sustainable Development (Alicia Handy); International Commission of Jurists (David Brown); International Labor Organization, Office of the Legal Advisor (Lindsay Denault); International Organization for Migration: Department of International Migration Law and Legal Affairs (Jennifer Wyeth); International Service for Human Rights (Ashwini Habbu); International Telecommunication Union (Craig Ortner); U.S. Diplomatic Mission to the United Nations in Geneva (Simone Dunlap); and the World Health Organization: Office of the Legal Counsel (Sunny Choi).

Next year, student externs also will be able to serve at these agencies: Center for International Environmental Law; The Global Fund to Fight AIDS, Tuberculosis and Malaria: The Legal Unit; International Organization for Migration: Department of Migration Policy, Research, and Communication; Office of the UN High Commissioner for Human Rights: Human Rights Council Secretariat; TRIAL; United Nations Development Program: Bureau for Crisis Prevention and Recovery; the UN High Commission for Refugees: and the World Intellectual Property Organization.

Alicia Handy, Jennifer Wyeth, and Ashwini Habbu.

Shedding new light

Michigan Law's Reading Room went dark in February as the first step in a Law School-wide project to restore, refurbish, and improve the Law School's 1930s-era lighting and electrical infrastructure. This first phase also includes the lower level of the Legal Research building and is expected to be completed this summer. The second stage will include Hutchins Hall and the 9th floor of Legal Research. The entire project is scheduled for completion in 2009, when the Law School celebrates its 150th anniversary.

The project is funded through a $3 million gift from University of Michigan graduate Charles T. Munger, vice chairman of Berkshire Hathaway Inc. and a founder of the Los Angeles law firm of Munger, Tolles & Olson.

Work in the Reading Room also includes cleaning and restoration of the ceiling, decorative work, and other features.

For more photos, visit www.law.umich.edu and click on Reading Room Renovations.

Happy Birthday SFF!

Student Funded Fellowships (SFF) celebrated its 30th birthday this year—with the same energy, enthusiasm, and generosity on the part of law students and faculty that have fueled its previous 29—plus a record-breaking total of more than $70,000 taken in to aid students in public service work this summer.

This year's auction raised more than $50,000, a record, and another $20,000 came from other SFF initiatives, the LSTAR and Donate A Day's Pay programs, law firms, and other supporters. LSTAR is a hotel voucher program in which SFF receives $165 every time a Michigan Law student stays with a friend rather than in a hotel and $35 for each time a student forgoes a cab ride to the airport when on a callback with a participating firm; the Donate A Day's Pay program asks law students to donate one day's summer firm pay.

More than 200 items, donated by faculty, students, law firms, and other supporters, were available at this year's vocal bidding and silent auctions. Some of the choices: four VIP tickets to a taping of The Daily Show with Jon Stewart at its New York studio or lunch with director/screenwriter/producer Lawrence Kasdan, to skydiving with Professor Mathias Reimann, LL.M. '83, or (an annual bid winner) a copy of Professor Brian Simpson's book *Cannibalism and the Common Law* autographed with the author's blood. (Simpson, a longtime supporter of SFF, is pictured in the drawing on the cover of this year's auction program.)

SFF efforts aim for endowment—After their successful auction, SFF volunteers took to the phones to seek donations to establish an endowment to support the Student Funded Fellowships program. The effort is being matched one-for-two by U-M President Mary Sue Coleman's Donor Challenge Fund to support scholarship assistance efforts. Telephone workers participating in the first round of calls, which took place over a week-long period in early April, reported good success and plan to continue the effort, which, as you can see from these photos, was both earnest and enjoyable as students reached out to Michigan Law graduates for assistance.

Michigan Law hosts Federalist Society's national student conference

New York University School of Law Professor Roderick Hills Jr.

Opening panel moderator/Michigan Supreme Court Justice Maura D. Corrigan.

Federalist Society members at Michigan Law knew their home base would make a terrific location for the society's annual national student symposium. So they assembled their proposal to their parent organization and applied.

And applied.

And applied.

The third time was a charm, according to Eugene B. Meyer, president of the Federalist Society for Law and Public Policy Studies, as the organization is formally known. The Michigan Law students' commitment was evident, Meyer said, and after holding the previous two years' conferences at Columbia and Northwestern there was no doubt that it was Michigan Law's turn.

So last March some 500 Federalist Society members from law schools across the country gathered at Michigan Law for a day-and-a-half long conference that focused on a variety of issues around the central theme "The People and the Courts."

Planners wanted to focus the symposium on a subject within the "law and society" framework, explained symposium director and Michigan Law student Michael J. Ruttinger. The focus sharpened in 2006, when Michigan voters overwhelmingly approved the Michigan Civil Rights Initiative (MCRI) to amend the state constitution to prohibit preferential treatment on the basis of race or sex in public contracting, employment, or education. Within Michigan, that vote both illustrated direct democracy in action as well as exercised a principle of federalism by effectively overturning the 2003 U.S. Supreme Court decision in *Grutter v. Bollinger* that upheld the Law School's right to use race as one of many factors in its admissions decisions to ensure diversity for educational purposes.

"*Grutter* spawned significant controversy both in Michigan and throughout the country, and the success of the MCRI created a controversial blueprint for 'overturning' unpopular judicial decisions," Ruttinger and his symposium committee explained to participants in their registration materials.

"What role 'We the People' retain in our constitutional order is not just a question for academics; the increasing number of popular referenda and ballot initiatives addressed to voters on election day has made it a debate with real consequences. The breadth of that debate is not limited to affirmative action, though that remains a lively issue. 'The People' may also play a role in circumscribing a state's powers of eminent domain and deciding just who has the right to marry," organizers explained.

"Perhaps more importantly, the way ordinary people live their lives might help give meaning to our law. Because our legal system often takes it cue from tradition, it is critical to decide just when a judge should defer to customary practice—when interpreting the Constitution, and when fashioning the rules of private law that govern our most ordinary interactions."

It was a lively weekend, with the prize for fervent exchange going to the Saturday morning session "*Kelo, Grutter*, and Popular Responses to Unpopular Decisions." The presence on the panel of Ward Connerly, the former California regent who led California's and Michigan's and other states' efforts to outlaw racial prefences, drew audience members who used the question-answer part of the session to voice their opposition to such moves.

The California initiative—and others—are not anti-affirmative action, they merely opposed race- and gender-based affirmative action, Connerly answered critical questioners. "I support socio-economic affirmative action," he said. "I support not over-emphasizing standardized test scores."

Since Proposition 209's passage in California a decade ago, the University of California system overall has enrolled more and graduated more African Americans than previously, said Connerly, founder of the Civil Rights Institute. The UC system also has developed contracts with the state's 150 most underperforming schools to increase minority enrollment, he reported. "We're doing more affirmative action than ever before, [just] in a different form," he noted.

"I do not favor unbridled use of the initiative process, but I also recognize that there are times that representative government fails us woefully," Connerly said in his prepared remarks. The Civil Rights Act of 1964 said we all should be treated as equal without regard to race, color or national origin, he explained. "Color-blindedness, a color-blind government, is part of the DNA of the American people," and "the majority of the American people embrace that view."

But was that majority to do nothing when the U.S. Supreme Court in 2003 ruled that the use of race is constitutional in pursuit of diversity in education? he asked. "That was a direct contradiction of the Civil Rights Act of 1964. What are the people to do, say okay, that's okay? Or will they use the tools they can?"

American Civil Rights Institute founder Ward Connerly.

Questioning the presentors.

The voter initiative is that tool because lawmakers cannot or will not take up the issue, according to Connerly.

For panelist and Michigan Law Professor Sherman Clark, however, the "messier" but more thorough legislative process surpasses the voter initiative for handling such issues. "We should not claim that a referendum result represents the will of the people," Clark explained. "We are more likely to have betrayed the will of the people when we have decided a controversial, high-profile issue through direct democracy. I think they have spoken more clearly through the legislative process. The legislative process measures not just preferences, but priorities on issues. We have a representative system that gives people as much as possible of what they want."

Sometimes citizens get implicit agreements from legislatures to leave some issues alone that those voters favor if they will not oppose other issues the lawmakers want to approve. But voter initiatives, Clark said, "betray what they got through their representatives" and can let the majority betray the implicit agreement that the give and take of the legislative process created to give minorities what they gave up some other desires to get.

Panelist Marci Hamilton, of Yeshiva University's Benjamin N. Cardozo School of Law, also expressed skepticism about voter initiatives because they can be "captured by moneyed interests" and "rank majoritarianism (sheer weight of numbers) does not necessarily make for good public policy."

"There is something intrinsically good about debate and discussion" in the formation of public policy, Hamilton said. When lawmakers are doing their jobs—"because often they are not," she cautioned—legislatures can move quickly to correct bad law and policy, she indicated.

For example, after the U.S. Supreme Court's decision in *Kelo v. City of New London* (2005) that eminent domain could be used to take private property for private gain, many states enacted laws forbidding the practice within their jurisdictions. The *Kelo* decision did not make new law or practices, Hamilton noted. Instead, it generated attention and created a popular reaction that transformed itself into legislative action.

Other symposium panels produced similarly thought-provoking sessions. The conference was "very exciting" and the fruition of nearly three years' work, explained Michigan Law Federalist Society chapter president Craig Chosiad during a break in the proceedings. It's valuable to bring people together and have discussions like these, echoed Federalist Society President Mayer.

State Supreme Court majority votes for 'The People and the Courts'

It's unusual for a majority of the Michigan Supreme Court justices to spend their weekend at the same function, but the Federalist Society's recent national student symposium was the magnet that proved the exception.

Four of the court's seven justices—Chief Justice Clifford W. Taylor and Justices Maura D. Corrigan, Stephen J. Markman, and Robert P. Young Jr.—were speakers or panel discussion moderators during the society's 27th annual student symposium, held at Michigan Law in March. The symposium topic was "The People and the Courts."

Chief Justice Clifford W. Taylor, originally scheduled as moderator for a panel discussion of "The Merits of Electing Our Judges," graciously stepped in as a panelist on short notice when a family emergency prevented Judge Harold See of the Alabama Supreme Court from attending. Countering fellow panelist and retired Texas Supreme Court Judge Tom Phillips' support for the so-called merit system of appointing judges from a list compiled by lawyers, Taylor told participants that instead he favors the open election of judges. Political influences always dog judicial choices, hovering over the process like an elephant in the room, explained Taylor, who this fall will run for his second full eight-year term. "We cannot escape that selection is political," said Taylor. "I am, with certain misgivings, in favor of the popular election of judges. . . . At least with popular election we take notice of the elephant in the room." "Merit selection drives the politics underground," Taylor continued. "It's better to have the politics in the open arena, openly discussed and debated."

Phillips said he and Taylor agree that the best place for judicial election is at the state supreme court level. But in lower state courts and especially in urban areas, he countered, voters know little or nothing about judicial candidates. The merit system means that "we don't have to have the elephant in the room in trial court judicial choices."

Markman was one of three speakers for the panel "An Originalist Judge and the Media," while Corrigan served as moderator for the symposium's opening panel on "Judicial Interference with Community Values." Young moderated the Saturday morning discussion *"Kelo, Grutter,* and Popular Responses to Unpopular Decisions."

Michigan Supreme Court Justices Taylor, Young, Corrigan, and Markman.

New Faculty

IN DETAIL

Caminker reappointed as dean

U-M President Mary Sue Coleman and Provost and Executive Vice President for Academic Affairs Teresa A. Sullivan have appointed Evan Caminker to a second five-year term as dean of the Law School, pending formal approval of their action by the University's Board of Regents. At deadline time, the reappointment was expected to be acted on at the regents' June meeting.

Caminker has provided "visionary and collaborative leadership as dean," Sullivan said. He also:

- "Has worked tirelessly and successfully to conceive and fundraise for an achievable building plan for the Law School expansion";
- "Has been innovative in attracting a talented and diverse student body";
- And "has done an excellent job strengthening the faculty through retention and recruitment."

"Dean Caminker is respected and admired nationally as one of the very best deans in legal education," Sullivan noted.

Deborah Burand

Deborah Burand, microfinance, international finance, and bank regulatory expert, joins the faculty this year as a clinical assistant professor and director of Michigan Law's new International Transactions Clinic (ITC). She will collaborate with Professor Michael S. Barr and Adjunct Clinical Assistant Professor Timothy L. Dickinson, '79, to design, launch, and teach the clinic.

The ITC, one of two clinics being launched in the coming academic year (see story on page 81), "will be focused on negotiating and documenting cross-border deals, particularly in emerging markets."

Burand earned her J.D./M.S.F.S. (law/international business and development) at Georgetown University and her B.A. at DePauw University. She has taught as an adjunct professor at Georgetown University's School of Foreign Service and Georgetown's Law Center and has been a guest faculty member at the Boulder Microfinance Training Institute in Turin, Italy, and Santiago, Chile, and at the International Development Law Organization in Rome.

Currently Burand is a consultant to multinational corporations, research institutes, international organizations, nonprofits, foundations, and multilateral and bilateral development institutions. She also is the chairman of the board of directors of Microfinance Opportunities, president and co-founder of Women Advancing Microfinance International, and serves on the investment committee of a microfinance fund managed by DeutscheBank and on the advisory committee of Microvest, another microfinance investment fund.

Burand served from 2006-08 with the Grameen Foundation, most recently as executive vice president for strategic services. Grameen Foundation is a nonprofit, global microfinance network that operates in more than 25 countries. At Grameen Foundation, Burand launched its strategic planning center, Africa initiative, and helped prepare Grameen Foundation to launch its human capital center. She also oversaw the work of the Grameen Foundation's strategic centers of excellence.

