

1988

## The Amicus: Vol.2, No.1

Valparaiso University School of Law

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# THE AMICUS

VALPARAISO UNIVERSITY SCHOOL OF LAW ALUMNI MAGAZINE

VOL. 2, NO. 1

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## LETTER FROM THE EDITOR

The coverage of this issue ranges from graduation to orientation — two of the more ceremonial and emotional annual events in the life cycle of education. The graduation ceremonies on campus have gone through a transition in the last couple of years. Most of you remember law school graduation as being a part of the university-wide ceremony on the shaded oak grove of old campus. Regretfully, the oak grove site for graduation was lost when the new law building was constructed. Thanks to space limitations of the Athletics and Recreation Center, and a little rain, the law school graduation was separated from the undergraduate ceremony in 1986. The result was a pleasant surprise to all, and the practice has continued for the last several years. Now, the School of Law graduation takes place in the Chapel of the Resurrection. The ceremony has become more meaningful to the law students and their families, primarily because it is designed especially for the law school community. Included in the report of graduation is the address by Dean Bodensteiner and the address by this year's law commencement speaker — Dierdre Burgman.

Having graduated the class of 1988, the next step was to prepare for the arrival of the class of 1991. The results were phenomenal. The largest entering class in recent history matriculated for the current academic year. One of the best indicators of how well things are going is the level of competition in the admissions process. Competition here is keen. While many law schools in the country have to admit three students to get one, we only have to admit two to get one. This is a very good sign. To give you an idea of who the class of 1991 is, we have prepared a special "Orientation" section in this issue.

Of note in the Orientation section is the charge to the first year class delivered by Dean Bodensteiner. His message is one we should all heed. We all have a great deal to be proud of as graduates of this law school. Those of us who are directly involved in the teaching and administration of this institution will do everything in our power to enhance and maintain the source of that pride. You, too, play a crucial role in the shaping of this law school's future. In many ways, the "outside" world knows us only through our alumni.

Curtis W. Cichowski, '81  
Editor in Chief

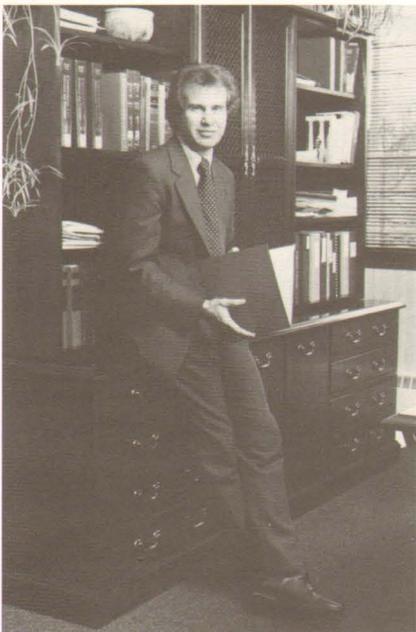
*Cover Photo:* A continuation of the photographic history of the