From 2001-04 she served with the nonprofit, global microfinance network FINCA International, where she launched FINCA's capital markets group and technical assistance team, while supporting the transformation of FINCA's most commercially viable microfinance partners into for-profit, regulated financial intermediaries.

She also has served with the U.S. Department of the Treasury, first as senior attorney/advisor for international monetary matters in the Office of the General Counsel, then as senior advisor for international financial matters in the Office of the Assistant Secretary for International Affairs. In addition, she has served as senior attorney in the international banking section of the Legal Division of the Federal Reserve System's Board of Governors.

She has practiced law with Shearman & Sterling, where she assisted in project financings and telecom vendor financings in Latin America, Russia, and Asia; drafted and negotiated documentation for cross-border financial transactions in emerging markets; advised commercial bank steering committees; and negotiated and drafted debt-for-equity exchanges funding private sector investments in Latin America.

Burand was named an International Affairs Fellow of the Council on Foreign Relations in 1993. She served her fellowship while working at the International Monetary Fund and the European Bank for Reconstruction and Development. She is a member of the Council on Foreign Relations.

Susan P. Crawford, internet law and telecommunications law specialist, joins the Michigan Law faculty this fall as a professor of law, further enhancing the School's renown as the home of thriving activity in scholarship and teaching in the field of information law.

Susan P. Crawford

Crawford, who taught at Michigan Law in fall 2007 as a visiting professor, joins current faculty members and intellectual property/information law specialists Rebecca Eisenberg, Jessica Litman, and Margaret Jane Radin, making the Law School one of the foremost centers in the country for legal education in this expanding field.

Crawford earned her J.D. at Yale University, and, like Radin, who plays and studies flute, also is a musician. Crawford earned her B.A. in music and won the Joseph L. Selden Prize for distinction in the arts at Yale, where she was principal violist with the Yale Symphony Orchestra. She comes to Michigan Law from Benjamin N. Cardozo School of Law, where she taught since 2003.

Crawford clerked for the Hon. Raymond J. Dearie of the U.S. District Court for the Eastern District of New York, and practiced with Wilmer, Cutler & Pickering (now WilmerHale) for 10 years in Washington, D.C., where she became partner in 1997. She also has taught at Georgetown University Law Center in Washington.

Founder of OneWebDay, the annual global celebration of the web held each Sept. 22,, Crawford is a policy fellow of the Center for Democracy & Technology in Washington, D.C., a fellow of the Yale Law School Information Society Project, a board member of the Internet Corporation for Assigned Names and Numbers (ICANN), and a member of the executive committee of Yale Law School.

Her articles have appeared in journals such as *U.C.L.A. Law Review*, *Berkeley Technology Law Journal*, *Fordham Law Review*, and the *Virginia Journal of Law and Technology*. She is a frequent lecturer on Internet-related topics and frequently is quoted by media like the *New York Times* and the BBC.

Monica Hakimi joins the Michigan Law faculty this fall as an assistant professor. Her teaching and research interests are in the areas of public international law, international human rights law, the law of armed conflict, and U.S. foreign relations law.

Monica Hakimi

Hakimi holds a J.D. from the Yale Law School, where she was a Coker Fellow, and a B.A., summa cum laude, from Duke University. She spent a college semester studying sustainable development at the School for Field Studies in Costa Rica.

After law school, Hakimi clerked for Judge Kimba Wood on the U.S. District Court for the Southern District of New York and then served as an attorney-adviser in the Office of the Legal Adviser at the U.S. Department of State. At State, she counseled policymakers in the areas of non-proliferation, Iraqi reconstruction, international civil aviation, and international claims and investment disputes.

Hakimi comes to Michigan Law from the Benjamin N. Cardozo School of Law in New York, where she has taught as a visiting assistant professor since 2006. She has also taught as an adjunct professor at George Mason University Law School and as a volunteer English professor with WorldTeach in Ecuador.

Hakimi's publications include pieces in the *Yale Journal of International Law,* the *Duke Journal of Comparative and International Law,* and the *Vanderbilt Journal of Transnational Law.* In April 2007, she spoke at the Yale Law School on the international law governing the detention of terrorism suspects; and in September 2008 she spoke at a symposium sponsored by the U.S. Department of State on the restitution of property in post-conflict situations.


Penelope Mathew

Penelope Mathew, an Australian expert in international and human rights law is slated to take over this fall as interim director of Michigan Law's acclaimed Refugee and Asylum Law Program.

Penelope Mathew is currently on leave from the law faculty at the Australian National University College of Law in Canberra. In addition to her new duties as interim director at Michigan, she'll also join the Law School faculty as a visiting professor for a term of two years.

The appointment fills a temporary vacancy resulting from the granting of a multi-year leave to current Program Director James C. Hathaway, who is himself headed to Australia to become Dean of Law at the University of Melbourne.

"Professor Mathew will be a marvelous addition to what is already an internationally recognized refugee and asylum law program," said Michigan Law Dean Evan Caminker, who noted that Mathew spent time in Ann Arbor as a visiting scholar several years ago. "The breadth and depth of Professor Mathew's international experience will be a tremendous asset to shaping our students' understanding of refugee and asylum law."

Mathew earned her B.A. and LL.B. at Melbourne and her LL.M. and J.S.D. at Columbia. She has published widely in journals such as the *American Journal of International Law*, the *International Journal of Refugee Law,* and the *Georgetown Immigration Law Journal*. She also is one of the authors of *International Law: Cases and Materials*.

Mathew also has taken an active role in practice as a human rights and refugee lawyer. She has worked for various NGOs as a researcher, caseworker, and advisor, and has hard-won experience working with the Jesuit Refugee Service in Hong Kong's refugee camps. More recently, she's also worked as the human rights legal and policy adviser to the Human Rights Commission in the Australian Capital Territory, the Australian equivalent of the District of Columbia.

"We're eager to welcome Professor Mathew back to Ann Arbor," Caminker said. "Our Refugee and Asylum Law program is in very good hands."


David A. Moran, '91

David A. Moran, '91, who has argued before the U.S. Supreme Court five times in the last five years, joins the Michigan Law faculty this fall as a clinical professor and the first Orrick Fellow. He will split his time during the fall term teaching and planning the launch of the Law School's new Innocence Clinic, which he will co-teach with Associate Dean for Clinical Affairs Bridget McCormack. (See story on page 82.)

In addition to his law degree, Moran earned a B.S. in physics at the University of Michigan. As an undergraduate, he won a Power Scholarship to study at Cambridge University in England, where he earned a B.A., M.A. and Certificate of Advanced Study in mathematics. He also holds a Master's degree in theoretical physics from Cornell University.

After earning his J.D., Moran clerked for the Hon. Ralph B. Guy Jr. of the U.S. Court of Appeals for the Sixth Circuit. He then joined the State Appellate Defender Office in Detroit, where he represented indigent criminal defendants in state courts and in federal habeas corpus appeals.

He taught as an adjunct professor at Wayne State University Law School while with the State Appellate Defender Office, and joined the Wayne State Law School faculty fulltime in 2000, teaching criminal law, criminal procedure, evidence, an advanced seminar in criminal law, and a criminal justice internship.

Wayne State law students voted him Upperclass Professor of the Year each year from 2000-2007. In 2003 he also received the Wayne State university-wide President's Award for Excellence in Teaching and the law school's highest teaching honor, the Donald H. Gordan Teaching Award.

Active in pro bono representation, Moran has repeatedly argued cases before the U.S. Supreme Court. His most notable cases are *Halbert v. Michigan*, in which the Court ruled in Moran's favor and struck down a Michigan statute denying appellate counsel to indigent criminal defendants, and *Hudson v. Michigan*, in which the Court rejected Moran's argument that the exclusionary rule should apply to violations of the Fourth Amendment "knock and announce" rule. Moran is a founder and board member of the Michigan Innocence Project and helped draft the legislation that allows Michigan inmates to request DNA testing of potentially exculpatory evidence His articles have appeared in journals such as the *Ohio State Law Journal* and *American Criminal Law Review,* his op-ed pieces have appeared in Detroit newspapers.

Students will get hands-on international transactional experience

Starting this fall Michigan Law students will have the opportunity to gain hands-on experience in handling international transactions. The Law School's new International Transactions Clinic (ITC) "will be focused on negotiating and documenting cross-border deals, particularly in emerging markets," according to a notice announcing the new clinic.

Michigan Law pioneered the requirement that students take a course in Transnational Law in order to graduate. This new clinic further recognizes the expanding role that globalization plays in domestic as well as international practice.

The new clinic will be taught by Professor Michael S. Barr, veteran international transactional lawyer and clinical assistant professor Timothy L. Dickinson, '79, and Deborah Burand (see story on p. 78), who joins the Michigan Law family from the Grameen Foundation and has nearly 20 years' experience in microfinance and international finance.

Timothy L. Dickinson, '79

The clinic "will concentrate on teaching students skills that are critically important to their professional development as they enter into practice areas that involve international transactions," according to Dean Evan H. Caminker. "These include drafting and negotiation skills as applied to cross-border transactions, exposure to ethical issues that arise in the international commercial context, structuring and documenting investments in enterprises that primarily work in emerging markets, and an understanding of international economic and financial policy."

Clinical courses provide real-world experience for students by having them work with real clients on real cases under the supervision of their instructors. "In some cases, clients of the ITC might be providers of microfinance (loans, savings, insurance, and/or remittances) to microentrepreneurs and other low income households," according to a description of the new clinic.

"In other cases, clients of the ITC might be socially responsible investors that want to see their investments provide a double bottomline return—e.g., making a positive social impact on people's lives while also earning a financial return. Still other clients might be stakeholders interested in promoting business opportunities at the base of the pyramid, such as microfranchises (or those that fund microfranchises) that are developing 'business in a box' models to build business skills and offer employment opportunities to poor individuals.

Deborah Burand

"Clients also could include international organizations that are helping to build enabling legal and regulatory environments for businesses operating in emerging markets. And, finally, clients might include multinational corporations or other types of business enterprises, such as small or medium entrepreneurs, that are conducting cross-border transactions."

The clinic's international focus also will give students the opportunity to use cutting-edge communications technology when working with clients. Although direct contact will be the case whenever possible, students also can expect to communicate with clients via e-mail, Skype, or other electronic means.

Students will be encouraged to take the clinic for two terms "so as to allow them to provide legal support in the negotiation and documentation of multiple international transactions."

Michael S. Barr

New Innocence Clinic will look beyond convictions

Faculty members find few rewards greater than translating their expertise into benefiting future lawyers. This is the case with Michigan Law's new Innocence Clinic, which both expands the School's traditionally rich clinical offerings and offers two faculty members the opportunity to translate their knowledge into hands-on training for up-and-coming lawyers.

David Moran, '91, and Associate Dean for Clinical Affairs Bridget McCormack at the reception to celebrate Moran's appointment as Orrick Fellow.

Experts like Bridget McCormack and David A, Moran, '91, who both have worked on a number of wrongful conviction cases in Michigan, know firsthand that many prisoners are falsely convicted, often because they were inadequately represented by appointed counsel. (Moran joins the Michigan Law faculty this fall; see story on page 80.)

McCormack, Michigan Law's associate dean for clinical affairs, and Moran already have been working together on the case of two men convicted of a shooting and imprisoned after the judge ignored two eye witnesses and five alibi corroborators who contradicted the victim—who himself since has recanted.

Come January McCormack and Moran will put that and other experience at the service of Michigan Law students in the Law School's new Innocence Clinic. Through the clinic, each term 8-14 law students will get the opportunity to work directly on convictions for a variety of crimes that appear to warrant reversal and exoneration.

Moran, a current board member and a founder of the Michigan Innocence Project at Cooley Law School in 2000, has always believed that that project's DNA-centered efforts could not reach the larger number of cases of wrongful conviction where there was not DNA evidence

"Ever since we founded the Michigan Innocence Project we've wanted to form a non-DNA component," he explained. "The Cooley project was getting scores of claims of innocence. . . . In the vast majority of cases there is no DNA evidence involved. There almost never is DNA in armed robberies, burglaries, pickpockets, and assaults. And there's every reason to believe that people convicted of those crimes are likely or more likely to be innocent as people convicted of rapes and murders."

"What you need is a way to investigate," he continued. "When I was at the State Appellate Defenders Office (1992-2000) I worked on six cases where I was able to exonerate defendants, not on DNA-based evidence, but on new evidence of various sorts. What that experience showed me was that there are lots of wrongful conviction cases out there with no biological evidence."

Moran said the most common way to succeed legally in an innocence case is to document the ineffective assistance of counsel. Seventy-five of Michigan's 83 counties don't have a public defender's office, he explained, and a recent study showed Michigan to be the second worst state in the country for providing court-appointed counsel with the resources they need to gather evidence and represent their clients effectively. Three-fourths of indigent criminal appeals are litigated by attorneys appointed by the Michigan Assignment Appellate System, which has no investigative resources, he said.

McCormack and Moran said the new clinic will offer students a rich opportunity for hands-on legal work. "This clinic will provide students the opportunity to work on complex post-conviction cases, with litigation in the state and federal courts," McCormack explained.

"The cases will be fact and investigation intensive, and will provide students with opportunities outside the courtroom as well in working with media and public officials."

She also praised Moran and expressed excitement that he will be working on the new clinic. "The Law School is very lucky to have Dave joining the faculty," she said. "He is a tremendous teacher, scholar, and lawyer, and does all of these simultaneously at a very high level."

Moran, who has argued five times before the U.S. Supreme Court in the past five years, comes to Michigan from Wayne State University Law School, where he served as associate dean and associate professor or law.

The Innocence Clinic is supported in part by a gift from the international law firm of Orrick, Herrington & Sutcliffee LLP, which funds the Orrick Fellow title held by Moran.

Istanbul Seminar

By Mathias W. Reimann

Mathias W. Reimann

In December 2006, when I was teaching a short course at Koc University, a private elite university in Istanbul, Turkey, an idea was born at a dinner with the dean of the law faculty, Tugrul Ansay:

Why not bring Michigan Law students together with their colleagues from Koc University for a comparative law seminar in which they could learn about each other's legal systems? The idea became reality this year when six Michigan law students spent their week-long winter break in Istanbul in a series of intensive workshops with their Turkish counterparts. The Law School provided financial support for the travel to Turkey.

In the preceding weeks, both sides had jointly prepared three hypothetical cases, each of which raised fundamental issues in the respective legal systems. The private and commercial law case dealt with a complex sales, credit and security agreement, the criminal case with issues of criminal liability and of criminal procedure, and the constitutional law case with questions of freedom of speech, the right to demonstrate, and of the respective approaches to regulating higher education. Each side had prepared a series of memoranda and presentations explaining how the cases and the issues involved would be discussed and resolved in its legal system. These views were brought together, compared, and discussed in daily meetings and often, in a more private setting, thereafter.

The discussions continued at various dinners, inter alia with professors from other countries also visiting Koc University at the time.

The seminar participants visited a criminal trial in Istanbul where the chief prosecutor explained both the general features of the Turkish criminal justice system and the particulars of the trial itself. They were also hosted by a local law office and by the Istanbul branch office of the New York based law firm of White & Case.

At White & Case, a small and unexpected Michigan reunion occurred when they met with Asli F. Basgoz, '83, a partner and, as it turned out, a classmate of mine.

From a U.S.-American point of view, Turkey is an especially interesting object of comparison because it is a classic civil law system, modeled after the French, German, and Swiss legal systems. Since I was originally trained in Germany, I could, so to speak, help translate between the Turkish civil law culture and the American common law side. Cultural (as well as linguistic) translation was also provided by Michigan Law student Mustafa Ünlü, who grew up in Istanbul before coming to the United States.

Turkey presents fascinating political and legal issues arising from the tension between a deep commitment to republicanism and secularism and the rising influence of Islamic elements. This tension particularly shapes its constitutional culture and entails a struggle between Western values and Middle Eastern traditions. Turkey is also affiliated with the European Union, although the issue of its future membership has yet to be resolved.

The hospitality extended by the Turkish hosts reached way beyond the call of duty and led to the making of what may in some instances will be lasting international friendships. The Michigan seminar participants and I are currently pursuing plans to host a similar seminar at the Law School in the coming fall term for which a group of Turkish students would travel to Ann Arbor. They could then reunite with one of the faculty assistants at Koc University, Zeynep Elibol, who plans to join the LL.M. program this fall.

(Mathias W. Reimann, LL.M. '83, is the Hessel E. Yntema Professor of Law. He received his basic legal education in Germany (Referendar, Assessor). He is a graduate of and holds a doctorate (Dr. iur. Utr.) from the University of Freiburg Law School.)

Shedding a searching, year-long light on China

Nicholas C. Howson, left, with Asia Law Society conference keynote speaker Joe Kahn at the recent conference on journalism in China.

Assistant Professor of Law Nicholas C. Howson, a specialist in Chinese law and legal institutions, with Martin Powers, Sally Michelson Davidson Professor of Chinese Arts and Cultures, co-chaired the University-wide committee that organized the 2007-08 University of Michigan "China Theme Year". The rich variety of courses, symposia, lectures, exhibits, cultural programs, and other activities was grouped into five "rings" of programming: ChinaNow, ChinaActive, ChinaGreen, ChinaArts, and ChinaPartners. Sponsored by the University's College of Literature, Science and the Arts (LSA) and the University of Michigan's Center for Chinese Studies, the special theme year drew on resources from throughout the University, Greater China, and worldwide. Here, Howson discusses the Theme Year and the importance of a deeper appreciation of the Chinese world in the context of the University of Michigan's and the Michigan Law School's unique history of engagement with China.

Q. Why was China an appropriate and important subject for a Theme Year now?

For good or ill, China—and in particular the "rise" of China—is in the news today. That is as true for the citizens of the United States as the citizens of Africa, Europe, South America, and other parts of Asia. As a University, we would be irresponsible if we didn't bring the question of China's development to our students. As a Law School, China's influence on every aspect of our lives—personal, political, economic, military and legal—is growing, and our students must try to attain a better understanding of China's legal and governance systems.

Q. Developing this Theme Year must have acquainted you with the richness of the University of Michigan to a degree that otherwise might have taken years. What was your reaction as you surveyed the variety of interests in and ties with China that a large, international research university like the University of Michigan offers?

One of the reasons I was so excited about coming to Michigan Law was precisely the world-renowned University of Michigan Center for Chinese Studies, and its function as a forum for the world's top academics studying and trying to explain China—political scientists, sociologists, economists, labor specialists, art historians, cultural historians, etc. Being involved in the Theme Year confirmed even my most optimistic expectations. And at the Law School we now have a critical mass of "Asianists" (including many China studies experts) in our student body, so it has been a real pleasure to watch them take advantage of what our incredible University has to offer in this regard.

Q. What does this bode for future U-M ties with China?

Our President is clearly committed to strengthening and deepening the University's ties with China, as is Dean Caminker (who is visiting China again this summer for the second time in two years). The Theme Year is only a

very small part of a coordinated effort to continue engaging with China, and add to the Michigan tradition in China. I was reminded of these ties last summer when I witnessed U.S. ambassador to the PRC, and Michigan Law School alumnus, Sandy (Clark T.) Randt, '75, lead a crowd of several hundred Chinese scholars and students in a stirring singing of "Hail to the Victors" at the top of a Beijing skyscraper!

Q. Did this work add to your own thoughts about the role of law and changes in the legal system in China?

Yes. Anytime you dip into a multidisciplinary approach to any complex subject, insights multiply. I have always worked closely with other University colleagues on questions related to the development of Chinese law and legal institutions, and the Theme Year only reinforced our already flourishing interchange.

Q. What is driving these changes? Is the impetus domestic, international, or both?

It seems very lawyerly to answer "both". Your question is one of the most interesting issues involved with Chinese legal studies—just when you think you have identified a factor that is absolutely determinative in effecting "change" in law and legal institutions—whether formally or as applied—some other idea crowds its way into the picture as equally dispositive. That only tells me that we have to continue to study the process of change in the Chinese world, try to understand it, and try to communicate those understandings to our students.

Conference participants: China's rule of law will keep lurching ahead

Pulitzer Prize-winning journalist Joseph Kahn turned storyteller to illustrate what he discovered about China's emerging legal system when he delivered his keynote address at a conference on the rapidly modernizing country at the Law School in March.

Kahn was main speaker as well as a panel participant for the Asia Law Society's conference Activist Lawyers and Muckraking Journalists: Pressure for Legal Reform in China. Other sponsors included Michigan Law, the University of Michigan's Department of Political Science and Center for Chinese Studies, and Linklaters LLP.

Kahn and other participants described a system that is adopting some trappings of western ideas of press freedom and legal procedure, but is squeezing those changes through the filter of its own cultural traditions and single party rule.

Chinese communist leader Mao tse-Tung abolished the country's legal system after taking power in 1949, and the country operated without an effective system of laws until 1978, when it began to lurch into the modern legal era. Kahn arrived in China in the late 1990s as a *Wall Street Journal* reporter. Looking for stories he felt would seize his American readers' attention, he set out to find a case in which a Chinese citizen was wrongfully accused and had his case dismissed by a judge who upbraided the over-zealous prosecutor.

He found no such case, but struck gold when attorney Zhou Shifeng suggested that he was coming at the issue from the wrong perspective. The lawyer's client, a steelworker in Hunan Province named Qin Yanhong, had been sentenced to death for murder even though his confession was induced by torture, Chinese law requires more than the defendant's confession to convict, and another man confessed to the homicide as well as 17 others. Chinese authorities, however, decided to maintain the steelworker's conviction because he had no family, the wrongful conviction and execution only would harm him, and, more importantly, to save face for the prosecutor. Eventually, the steelworker was freed but has never been able to get the conviction erased from his record.

Later, as a *New York Times* correspondent in Beijing, Kahn found himself caught up in the kind of case he had searched for years earlier. His Chinese assistant alerted Kahn to changes occurring on the Central Military Commission, a pivotal part of China's single party government, then informed him that he should not do the story because the changes were rumors. But Kahn went ahead and filed the story because he had confirmed the information with other sources.

But his assistant was arrested for exposing high-level state secrets. The evidence against him was the memo he had given Kahn. The *Times* went to bat for him, and eventually President Bush, then-security advisor Condoleezza Rice, and other U.S. high-ranking government officials successfully pressured China to drop the charges. The 10-page decision used one page to say the prosecution had failed to prove its case—and the other nine pages to explain why the court was sentencing the *Times* staffer to three years for fraud.

"In low level cases judges and prosecutors and police tend to be on the same team and tend to work hand in hand together," Kahn explained in conclusion. "There's a lot of face involved. But at the very high level, the legal process is essentially set aside. It's a political process, a diplomatic process that takes legalistic form."

Kahn joined Chinese journalist Yang Jian, director of the newspaper *Huaxi Dushi* in Chengdu and *Baixing* magazine in Beijing, and Michigan Law Assistant Professor and China law specialist Nicolas Howson for the conference's opening panel discussion on "The Media."

Modern China still operates through the "rule of man—through law, but not the rule of law," China expert Kenneth Lieberthal, the U-M's Arthur Thurnau Professor of Political Science and William Davidson Professor of International Business at the Ross School of Business, explained in opening remarks at the conference. But Chinese leaders see the greater use of law as beneficial because most issues are not political in nature and a legal structure provides greater regularity in decision making, takes blame away from the government for many decisions, offers the population a greater sense of fairness, and provides the rules that a modern society needs to operate efficiently.

"The space available for law and procedure will continue to expand as the market economy continues to grow," Lieberthal said. "Law is needed for the market to play out."

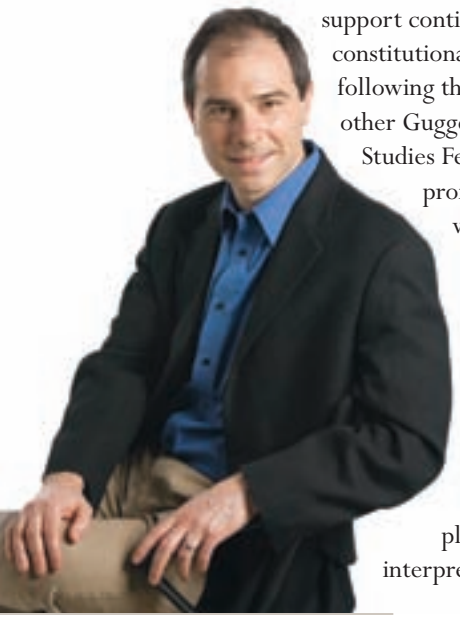
Primus awarded inaugural Guggenheim Fellowship in constitutional studies

Michigan Law Professor Richard Primus joined an international cross-section of intellectual luminaries recently when he was awarded one of two inaugural Guggenheim Fellowships in constitutional studies. He joins 189 other American and Canadian Fellows in the class of 2008. Fellows were chosen from a field of 2,600 applicants; altogether, awards distributed to this year's group of artists, scientists and scholars will total $8.2 million.

The Guggenheim Fellowships, based on "stellar achievement and exceptional promise for continued accomplishment," were established in 1925 and are designed to encourage work in the arts, sciences, and humanities. This year's fellows are drawn from 75 different disciplines and 81 academic institutions; another 56 fellows are either unaffiliated with an institution or teach on a part-time basis.

In Primus' case, the award will help support continued work researching constitutional authority in the period following the Civil War. This year's other Guggenheim Constitutional Studies Fellow, Georgetown law professor Randy E. Barnett, will look into the "reconstructed Constitution."

A member of the Michigan Law faculty since 2001, Primus has taught the law, theory, and history of the U.S. Constitution, focusing on the role that history plays in constitutional interpretation.



Richard Primus

Hasen named IRS professor in residence

Internal Revenue Service Chief Counsel Donald L. Korb has selected David Hasen as the 2008-2009 Professor in Residence. The IRS professor in residence reports directly to the chief counsel and provides advice and assistance on a wide array of legal issues within the scope of his or her expertise.

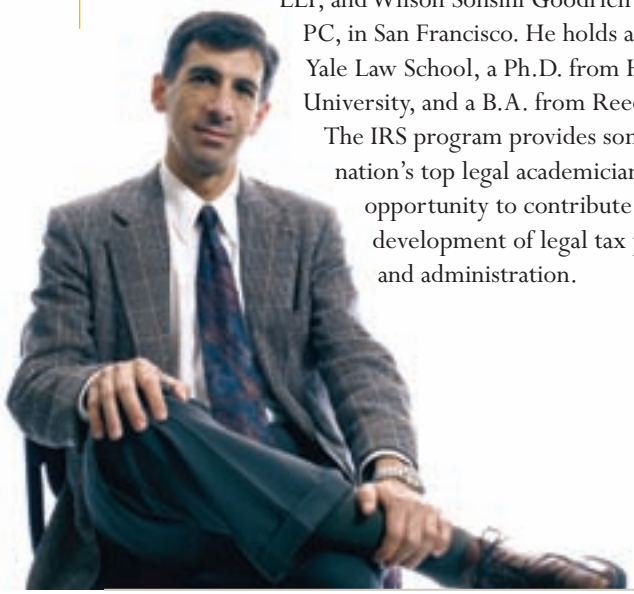
"We are excited to have David join us in the fall to carry on the fine tradition we reinstituted last year," Korb said. "It is an extremely worthwhile program for both our lawyers, particularly the more recent hires, and for the law professors."

Hasen will serve a nine-month term starting in late October.

Hasen has been an assistant professor at Michigan Law since 2002. During the spring 2008 term, he was a visiting faculty member at the University of Southern California Gould School of Law. Previously, he taught as a visitor at Hastings College of the Law.

Hasen has written about the taxation of financial instruments, the tax consequences of unwinding transactions, and the taxation of advance payments. He worked as an associate in the tax departments of Orrick, Herrington & Sutcliffe LLP, and Wilson Sonsini Goodrich & Rosati PC, in San Francisco. He holds a J.D. from Yale Law School, a Ph.D. from Harvard University, and a B.A. from Reed College.

The IRS program provides some of the nation's top legal academicians the opportunity to contribute to the development of legal tax policy and administration.



David Hasen

McCrudden's *Buying Social Justice* wins ASIL top award

Affiliated Overseas Faculty member Christopher McCrudden's newest book, *Buying Social Justice: Equality, Government Procurement, and Legal Change* (Oxford University Press, 2007), has won a Certificate of Merit from the American Society of International Law (ASIL).

ASIL's award recognizes McCrudden's "preeminent contribution to creative scholarship." Certificates of Merit also are given to authors for work in "a specialized area of international law, and/or high technical craftsmanship."

In *Buying Social Justice*, McCrudden, professor of human rights law and fellow of Lincoln College at Oxford University, examines government buying policies and actions in a number of countries. He concludes that public procurement practice can contribute to social justice, despite many economists' claims that it is inefficient and many lawyers' charges that it restricts competition.

"*Buying Social Justice* argues that European and international legal regulation of procurement has become an important means of accentuating the positive and eliminating the negative in both the social and economic uses of procurement," according to his publisher.

The 736-page book also compares policies and results in the United States, United Kingdom, Ireland, and South Africa.

Other Michigan Law faculty members who have won the award include

- (2007) **James C. Hathaway**, director of Michigan Law's Refugee and Asylum Law Program, currently on leave to serve as dean of the law school at the University of Melbourne, for *The Rights of Refugees Under International Law* (Cambridge University Press, 2005).
- (2001) Affiliated Overseas Faculty member **Christine M. Chinkin**, professor of international law at the London School of Economics and political science, University of London, for (with Hilary Charlesworth) *The Boundaries of International Law: A Feminist Analysis* (University of Manchester Press, 2000).
- (1998) Professor **Steven R. Ratner** for (with Jason S. Abrams) *Accountability for Human Rights Atrocities in International Law: Beyond the Nuremberg Legacy* (Clarendon Press, 1997).
- (1996) Affiliated Overseas Faculty member **Bruno E. Simma**, a judge on the International Court of Justice, for *Commentary on the Charter of the United Nations* (Oxford University Press, 1995).

Croley examines interplay of regulation and public interests

In *Regulation and Public Interests* (Princeton University Press, 2008), Professor Steven Croley, a specialist in regulatory policy and administrative law, explores the tension between our reliance upon regulatory institutions, on the one hand, and simultaneous mistrust of regulatory bodies, on the other. As he notes in his introduction, "The modern United States of America is thoroughly committed to regulatory government in actual practice, and yet rhetorically and ideologically that commitment seems awkward, if not hypocritical."

"To be clear from the start," he advises, "the thesis of this book is not that regulatory government works well all or even most of the time. It aims neither to foster complacency towards regulatory reform nor to apologize for the regulatory status quo. The more modest ambition of this effort, rather, is to show that cynical but commonplace accounts of the regulatory state have enjoyed an influence that far exceeds their conceptual rigor and empirical support: Regulatory failure is not inevitable."

Over the course of 379 well-documented pages, Croley discusses several case studies of regulation which, he argues, vindicates some faith in regulatory government. His case studies include the U.S. Food and Drug Administration's tobacco initiative, the U.S. Forest Service's roadless policy for National Forests, and the Environmental Protection Agency's ozone and particulate matter rules, among several others.

"Croley has done much more than write a lucid and learned book," Professor Elizabeth Magill of the University of Virginia Law School notes in the book review edition of *Michigan Law Review* this year (106.6 *Michigan Law Review* 1021, April 2008). "His analysis of the behavior of agencies is an important contribution to our understanding of government regulation. Croley's foundational argument is that agencies have a great deal of autonomy. The argument is sophisticated, creative, and compelling."

A bittersweet celebration

Retiring faculty members Philip Soper, James Boyd White, and Richard O. Lempert, '68, together have taught for a total of 100 years at Michigan Law.

"Bittersweet," was Dean Evan Caminker's description for the evening's celebration. Family members, friends, and colleagues gathered to celebrate the rich and rewarding careers of three inimitable faculty members—Richard O. Lempert, '68, Philip Soper, and James Boyd White—but they also were marking the three scholars' retirement from active teaching after together contributing a century of service to the Michigan Law family.

Of Lempert, a former U-M Sociology Department chairman whose energy and enthusiasm are legendary, Caminker noted "when he has a good idea he shoots me an e-mail" and during his deanship has sent "an average of one every five days." Again slipping behind the usual scenes, Caminker shared photos of himself and Soper donning costumes and dueting on "Take a Chance on Me," thus debunking the image of the tall, well-dressed Soper as "very mild mannered" and always calm. Of White, Caminker said, "he is nothing if not inspirational."

The evening also offered colleagues the opportunity to praise and share anecdotes about the retiring teachers:

• Emeritus Professor David Chambers (seriously) and Professor Samuel Gross (humorously) drew attention to Lempert's devotion to social justice and statistics-reinforced social science research.

• Professors Peter Westen and Donald Regan described Soper's analytical frame of mind and devotion to the issues of "What is law?" and what Regan called "the hardest question in moral philosophy"—"How do you account for the fact that I may be wrong?"

• Professor Rebecca Scott praised White, whose U-M resumé also includes appointments in English and classical studies, for his longtime leadership of the Michigan Society of Fellows, and Professor Bruce Frier, while noting his "remarkable academic career," noted ruefully that White's departure from the faculty also means that members of the Michigan Law family will have fewer opportunities to talk with his wife, Mary.

Lempert, who joined the faculty in 1968, praised his good fortune in joining the faculty when he was only 25 and being able to enjoy the camaraderie of colleagues for so long. Soper, a member of the faculty since 1973, complimented the Law School's diversity, tolerance, and encouragement of ideas, and "for that, the Law School is home." White, who came to Michigan from Chicago in 1983 because he was drawn to its intellectual energy and variety, reported that "once I arrived here I had no major desire to leave."

L. Hart Wright Professor of Law James Boyd White listens to the evening's program with his wife, Mary, and faculty colleague Bruce Frier, the Henry King Ransom Professor of Law, who was one of the speakers in honor of White.

Philip Soper, the James V. Campbelll Professor of Law, tells well-wishers how the Law School has become like home to him.

Richard O. Lempert, '68, the Eric Stein Distinguished University Professor of Law and Sociology, shares time with the mentor for whom he chose to name his professorship, Hessel E. Yntema Professor of Law Emeritus Eric Stein, '42, center, and Clinical Professor Grace Tonner, director of Michigan Law's Legal Practice Program.

Activities

Irwin I. Cohn Professor of Law **Reuven Avi-Yonah** in May co-organized a conference on corporate social responsibility in Paris and chaired and participated in a meeting of the VAT committee of the ABA tax section in Washington, D.C. In April, he taught a mini-course on the Organization for Economic and Community Development (OECD) model treaty at the University of Sao Paolo in Brazil. In March, he participated in a conference on public international law and tax law in Natal, Brazil, took part in a University of Virginia conference on reforming U.S. international tax, participated in a conference on European Union tax at New York University, and testified on the tax treatment of derivatives before the U.S. House Committee on Ways and Means. Earlier in the year, he chaired the ABA tax section's VAT committee meeting at Las Vegas and presented a paper on formulary apportionment at Northwestern Law School. Late last year he taught a mini-course on international tax and presented a paper on international tax as international law at Hebrew University in Jerusalem, taught a mini-course on corporate tax and presented papers in Italy at Bocconi University in Milan and the University of Bergamo, and took part in a conference on the allocation of income under tax treaties at Vienna Economic University.

Professor **Michael S. Barr** testified before the House Financial Services Committee and the Senate Banking Committee regarding the subprime mortgage crisis, and was interviewed on CNBC and Bloomberg TV. He published an op-ed in the *New York Times* with Sendhil Mullainathan and Eldar Shafir, and at FT.com with Laura Tyson. Barr presented a series of papers on financial services at the Federal Reserve Board, the World Bank, the Joint Center on Housing Studies of Harvard University, the annual Conference on Empirical Legal Studies at New York University, the John F. Kennedy School of Government at Harvard University, Princeton University, the Western New England School of Law, and Yale Law School. Barr also became a senior fellow at the Center for American Progress in Washington, D.C.

Clinical Assistant Professor of Law **Rachel Croskery-Roberts**, who

teaches in Michigan Law's Legal Practice Program, has been named to three positions with the Association of American Law Schools (AALS): She is chair-elect for the Section on Legal Writing, Reasoning, and Research for 2008 and will serve as treasurer for the Section on Teaching Methods for 2008. She also was appointed to the elections committee for the AALS Section on Teaching Methods for 2008. At AALS' annual meeting in New York in January, she moderated the panel "Rise of the Pink Collars: Women in the Legal Academy," which was co-sponsored by the sections on Women in Legal Education, Clinical Legal Education, and Legal Writing, Reasoning, and Research. She also is co-editor (with Clinical Professor of Law Grace Tonner, director of the Legal Practice Program) for the forthcoming series of books *A Bridge Into Practice* (Aspen) to provide a blueprint for enhancing skills development in specific areas of law.

This summer **Yale Kamisar,** the Clarence Darrow Distinguished University Professor of Law Emeritus and Professor Emeritus of Law, and his co-authors will publish the 12th edition of their casebook on criminal procedure. Kamisar's co-authors are Jerold Israel, Michigan Law's Alene and Allan F. Smith Professor Emeritus of Law, and Vanderbilt Law School Professor Nancy King, '87. Kamisar's article, "Can *Glucksberg* Survive *Lawrence?* Another Look at the End of Life and Personal Autonomy," appears in the June issue of the *Michigan Law Review*. Kamisar wrote his first article on the same general subject, euthanasia and suicide (and the first article he ever wrote), exactly 50 years ago.

Assistant Professor **Madeline Kochen** has been awarded a fellowship at the University of Michigan's Frankel Institute for Advanced Judaic Studies for 2008-09. In other activities, she participated in the conference "Free Will, Responsibility, and Coercion in The Talmud" at Harvard Law School in May. Last fall she presented her paper "Marcel Mauss and the Study of Talmudic Property Law" at the Annual Meeting of the Society of Biblical Literature in San Diego. She also has been elected to the Board of Directors of the ACLU of Michigan.

Douglas Laycock, the Yale Kamisar Collegiate Professor of Law, in May was elected second vice president of the American Law Institute and spoke on "The Historical Development of the First Amendment Religion Clauses" for the State Bar of Texas' Continuing Legal Education program on The Bill of Rights at Austin. In April, he discussed "The Supreme Court and Religious Liberty" in a program for the Washtenaw County ACLU. In March, he spoke on "Judicial

Interference with Community Values" as part of the national conference of Federalist Society student chapters at Michigan Law, and earlier in the month discussed "Church Autonomy Revisited" at a Federalist Society conference at Georgetown Law School.

Richard O. Lempert, '68, the Eric Stein Distinguished University Professor of Law and Sociology Emeritus, has begun his term as president of the Law and Society Association and continues as Secretary of Section K (Sociology, Economics, and Political Science) of the American Association for the Advancement of Science.

Professor **Jessica Litman** discussed "Copyright Reform" when she delivered the University of Pittsburgh School of Law Distinguished Intellectual Property Lecture in March. Earlier in the academic year, she proposed "Rethinking Copyright" when she delivered the 2008 Annual Graftstein Lecture in Communications Law at the University of Toronto, and spoke on "Beyond Fair Use" as a participant in the Columbia Law School Kernochan Center Symposium "Fair Use: Incredibly Shrinking or Extraordinarily Expanding?" As outgoing chair of the Association of American Law Schools (AALS) Section on Intellectual Property, she organized a panel discussion on patent law and independent inventors for this year's AALS annual meeting in New York City. Last fall she spoke on "Copyright Liberties and the Trumpet Problem" for the Innovation Law and Theory Colloquium at the University of Toronto Law Faculty and served on a panel discussing "Risks, Rights, and Responsibilities: Current Copyright Issues for Academics" in a program for the University of Michigan Library. In addition, with Professor **Margaret Jane Radin,** she conducted a season of the Michigan Intellectual Property Workshop series of presentations by recognized scholars in the intellectual property field.

Assistant Professor **John A.E. Pottow** was invited to do a presentation at the Olin conference on consumer credit at the University of Virginia earlier this year.

Professor **Adam C. Pritchard** presented "Does Delaware Entrench Management?" at the annual meeting of the American Law and Economics Association in May. In March, he participated in the second annual Capital Market Summit at the U.S. Chamber of Commerce Center for Capital Markets Competitiveness, and in February spoke on "The Future of Securities Fraud Litigation" at The Financial Economics Institute at Claremont McKenna College and the RAND Corporation. Earlier in the academic year, he discussed "The Future of Securities Class Actions in Canada" twice, at the Toronto Stock Exchange and at the Toronto Stock Exchange Lecture at the University of British Columbia Faculty of Laws National Center for Business Law. In other activities last fall, he participated in the conference on empirical legal studies at the Society for Empirical Legal Studies at New York University School of Law; took part in the Eugene P. and Delia S. Murphy Conference on Corporate Law at Fordham University School of Law; and spoke as part of the round-table Implications of Securities Class Actions for American Competitiveness for the Task Force on Capital Market, Economic, and Information Security for the U.S. House of Representatives.

In March, Professor **Margaret J. Radin** delivered "A Comment on Information Propertization and Its Legal Milieu" as part of the STIET Program's research seminar series. STIET, a multidisciplinary doctoral training program at the U-M and Wayne

Radin named to American Academy of Arts & Sciences

Professor Margaret Jane Radin, a noted property theorist and scholar of the jurisprudence of cyberspace, has been named a member of the 2008 class of fellows of the American Academy of Arts & Sciences. She is the 10th Michigan Law faculty member to be named to the prestigious academy.

Other members of the faculty who are fellows of the academy are: Phoebe Ellsworth; Bruce W. Frier; Richard O. Lempert, '68; Catharine A. MacKinnon; Donald Regan; Rebecca Scott; A.W. Brian Simpson; Joseph Vining; and James Boyd White.

Established at the time of the American Revolution, the academy each year recognizes U.S. and overseas leaders in sciences, arts and humanities, business, public affairs, and the nonprofit sector by inviting them into its class of fellows.

"The 212 scholars, scientists, artists, civic, corporate, and philanthropic leaders come from 20 states and 15 countries and range in age from 37 to 87," the academy said in announcing this year's 212-member class. "Represented among this year's newly elected members are more than 50 universities and more than a dozen corporations, as well as museums, national laboratories and private research institutes, media outlets, and foundations."

Among this year's class members are U.S. Supreme Court Justice John Paul Stevens; filmmakers Ethan and Joel Coen; Nobel laureates Linda Buck and Craig Mello; and guitarist B.B. King.

State University in Detroit, is funded by the National Science Foundation; STIET's research seminar series is supported through the U-M's Rackham Graduate School and University's Office of the Vice President for Research.

Professor **Steven R. Ratner** delivered the University of Michigan Inter-Humanitarians Council lecture in January, speaking on "International Law, Human Rights, and the 'War on Terrorism.' " During this academic year he also: traveled to South Africa to serve as panelist/commentator for the UN Office of the Special Representative for the Prevention of Mass Atrocities policy advisory group meeting on Prevention of Genocide and Mass Atrocities and the Responsibility to Protect; served as commentator for the Temple Law School symposium Ruling the World?: Constitutionalism, International Law, and Global Government at Philadelphia; spoke on "Who Has the Duty to Remedy Abuses? An Academic Perspective" at the Northwestern University School of Law/Katholieke Universiteit Leuven Faculty of Law symposium on corporate human rights responsibility at Chicago; and was an invited participant for the International Committee of the Red Cross/Washington College of Law expert roundtable meeting on teaching international humanitarian law at U.S. law schools in Washington, D.C.

Thomas M. Cooley Professor Emeritus of Law **John W. Reed** received the Michigan Supreme Court Historical Society's Legal History Award at the society's annual membership luncheon in Detroit in April; Reed has been a member of society's board since the organization was founded in 1988. Also, Reed this year is marking his 30th anniversary as administrator and editor for the International Society of Barristers.

Mathias W. Reimann, LL.M. '83, the Hessel E. Yntema Professor of Law, has been named a member of the Advisory Committee of the University of Freiburg, Germany; he is a graduate of and holds a doctorate from the Universisty of Freiburg Law School. In March, he was a presenter at the workshop "Innovations in the First-Year Curriculum" at American University in Washington, D.C. In February, he spoke on "Unification through Centralization in Choice of Law: The European Union as Model for the United States?" at a conference on The New European Choice of Law Revolution: Lessons for the United States, at Duke University Law School. In January, he discussed "Public and Private Enforcement" at the Bitburger Tespraeche (a prestigious policy-making conference) in Birburg, Germany, and also took part in a panel on "Enriching the Law School Curriculum in an Increasingly Interrelated World" at the annual meeting of the Association of American Law Schools in New York. Earlier in the academic year, he spoke on "Legal Transplants and the Transnational Legal order" at the annual meeting of the American Society of Comparative Law at Cornell University and on "Episodes in the History of Modern Territorialism" at the annual meeting of the American Society of Legal History in Phoenix.

In January, **Theodore J. St. Antoine**, '54, the James E. and Sarah A. Degan Professor of Law Emeritus, spoke on "Mandatory Arbitration: Why It's Better than It Looks" at the annual meeting of the Association of American Law Schools, then traveled to China, where he compared American and Chinese labor arbitration practices in programs at Shanghai and Guangzhou before groups of lawyers, law faculty and graduate students, arbitrators, and government officials. He also chairs the National Academy of Arbitrators' Committee on Employment (Nonunion) Dispute Resolution.

Clinical Assistant Professor of Law **Vivek Sankaran**, '01, this academic year has conducted a variety of training sessions: statewide training coordinated by the State Court Administrative Office for Michigan attorneys representing parents in child abuse/neglect proceedings; at the 2008 Children in the Courts Conference in Little Rock, Arkansas, on the Interstate Compact on the Placement of Children; and "Updates in Juvenile Case Law" training for the Washtenaw County Bar Association. Late last year he also was a panelist for the program "Translating Health Care: Understanding Cultural Differences in Medicine and Law" at the U-M Medical School. He also continues work as a member of the Michigan State Bar Equal Access Initiative and the Michigan Court Improvement Project Statewide Committee on the Representation of Children in Child Protective Proceedings.

A.W. Brian Simpson, the Charles F. and Edith J. Clyne Professor of Law, presented the Rorschach Lecture in Legal History at Rice University in March; he spoke on "The European Convention on Human Rights: The First Half Century."

Jeffrey F. Liss Professor from Practice **David M. Uhlmann**, director of the Environmental Law and Policy Program, in March served as moderator for the program "Renewable Energy and Competition," co-sponsored by the Law School, Ford School of Public Policy, and the School of Natural Resources and Environment; he also served as vice chair and planning committee member for the American Bar Association's 37th annual Conference on Environmental Law and as moderator for discussion of "Environmental Crimes in the New Millennium" at the Public Interest Environmental Law Conference at the University of Oregon. Earlier this academic year he was moderator for the "Combating Climate Change" program at the U-M, served as panelist for discussion of "Freedom from Oil" in a conference so-sponsored by the Law School and the School of Natural Resources and the Environment, and was a speaker for the American Law Institute/American Bar Association conference on Criminal Enforcement of Environmental Laws.

Lawrence W. Waggoner, '63, the Lewis M. Simes Professor of Law, delivered the Tamisiea Lecture at the University of Iowa in March, speaking on "Why I Do Law Reform." He is finalizing for publication the third volume of the *Restatement (Third) of Property: Wills and Other Donative Transfers* and working on the early chapters of the fourth and final volume of the Restatement. He also is preparing amendments to the Uniform Probate Code (UPC) for final approval at the summer meeting of the Uniform Law Commission in Big Sky, Montana; the amendments cover a variety of topics, including the inheritance rights of children of assisted reproduction.

James J. White, '62, the Robert A. Sullivan Professor of Law, continues his work as a member and reporter for the Drafting Committee for Implementation of the UN Convention on Independent Guarantees and Stand-by Letters of Credit. Last summer he spoke on "The Impact of Revised Article 9 on Consumer Credit Transactions" at the annual meeting of the ABA Section of Business Law annual meeting and recently spoke on "Trends in Chapter 13 Filings" at the Sixth Circuit Judicial Conference in Asheville, North Carolina.

Visiting and adjunct faculty

Visiting Professor **Noah Hall**, '98, a professor at Wayne State University Law School, this year founded the Great Lakes Environmental Law Center and serves as its executive director; GLELC is located in Ann Arbor and Detroit. In December, he testified before the Domestic Policy Subcommittee of the U.S. House of Representatives Oversight and Government Reform Committee regarding federal and state laws on bottled water and recommendations for reform. At Wayne State, he received the Donald Gordon Award and Honorarium for Teaching Excellence.

Visiting Professor of Law **Martha S. Jones**, an associate professor of history and Afroamerican and African studies at the U-M, has been named a visiting scholar for 2008 at the National Constitution Center in Philadelphia. "I share this honor with [former U-M Law School faculty member] Theodore Shaw of the NAACP Legal Defense and Educational Fund," she notes.

Michigan Law Library Director and adjunct faculty member **Margaret Leary** this summer will serve as a consultant to the University of Melbourne Law School in Australia, with special emphasis on services to support faculty research. Also this summer, she addresses the Association of American Law Schools Workshop for Law Library Directors in Cleveland, Ohio, on "Budget Reductions: Doing More With Less." Last summer she received the American Association of Law Libraries' "Call for Papers" Award for her article "Discovering William Cook: Ten Sources for Reconstructing the Life of a Lawyer," which appears at 100 *Law Library Journal* 39-58 (No. 1, Winter 2008).

In March, **Leonard Niehoff,** '84, of Butzel Long in Ann Arbor, spoke on the subject "*Garcetti* and Public Employee Free Speech" at a meeting of the National Association of College and University Attorneys in Seattle.

In Memoriam: Frank R. Kennedy

Frank R. Kennedy, a professor at Michigan Law for 25 years, died February 1 in Ann Arbor after suffering a heart attack. He was 93.

Kennedy was a pioneer in the field of bankruptcy law and widely considered to be the leading national expert in the field during his tenure at the Law School.

He served as the executive director of the United States Commission on Bankruptcy Law from 1970-73. In that capacity, he was the principal architect of the Bankruptcy Reform Act of 1978, the first comprehensive revision to the nation's bankruptcy laws in more than 75 years. He was reporter for the Advisory Committee on Bankruptcy Rules of the Judicial Conference of the United States from 1960-76, and draftsman of the Rules of Bankruptcy Procedure promulgated in 1972 by the U. S. Supreme Court, where he was instrumental in merging the Bankruptcy Rules with the rules that generally apply in federal civil cases. He co-authored Volumes 4, 4A and 4B of *Collier on Bankruptcy* (14th edition), the leading treatise on bankruptcy law, and was a coauthor of "Partnerships, Limited Liability Entities and S Corporations in Bankruptcies," published in 2000.

Kennedy was born July 27, 1914, to David and Maida Kennedy in Strafford, Missouri. He and his four younger brothers worked long hours on their father's farm in the Ozark Mountains, where his father also worked as a rural mail carrier. Of the five brothers, three became lawyers, one brother a physician, and the other brother a minister.

Kennedy obtained his bachelor's degree in 1935 from Southwest Missouri State and taught high school English, Latin, and public speaking for a year before entering law school. While attending Washington University Law School in St. Louis, Missouri, he helped out a fellow student in the midst of exams by meeting his friend's sister at the train station. The sister was Patricia Harvey of Tulsa, Oklahoma, who was on her way home from Wellesley College. He said he fell in love at first sight. After he obtained his law degree in 1939 from Washington University, he and Harvey married. The couple soon left for Yale University, where Kennedy was a Sterling Fellow from 1939-40, and where he received the Doctorate of Juridical Science degree. The two remained married for 67 years, until Patricia died in 2006.

During World War II Kennedy served as associate counsel for the Office of Price Administration and then served in the Navy for three-and-a-half years. He was a member of the U.S. Naval Reserve for more than 20 years and retired with a rank of commander.

Kennedy began his legal career at the University of Iowa Law School, where he taught for 17 years. From 1961 until his retirement in 1984, he taught at the U-M Law School, where he was named Thomas M. Cooley Professor of Law. While teaching at the University, he also acted as a consultant to the United States Department of Justice, the Department of the Treasury, and to the World Bank.

After his retirement from the Law School, he practiced law for 10 years with the Chicago law firm of Sidley & Austin.

Many of Kennedy's students wrote about the profound impact he had on them. In the words of one, "He made a greater difference in my legal education than anyone else. To the extent I accomplished anything, he was the source of that accomplishment."

Henry M. Butzel Professor of Law Thomas E. Kauper, '60, described Kennedy as "a gentleman and a warm, sophisticated, and extremely diligent colleague who was supportive of the young faculty, both professionally and socially. He had a towering reputation in his field, a status that put him at the very top, and was a little intimidating to those of us who were just beginning."

Kauper, who studied under Kennedy during the visiting professorship that led to Kennedy's appointment to the Michigan Law faculty, recalled: "The class was not only his first class at Michigan, but the first and I believe only time he taught Constitutional Law to a group of Michigan students. He taught the class in an unorthodox way. In 1958, when I took the course, David Lawrence in his column in *U.S. News &World Report* was launching weekly attacks on the so-called Warren Court. One day a week, Frank read those columns to the class (we of course had no Xerox machines) and we spent the rest of the hour critiquing them. It was an exciting way to give the course a current setting. Most of us really enjoyed the course, although a few black-letter students objected. I have often tried to emulate what Frank did, always with far less success."

Robert A. Sullivan Professor of Law J.J. White, '62, who also studied under Kennedy before joining him on the Michigan Law faculty, noted that "Frank Kennedy's impact and influence continued long after he ceased to be an active teacher, practitioner, and mover and shaker."

"Despite the burdens of a heavy teaching schedule, continuous scholarship, and numerous outside obligations, Frank Kennedy is never impatient," White wrote in the *Michigan Law Review* in 1983 on the occasion of Kennedy's retirement from active teaching. "No student or colleague's question is too trivial or too foolish for his consideration. On many occasions I have presented him with questions about the bankruptcy law, and I have never come away empty handed."

Memorials to Kennedy may be made to the Frank and Patricia Kennedy Endowed Scholarship Fund at the U-M Law School. [For more information call 734.615.4500 or use the envelope enclosed in this issue to send in your gift with an explanatory note.]

(This appreciation of Frank Kennedy is based on the obituary submitted by his family printed in The University Record *February 18, 2008.)*

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Prior to joining the Law School in 2004, Professor **Steven R. Ratner** was the Albert Sidney Burleson Professor in Law at the University of Texas School of Law at Austin. He holds a J.D. from Yale, an M.A. (diplôme) from the Institut Universitaire de Hautes Etudes Internationales (Geneva), and an A.B. from Princeton. Before joining the Texas faculty in 1993, he was an attorney-adviser in the Office of the Legal Adviser at the U.S. State Department.

Ratner's research has focused on new challenges facing new governments and international institutions after the Cold War, including ethnic conflict, territorial borders, implementation of peace agreements, and accountability for human rights violations. He has written and spoken extensively on the law of war, and is also interested in the intersection of international law and moral philosophy and other theoretical issues. In 1998-1999, he served as a member of the UN Secretary-General's three-person Group of Experts for Cambodia, and has advised the United Nations on issues of counter-terrorism, the human rights responsibilities of corporations, and the role of amnesties in UN-mediated peace negotiations.

Among his publications are five books: *The New UN Peacekeeping: Building Peace in Lands of Conflict After the Cold War* (St. Martin's, 1995); *Accountability for Human Rights Atrocities in International Law: Beyond the Nuremberg Legacy* (Oxford, 1997 and 2001) (co-author); *International War Crimes Trials: Making a Difference?* (University of Texas Law School, 2004) (co-editor); *The Methods of International Law* (American Society of International Law, 2004) (co-editor); and *International Law: Norms, Actors, Process* (Aspen, 2002 and 2006) (co-author). A member of the board of editors of the *American Journal of International Law,* he was a Fulbright Scholar at The Hague during 1998-99, where he worked in and studied the office of the OSCE (Organization for Security and Cooperation in Europe) High Commissioner on National Minorities. He teaches a variety of courses in international law and established and oversees the Law School's externship program with international organizations and NGOs in Geneva, Switzerland.

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James Boyd White is L. Hart Wright Collegiate Professor of Law Emeritus, Professor of English, and Adjunct Professor of Classics at the University of Michigan. He has published many books and articles on the nature of legal thought and expression, beginning with *The Legal Imagination* (Little, Brown 1973). His most recent book is *Living Speech: Resisting the Empire of Force* (Princeton, 2006). In this book he addresses some of the themes of the conference, as he also does in an interview published in 105 *Michigan Law Review* 1403 (1907).

Think again: The Geneva Conventions

By Steven R. Ratner

The following essay is based on the author's article of the same name in the "Think Again" section of the March/April 2008 issue of Foreign Policy *(pages 26-32). It is reproduced here with permission from* FOREIGN POLICY, *www.ForeignPolicy.com, #165 (March/April 2008). Copyright 2008 by the Carnegie Endowment for International Peace. The "Think Again" section of* Foreign Policy *seeks to educate readers by presenting and responding to common myths and conventional wisdom on important matters of international relations.*

"The Geneva Conventions are obsolete"

Only in the minor details. The laws of armed conflict are old; they date back millennia to warrior codes used in ancient Greece. But the modern Geneva Conventions, which govern the treatment of soldiers and civilians in war, can trace their direct origin to 1859, when Swiss businessman Henri Dunant happened upon the bloody aftermath of the Battle of Solferino. His outrage at the suffering of the wounded led him to establish what would become the International Committee of the Red Cross, which later lobbied for rules improving the treatment of injured combatants. Decades later, when the devastation of World War II demonstrated that broader protections were necessary, the modern Geneva Conventions were created, producing a kind of international "bill of rights" that governs the handling of casualties, prisoners of war (POWs), and civilians in war zones. Today, the conventions have been ratified by every nation on the planet.

Of course, the drafters probably never imagined a conflict like the war on terror or combatants like al Qaeda. The conventions were always primarily concerned with wars between states. That can leave some of the protections enshrined in the laws feeling a little old-fashioned today. It seems slightly absurd to worry too much about captured terrorists' tobacco rations or the fate of a prisoner's horse, as the conventions do. So, when then-White House Counsel Alberto Gonzales wrote President George W. Bush in 2002 arguing that the "new paradigm" of armed conflict rendered parts of the conventions "obsolete" and "quaint," he had a point. In very specific—and minor—details, the conventions have been superseded by time and technology.

But the core provisions and, more crucially, the spirit of the conventions remain enormously relevant for modern warfare. For one, the world is still home to dozens of wars, for which the conventions have important, unambiguous rules, such as forbidding pillaging and prohibiting the use of child soldiers. These rules apply to both aggressor and defending nations, and, in civil wars, to governments and insurgent groups.

The conventions won't prevent wars—they were never intended to—but they can and do protect innocent bystanders, shield soldiers from unnecessary harm, limit the physical damage caused by war, and even enhance the chances for cease-fires and peace. The fundamental bedrock of the conventions is to prevent suffering in war, and that gives them a legitimacy for anyone touched by conflict, anywhere, and at any time. That is hardly quaint or old-fashioned.

"If you've seen a classic war movie such as The Great Escape, *you know that prisoners of war are only obligated to provide name, rank, date of birth, and military serial number to their captors. But the Geneva Conventions do not ban interrogators from asking for more."*

"The conventions don't apply to al Qaeda"

Wrong. The Bush administration's position since Sept. 11, 2001, has been that the global war on terror is a different kind of war, one in which the Geneva Conventions do not apply. It is true that the laws do not specifically mention wars against nonstate actors such as al Qaeda. But there have always been "irregular" forces that participate in warfare, and the conflicts of the 20th century were no exception. The French Resistance during World War II operated without uniforms. Vietcong guerrillas fighting in South Vietnam were not part of any formal army, but the United States nonetheless treated those they captured as POWs.

So what treatment should al Qaeda get? The conventions contain one section—Article 3—that protects all persons regardless of their status, whether spy, mercenary, or terrorist, and regardless of the type of war in which they are fighting. That same article prohibits torture, cruel treatment, and murder of all detainees, requires the wounded to be cared for, and says that any trials must be conducted by regular courts respecting due process. In a landmark 2006 opinion, the U.S. Supreme Court declared that at a minimum Article 3 applies to detained al Qaeda suspects. In other words, the rules apply, even if al Qaeda ignores them.

And it may be that even tougher rules should be used in such a fight. Many other governments, particularly in Europe, believe that a "war" against terror—a war without temporal or geographic limits—is complete folly, insisting instead that the fight against terrorist groups should be a law enforcement, not a military, matter. For decades, Europe has prevented and punished terrorists by treating them as criminals. Courts in Britain and Spain have tried suspects for major bombings in London and Madrid. The prosecutors and investigators there did so while largely complying with obligations enshrined in human rights treaties, which constrain them far more than do the Geneva Conventions.

"The possibility that detainees could remain in legal limbo indefinitely at Guantánamo has turned the issue into a foreign-relations disaster for the United States."

"The Geneva Conventions turn soldiers into war criminals"

Only if they commit war crimes. For centuries, states have punished their own soldiers for violations of the laws of war, such as the mistreatment of prisoners or murder of civilians. The Geneva Conventions identify certain violations that states must prosecute, including murder outside of battle, causing civilians great suffering, and denying POWs fair trials, and most countries have laws on the books that punish such crimes. The U.S. military, for example, has investigated hundreds of service members for abuses in Iraq and Afghanistan, leading to dozens of prosecutions. Canada prosecuted a group of its peacekeepers for the murder of a young Somali in 1993.

Yet the idea that ordinary soldiers could be prosecuted in a foreign country for being, in effect, soldiers fighting a war is ridiculous. Yes, many countries, including the United States, have laws allowing foreigners to be tried for various abuses of war committed anywhere. Yet the risk of prosecution abroad, particularly of U.S. forces, is minuscule. Those foreign laws only address bona fide war crimes, and it is rarely in the interest of foreign governments to aggravate relations with the United States over spurious prosecutions.

The idea that the International Criminal Court could one day put U.S. commanders on trial is unlikely in the extreme. That court could theoretically prosecute U.S. personnel for crimes committed in, say, Afghanistan, but only if the United States failed to do so first. What's more, the court is by its charter dedicated to trying large-scale, horrendous atrocities like those in Sudan. It is virtually inconceivable that this new institution will want to pick a fight with the United States over a relatively small number of abuses.

"The Conventions prevent interrogations of terrorists"

False. If you've seen a classic war movie such as *The Great Escape*, you know that prisoners of war are only obligated to provide name, rank, date of birth, and military serial number to their captors. But the Geneva Conventions do not ban interrogators from asking for more. In fact, the laws were written with the expectation that states will grill prisoners, and clear rules were created to manage the process. In interstate war, any form of coercion is forbidden, specifically threats, insults, or punishments if prisoners fail to answer; for all other wars, cruel or degrading treatment and torture are prohibited. But questioning detainees is perfectly legal; it simply must be done in a manner that respects human dignity. The conventions thus hardly require rolling out the red carpet for suspected terrorists. Many interrogation tactics are clearly allowed, including good cop-bad cop scenarios, repetitive or rapid questioning, silent periods, and playing to a detainee's ego.

The Bush administration has engaged in legal gymnastics to avoid the conventions' restrictions, arguing that preventing the next attack is sufficient rationale for harsh tactics such as waterboarding, sleep deprivation, painful stress positions, deafening music, and traumatic humiliation. These severe methods have been used despite the protests of a growing chorus of intelligence officials who say that such approaches are actually counterproductive to extracting quality information. Seasoned interrogators consistently say that straightforward questioning is far more successful for getting at the truth. So, by mangling the conventions, the United States has joined the company of a host of unsavory regimes that make regular use of torture. It has abandoned a system that protects U.S. military personnel from terrible treatment for one in which the rules are made on the fly.

"The Geneva Conventions ban assassinations"

Actually, no. War is all about killing your enemy, and though the Geneva Conventions place limits on the "unnecessary suffering" of soldiers, they certainly don't seek to outlaw war. Assassinating one's enemy when hostilities have been declared is not only permissible; it is expected. But at the core of the conventions is the "principle of distinction," which bans all deliberate targeting of civilians. The boundless scope of the war on terror makes it difficult to decide who is and is not a civilian. The United States claims that it can target and kill terrorists at any time, just like regular soldiers; but the conventions treat these individuals like

quasi-civilians who can be targeted and killed only during "such time as they take a *direct* part in hostilities" [emphasis mine]. The Israeli Supreme Court recently interpreted this phrase to give Israel limited latitude to continue targeted killings, but it insisted on a high standard of proof that the target had lost protected status and that capture was impossible. What standards the United States might be using—such as when the CIA targeted and killed several al Qaeda operatives in Yemen in 2002—are highly classified, so there's no way to know how much proof is insisted upon before the trigger is pulled or the button pushed.

For European countries and others who reject the idea of a "war" against terrorists to begin with, targeted killings are especially abhorrent, as international law prohibits states in peacetime from extrajudicial killings. There are very specific exceptions to this rule, such as when a police officer must defend himself or others against imminent harm. To that end, a suicide bomber heading for a crowd could legally be assassinated as a last resort. By contrast, suspected terrorists—whether planning a new attack or on the lam—are to be captured and tried.

"The Conventions require closing Guantánamo"

No, but changes must be made. The Geneva Conventions allow countries to detain POWs in camps, and, if someone in enemy hands does not fit the POW category, he or she is automatically accorded civilian status, which has its own protections. But none of the residents of Guantánamo's military prison qualifies as either, according to the Bush administration, thus depriving the roughly 275 detainees who remain there of the rights accorded by the conventions, such as adequate shelter and eventual release.

The possibility that detainees could remain in legal limbo indefinitely at Guantánamo has turned the issue into a foreign-relations disaster for the United States. But let's be clear—the Geneva Conventions don't require the United States to close up shop in Cuba. The rules simply insist that a working legal framework be put in place, instead of the legal vacuum that exists now.

There are several options worth consideration. The prison at Guantánamo could be turned into a pre-trial holding area where detainees are held before they are brought before U.S. courts on formal charges. (The hiccup here is that most of the detainees haven't clearly violated any U.S. law.) Alternatively, the U.S. Congress could pass legislation installing a system of preventive detention for dangerous individuals. The courts could occasionally review detainees' particular circumstances and judge whether continued detention is necessary and lawful. (The problem here is that such a system would run against 200 years of American jurisprudence.) In the end, closing Guantánamo is probably the only option that would realistically restore America's reputation, though it isn't required by any clause in the conventions. It's just the wisest course of action.

"No nation flouts the Geneva Conventions more than the United States"

That's absurd. When bullets start flying, rules get broken. The degree to which any army adheres to the Geneva Conventions is typically a product of its professionalism, training, and sense of ethics. On this score, U.S. compliance with the conventions has been admirable, far surpassing many countries and guerrilla armies that routinely ignore even the most basic provisions. The U.S. military takes great pride in teaching its soldiers civilized rules of war: to preserve military honor and discipline, lessen tensions with civilians, and strive to make a final peace more durable. Contrast that training with Eritrea or Ethiopia, states whose ill-trained forces committed numerous war crimes during their recent border war, or Guatemala, whose army and paramilitaries made a policy of killing civilians on an enormous scale during its long civil conflict.

More importantly, the U.S. military cares passionately that other states and nonstate actors follow the same rules to which it adheres, because U.S. forces, who are deployed abroad in far greater numbers than troops from any other nation, are most likely to be harmed if the conventions are discarded. Future captors of U.S. forces will find new excuses to deny them treatment under the conventions; and depriving detainees in U.S. custody of decent treatment could decrease the likelihood that they will surrender, prolonging armed conflict and U.S. casualties. Career U.S. military commanders and lawyers have consistently opposed the various reinterpretations of the conventions by politically appointed lawyers in the Bush White House and Justice Department for precisely this reason.

It is enormously important that the United States reaffirms its commitment to the conventions, for the sake of the country's reputation and that of the conventions. Those who rely on the flawed logic that because al Qaeda does not treat the conventions seriously, neither should the United States fail to see not only the chaos the world will suffer in exchange for these rules; they also miss the fact that the United States will have traded basic rights and protections harshly learned through thousands of years of war for the nitpicking decisions of a small group of partisan lawyers huddled in secret. Rather than advancing U.S. interests by following an established standard of behavior in this new type of war, the United States—and any country that chooses to abandon these hard-won rules—risks basing its policies on narrow legalisms. In losing sight of the crucial protections of the conventions, the United States invites a world of wars in which laws disappear. And the horrors of such wars would far surpass anything the war on terror could ever deliver. ■

Law, economics, and torture

By James Boyd White

The following essay, which appears here with the permission of the University of Michigan Press, is the text of a talk given by Professor White at a conference held at the Law School last year, entitled "Law and Democracy in the Empire of Force." (An interview with White in which he discussed the conference appeared in the Spring 2007 issue of Law Quadrangle Notes *on pages 27-28.) In more complete form the essay will appear in a book of conference proceedings, edited by Professor White and Professor Jefferson Powell of Duke Law School, to be published by the University of Michigan Press in early 2009. The participants at the conference were invited to speak about their own sense of the ways in which law and democracy have been changing in recent decades and what these changes mean.*

The phrase "empire of force" comes from a famous essay by Simone Weil on the Iliad, *where she uses it to refer not only to brute force of familiar kinds, then and now, but more importantly to all the ways in which the habits of thought and expression at work in our culture tend to trivialize other people and deny their full humanity.*

In our invitation to you as speakers at this conference, Jeff Powell and I encouraged you to talk about the state of law and democracy in whatever way seemed to you best, whether or not it happened to comport with usual styles of academic thought and expression. Today I plan to take advantage of our own invitation, and speak a little differently from the way I usually do, about what I take our culture of law and politics to be like at the moment. What I say will necessarily be impressionistic and personal, and of course I do not ask you to accept any of it on my say-so. Take these reflections rather as a question, which is how far your own experience, your own thinking, is like or unlike my own.

I. Making the rich richer

As I think about the ways in which things are changing under our feet, a series of phenomena come to my mind. Maybe they are connected, maybe not. That is one of my questions.

The first of these is the response—or more properly nonresponse—of the public and the media to the remarkable transfer of national wealth to the very rich which has taken place in our lives. I grew up under Eisenhower, when there was a 90 percent tax on incomes over $100,000 ($1 million in our terms), and a general sense that our country was committed to fundamental equality. This was perhaps in part the result of World War II, of which people at every economic level bore the cost, even unto death. It was clear to almost everyone that we were somehow all in this together.

The transfer of wealth to a class of super-rich began modestly under Kennedy and has taken off in the past decade. It is I think a deliberate goal of the present administration, but its roots are much deeper in our world than that. What concerns me is that in recent years, aside from a few harmless op ed pieces, and a few more substantial articles in progressive journals, there has been little real concern about this transfer of wealth, certainly not the mass outrage one might have expected. I include law school faculties and students among those unconcerned.

A. My question is this: Why has this transfer not been instantly and unanimously resisted by the enormous majority of people at whose expense the rich are multiplying their wealth—a majority of whom are not doing well economically, some of whom are doing very badly?

This is a matter of mass psychology, and of course I am no expert, but I sense here a feeling of helplessness in the face of overwhelming force. I think that the concentration of wealth is not in the eyes of most people a good thing; they feel rather that nothing can be done about it, and that, in a world like this, one had better simply look to his or her own welfare, not large questions of law and democracy.

It seems that the rules of the game have somehow shifted over the past 20 years or so: one is not to expect equality, or fairness, or compassion, from our society or its government; one is not to expect decent social and medical services, or clean air, or a mature response to the immense problems of global warming; one is not to expect lawyers and judges to talk in an earnest and serious way about what justice requires. These things are not going to happen, so don't waste your energy complaining. It is a kind of learned helplessness.

Obviously I cannot wholly explain this shift, but one factor seems to me to lie in the way we have come to talk about the nature and purpose of our country, and of human life itself, which is largely in economic terms. For the society as a whole the dominant motive is assumed to be the powerful but empty desire for wealth, without regard to what good or evil that wealth might do; for the individual, felicity is defined largely in terms of consumption. The "American Dream" is no longer a dream of escape from totalitarian rule and lawless government, as it once was, but a dream of expansive, seemingly unlimited, getting what you want. Of course this way of talking has no place for a language of democratic government—for that requires action, judgment, participation, not mere consumption.

This way of imagining life not only creates an empty and trivializing image of human experience, it hides the crucial truth that what the consuming economy in fact creates is not just more opportunity for consumption but power, power in the form of wealth. And great wealth gives great power. As the government withdraws from the regulation of the economy, as it has been doing for decades now, its place is taken by private individuals or private organizations which have immense power over the lives of all of us.

The rhetoric supporting this movement speaks of government as the enemy, and the market as freedom for us all. But the power that is created by the disparity of wealth is real power and, unlike governmental power, it is not shaped or guided by law and democracy. Corporate owners and managers are not elected by the people, not subject to the constitution, not supposed—or even allowed—to be motivated by any ideal other than the acquisition of wealth and power, and usually not responsive to argument or complaint.

This arrangement is implicitly—and sometimes explicitly—defended by the argument that this power is subject to the control of the people, not through government, but through what is called the discipline of the market, which, the argument runs, is both more efficient and fairer than regulation through law. Those who argue for "getting the government off our backs" are mainly arguing for removing power from law and democracy and transferring it to a regime that has no democratic values or authority.

But the market cannot be a substitute for democratic government: It has no place or role for any of the institutions through which government works, or for the kind of public deliberation, thought, and argument by which those institutions live; it works not by the principle of one person one vote, but the very different principle of one dollar one vote; and it simultaneously generates and obscures immense imbalances in wealth and power. The market contains no check on the drive to unlimited economic expansion, a drive that is proving to be suicidal, threatening the planet upon which everything we are and do depends.

The consumer dream of our culture teaches us that we have no responsibility, no capacity for action, no right to demand meaning in our work and lives, and no obligation for the welfare of others. It induces the sense of learned helplessness I referred to earlier—which is exactly the opposite of the kind of vigorous independence and competence upon which democracy depends.

B. One particularly strong feature of the culture of consumption is an immense and relentless campaign, so pervasive and so normalized as to have become invisible, to persuade the public to accept and act on its premises. I refer here to the world of consumer advertising, especially to its apotheosis in television. This kind of advertising persuades people not only to buy this or that item, but more importantly, to accept and live by the whole infantile dream of the consumer economy. It is only in a narrow sense that advertisements compete with each other; in a deeper way they reinforce one another constantly.

Even more disturbingly, this kind of advertising has a direct analogue in the way in which national politics proceeds, for it has become accepted that a political campaign is run like an advertising campaign—though a better word for this cultural form, given its connection with state power, would be propaganda.

Both propaganda and advertising are marked by the desire to manipulate others through the use of slogans and clichés and images, sound bites and buzzwords. As they become widespread—active and present in our minds and speech—both forms of speech tend to destroy the capacity for independent thought and expression upon which self-government depends.

One characteristic of both forms is that nothing is meant, everything is said for the moment, all on the assumption that the people who make up the audience have no memory and no capacity for critical thought. A world is created where thought is not possible. In neither domain—the consumer economy or the world of politics and government—are we defined as responsible participants in a world of shared life and action. Rather, we are manipulated objects of an empire.

C. So here is my rather glum conclusion. My intuition is that the reason we do not rebel at the immense and unfair transfer of wealth, and all that is associated with it—from golden parachutes for failed CEOs to $60 million bonuses for successful investment bankers—is that in some sense we do not believe that we really have democracy at all any more, at least in the sense in which we once thought we did. Democracy and its law are based on a vision of fundamental equality among human beings, and neither can survive in a world in which equality is systematically denied by such disparities of wealth and power. Under these conditions the best we can have is a series of contests among the powerful resolved by plebiscites.

I believe we have become to a large degree the subjects of an oligarchy, an internal empire. By empire here I do not mean merely the cultural forces, strong as they are, that make up what Simone Weil calls an "empire of force," but an actual political reality in which unelected people rule much of our lives. Their object is to extract as much economic value as possible from the earth and the oceans and the air, and from the labor—and unemployment—of billions of people.

This empire has co-opted many of us—perhaps all of us in this room—who might be its critics, because we to a large degree benefit, though in a relatively small way, by the same policies that enrich the super-rich. We eat at expensive restaurants, and take trips to Europe, and buy expensive suits. So do the reporters

for the *Washington Post* and the *New York Times*. There is in our world almost no voice for the poor, which is perhaps a third of our nation. The *New York Times* does of course take positions of concern for the poor on its editorial pages. But its sections on "Arts and Leisure" and "Style," let alone "Travel & Escapes," and the advertising in its Sunday magazine, all with one voice affirm the value of wealth and consumption and the world of radical inequality they create.

D. Having painted this distressing picture, I want to affirm that in my experience there is a remarkable force of another and opposed kind in American life—not much seen in the media or in the world of national politics—which I would call a natural readiness for self-government. We see it in local politics all the time, in elections for the school board say, and in homeowner associations and other private groups. This is the world where we know how to create an organization—with president, vice president, treasurer, secretary—which is subject to bylaws and a statement of purpose, and whose meetings follow *Robert's Rules of Order*. We know how to live in the space it defines: how to hold meetings and reach decisions and live with them even when we disagree; how to define our common values and purposes and try to live by them.

But this capacity for self-government—perhaps our greatest national treasure—is simply not much visible either in the ways I see the nation described in the media nor in the ways politicians and officials talk about it nor in the way I see the national government functioning. Congress, for example, does not seem to work as I describe the school board working, in a real way, with real debates, and real decisions: All too often it seems to be only an image or phantasm of itself, a pretense of government, in which almost nothing is ever said that anyone means. What one hears is almost always calculated and shaped, as a piece of advertising is shaped, by asking what will work with the audience one is simultaneously flattering and manipulating. This is sometimes even true of judicial opinions.

II. The abandonment of law

My second phenomenon—perhaps you perceive it too—is the experience of reading certain Supreme Court opinions which seem evidently written by clerks and not much rewritten by the justices. There are exceptions, but too many opinions seem to speak in no one's voice, without seriousness, without a sense of responsibility for what is done or said, as though deciding the case and explaining the decision were empty exercises.

A. Such opinions do not seem to me in any way to reflect, as I was taught an opinion should, a deep struggle to determine the meaning of the relevant legal authorities—and in the process to find one's own mind growing and learning—but rather express a largely unexamined judgment one way or the other as to the result of the case, often based on rather crude previous commitments of a political kind, which are not tested in the crucible of thought and argument. This kind of formulaic jurisprudence does not expose the true reasons and thinking of the Court, and subject it to criticism; and it does not produce texts that can be read with the kind of care and attention we are used to giving texts in the law.

For a comparison, let me suggest you look through a volume of Supreme Court reports from 40 or 50 years ago. The difference is striking: Here we have distinctive voices, distinctive minds working seriously, responding to each other, trying to say the truth as they see it. Of course they are subject to frailty, as we all are, but at their best they are engaged in a process of self-education, and the education of the public as well. Just to list the names, when I was in law school—like Black, Frankfurter, Douglas, Clark, Warren, Harlan, Brennan, Stewart, and White—was to invoke a different world.

I also see a turning away from the law in law schools themselves, which have in some ways become closer to "think tanks" or public policy institutes than the schools of professional training I once knew. In casebooks the cases are often reduced to paradigms meant to facilitate argument about theory, rather than seen, as they occur in practice, as complex challenges to the mind, in which law interacts with facts, facts with law, different laws with different laws, and all these things with our developing sense of justice. Rather, the main interest seems to be in questions of policy and theory abstracted from the life of the lawyer or judge.

I was taught that the central legal questions, for lawyer and judge alike, are these: What texts should count as authoritative, and why? What do they mean, and why? What weight should be given to the judgment a text reflects, and why? How in the light of all these things, and in the context of the present, should the case be decided? Of course lawyers will disagree on the merits of all these questions, but they will agree in affirming a world in which power is distributed, regulated, reviewed.

The tendency I mean is manifest perhaps particularly in what is called "law and economics," but not only there. It runs through the ways in which scholarship is evaluated and it shows up in our almost total silence about law teaching. When I went into law teaching it was with great doubt about whether I would ever write anything, but with great confidence that the teaching of law was itself an activity—an art with a meaning—that could occupy a mind and justify a life. I wonder if anyone thinks that today.

A system of policy and critique of the kind that is at work in our law schools may make useful discoveries, but such a system cannot perform the functions of law itself. Neither economics nor sociology nor psychology nor any other field can address, let alone resolve, the distinctive legal questions about the identity

and meaning of authoritative texts and about the degree of deference due the judgments of others. Taking economics as my example—though the same point could be made about any other field—I would say: One cannot do law in the language of economics, or economics in the language of the law. To try to do either would be as ludicrous as trying to do science in the language of religion, or religion in the language of science.

B. My sense of what has been happening is well exemplified in a brief passage by Judge Richard A. Posner. Here Posner is writing in favor of what he calls "pragmatism," meaning the decision of legal cases by a judicial balancing of costs and benefits. The only reason for attending to prior legal texts, in his view, is that to disregard them would have social costs, and these costs should be taken into account by the person with power.

"The point is not that the judge has some kind of moral or even political duty to abide by constitutional or statutory text, or by precedent; that would be formalism. It is merely that continuity and restraint in the judicial function are important social goods, and any judge proposing to innovate must consider not only the benefits of the innovation but also the costs in injury to those goods." [In "Pragmatism versus Purposivism in First Amendment Analysis," 54 *Stanford Law Review* 737, 739 (2002)]

To me this misunderstands the nature of both law and democracy, including the obligation—moral, political, and legal—to respect the authority of legal texts and the fundamental principle of separation of powers. In the world called into being by this passage law would lose its essential meaning.

C. I have a sense, then, that law itself is being eroded and transformed, just as I said earlier democracy is being eroded and transformed, and in both cases in the service of what I have called the empire. This fact has a tragic quality, for me, because the law by its nature should be a strong force of resistance to the principles of empire, a strong force of defense for democracy.

For the law is built at its foundations upon the principle of separation of powers, not their merger into a single force. In this it is the opposite of empire. In our law every institutional actor must acknowledge and respect judgments made by others: The legislature must respect the judgments expressed in the constitution, the courts the judgments of the legislature, lower courts the judgment of higher courts, and so on. This means that the lawyer never addresses a person who has all the power. Both lawyer and judge constantly turn to other texts, composed by other persons, who have made judgments on the questions in the case which they are bound to respect.

It is crucial that the texts that our law invokes as authoritative, and to which the judges and lawyers pay respect or deference, all rest in some way upon the authority of democratic institutions. They are statutes passed by elected legislatures, or opinions issued by judges appointed by elected governors, or contracts written by the parties themselves, and so on. In affirming the value and validity of its own processes the law is thus always affirming democracy.

The law is not a closed system, operating behind locked doors, but is connected in hundreds of ways to our democratic culture. To disregard this structure of authority, and to replace it with a theory—whether philosophical, political, or economic in kind—is to erode our democracy at the root. For in the world of theory the rightness of the result depends upon its congruence with the theory in question, which has no basis in democratic authority, but rests solely upon the commitments of those who are persuaded by it: the community of believers.

At the simplest level, what the law teaches is that we live in a world in which different people can have different, decent, and reasonable views; that we need a way to respect these views and judge among them fairly, that is, openly and honestly; that the world constructed by the law is one that distributes power differentially to various public and private agents—so that even if we lose this case, or this issue, we have a residue of autonomy and freedom; and that all this being true we cannot fairly and rightly decide disputes by reference to theory, or our own estimate of costs and benefits, or to the sorts of clichés and buzzwords and slogans that characterize much political talk. The law, at its best, improves our thought and our language. What has been happening to law, however, is that it is becoming an instrument of empire, and in the process losing its essential character.

III. Torture

My third phenomenon is the public response—or once more, the nonresponse—to the recent efforts of the Administration to legalize what any sensible person would call torture—certainly if he or she were subjected to it—and the related effort to remove from all protections of the law a class of human beings selected by officials as "enemy combatants." Of course there are honorable exceptions in the bar and in the public world, but there has not been what there should have been, a universal public outcry of a sort that would have driven the beast of torture off the field of our shared life.

This has haunted me more than anything else. Not so much because American soldiers have on occasion beaten, abused, tortured, and killed people they have captured. Those are terrible things, but war always includes them, just as it includes the incineration of little children, the rape of women, the purposive destruction of life itself. What is new here are the efforts to make torture part of the approved business of government, claiming for it the authority of law, and to establish the existence of a class of persons under the control of the government who are completely beyond any protection of law.

To connect this image with what I said about the state of legal thinking, I think we hear an all too familiar voice in the famous "torture memorandum" composed by Jay Bybee, now a federal judge: It is written in mechanical and conclusory terms, as though a routine legal analysis of a rather empty kind could simply be used without thought and without question to justify human torture. It troubles me to think, as I do, that this is a voice for which we who teach in law schools may be especially responsible.

A. Part of the reason for our supine lack of response is our habituation to the sort of advertising and propaganda I have mentioned, for which the fears generated by the events of 9/11, and unceasingly stimulated since, provide strong nourishment. According to this thin and inadequate form of thinking, there is an ineradicable line between "us"—the good people of America, under unjustified and aggressive threat—and "them," those others, whose torture or "severe interrogation" is in question. Why should we care about what happens to them? They are the enemy, or at least irredeemably "other."

But of course they are not these things in fact: They are fellow human beings, some of them citizens of our country; they are selected for torture or abuse not by some foolproof process that will identify without error the "bad," whoever they are, but by who knows whom, acting on who knows what information, and with who knows what motives, with all this happening behind a deliberate screen of secrecy.

The central principle of democratic government is official responsibility, and here that is entirely erased. No one stands up as the one who has made the crucial decisions; no one in the public even knows that most of them have been made.

The fate of Guantanamo prisoners who were returned to their own countries is instructive: Almost all of them were released after investigation by their home governments, it turning out that many of them had been seized without any justification at all by persons seeking a bounty offered for the identification of "terrorists." Only a handful were tried in their home countries and at the time of writing none of those had been convicted of any crime.

Even if someone is in fact an "enemy," that of course does not justify his torture. Maybe he has to be killed, if he is shooting at you, but when captured he should be treated humanely and with dignity, as we hope our soldiers will be treated when they are captured.

B. It is sometimes argued that torture is justified by the need for "information." This argument works by another specious form of thought, which, when added to the first, seeks to establish a sense of necessity that will remove torture from the moral sphere almost completely. The form of thought I mean is captured in this question, repeated endlessly in the media, and even in classrooms: "If you knew that there was an atom bomb somewhere downtown with a timer ticking wouldn't you torture the people who know about it to make them tell you where it was, or how to disarm it?"

The question seems to pose a serious problem of moral thought, but, like many such hypotheticals, it is not real. You can never "know" there is an atom bomb, or a timer ticking; and you can never "know" that you have one of the "people who know about it." The facts assumed by the hypothetical never exist in any individual case. And even if there were one such case that would do nothing to justify the hundreds or thousands or tens of thousands of cases in which we have engaged in torture. The question about the ticking bomb invites us to live in a false world—the world ultimately of advertising and propaganda—not the real world.

The unreal hypothetical is used not to support the proposition that it might possibly support, namely that in a wildly rare and dramatic case one would use torture, but something very different, namely that torture itself should be evaluated simply by weighing the costs and benefits of the practice. The logic of cost benefit analysis is epitomized in the ticking bomb case, but it runs far more widely and deeply in our culture than that hypothetical. All of the practices of abuse and inhumanity rest upon the same ground, that "national security" or the "safety of the nation" require it.

C. Despite its claims to a high degree of rationality, the kind of cost-benefit analysis that is so often offered as an alternative to legal thought in fact tends not to the rational but to the irrational.

For who is to quantify the danger that terrorism presents? The incantation of the phrase "national security" is offered as a universal acid that will erase everything except the fear that it stimulates. This talk about overwhelming necessity fails to address the obvious question—obvious to a lawyer, that is: Who shall determine whether such a necessity exists? Under what procedures and standards? Subject to what review? These are the core questions of legal thought, and they are by this logic erased. For to take those questions seriously would be to invoke the whole apparatus of law as we know it. This cannot be allowed to happen, if one agrees that the importance of national security—as defined by whom?—is of infinite importance, because it would limit the power of the government to "protect us."

It cannot be allowed for another reason, I think, namely that torture cannot in the end be legalized: It cannot bear the light of day, but must go on behind locked doors in unmarked buildings, in mysterious and unknown places reached by darkened airplanes, and carried out by anonymous interrogators and their anonymous assistants. The cost benefit analysis must not include, because it cannot do so, the reality of the torture itself, the evil it does to the tortured and to the torturers alike.

The corrosive effect of "cost-benefit analysis" here is even worse than I have said. The question presented by the ticking bomb case is whether the "known" existence of the ticking bomb justified torture. But of course such a bomb may exist but be unsuspected by us; if so it presents exactly the same real-world danger as if it were known; does that not justify the use of what is euphemistically called "extreme measures" to find out? Anyone may know something that is of comparable value, perhaps without even knowing how important it is. The true need for information is just as great in those cases as in the ticking bomb case itself. To think in terms of a single value that trumps all others, here "national security," is a form not of rationality but irrationality, ultimately a kind of insanity.

The logic at work here leads to universal spying, universal wiretapping, universal torture, limited only by whatever costs are perceived by the perpetrator—or, more accurately, by the superior officer who in the comfort of his or her own office orders the perpetrator to torture or turns a blind eye to what he should know is happening. And this line of thinking not only justifies torture, it would justify anything. It erases not only protective legal rules, but the inherent protections of legal thought itself.

Once you start on a process of interest balancing in which one of the items is of potentially infinite value you have committed yourself to an impossible world of paranoia, not law—a world like the world of human slavery—in which one value cancels all others, in which appetite, as Shakespeare says, becomes a universal wolf and at last eats up itself.

D. The spring from which I think all these evils flow, including our incapacity to resist them, is the fact that at some level we know that we in this country are running an empire—an external one as well as the internal one I described earlier. And we know, I think rightly, that it is not possible to run an empire on the assumptions and aspirations of democracy under law. The very idea and existence of the empire depends upon a line between "us" and "them"—we, the rulers who have the power, and they, including our own citizens, the ruled who are subject to it. In the eyes of the empire the ordinary people of this country have no different status from foreign nationals: All are subject to the same imperial regime. Our nation is on its way to becoming a third-world country both economically and politically.

The empire cannot work on democratic principles that recognize the equal humanity and value of all people, or under a legal regime that has the same law for all. And its deep injustice, which opposes it to the principles of law and democracy alike, makes it fundamentally irrational. It becomes a single value system devoted to the perpetuation of its own power. Everything must be sacrificed to its own continuing existence.

I am reminded here of Thucydides' account of another empire, that of Athens, in his *History of the Peloponnesian War*—which is to my mind the first and best account of international law, seen not as the command of some supranational sovereign, but as the product of convention and agreement among the relevant states. Thucydides shows us how this system of law works in a real way, without any sovereign power; how it can be destroyed by a state that has amassed so much power that it believes it can disregard the law, and all questions of justice; and how this destruction leads eventually to the destruction of the superpower in question—which without law and justice cannot think rationally or sensibly about its own character, its own interest, even its own ambitions.

As Thucydides tells the story it is a true tragedy, for Athens has no real alternative. The international legal system of that day presumed equality of the states, which the power of Athens itself destroyed. For us, however, there is a solution, for in the intervening centuries humanity has invented the rule of law—equality under law, equality as an achievement of law. Instead of claiming immunity to law, the strong in our world should make every effort to reaffirm their allegiance to law, and to the fundamental equality that law and democracy together assert. For it is ultimately upon law and justice—both among nations and within our nation—that our strength, our very identity, depends. ■

Hail and Farewell

Philip Soper, the James V. Campbell Professor of Law, departs from his final class to the traditional "clapping out" of faculty colleagues, students, and others of the Michigan Law family. A member of the Michigan Law faculty for 35 years, Soper was one of the retiring faculty members honored at a gala banquet in May.

See story and photos on page 88.

EVENTS CALENDAR

July 26 – August 2	National Bar Association Annual Meeting, Houston
August 7 – 12	American Bar Association Annual Meeting, New York City
September 25 – 26	Conference – An Environmental Agenda for the Next Administration (Environmental Law and Policy Program)
September 26 – 28	Reunion of the classes of 1953, '58, '63, '68, '73, and '78
October 3 – 5	Reunion of the classes of 1983, '88, '93, '98, and '03
October 24	Conference – Happy, Healthy Lawyers (Office of Career Services, Washtenaw County Chapter of Women Lawyers Association of Michigan)
November 7 – 8	Symposium – Law and Economics of Drug Development
November 14 – 15	Building On Campaign Finale, Ann Arbor
December 19	Senior Day

This calendar is correct at deadline time, but is subject to change.
For the most recent calendar information, go to www.law.umich.edu.

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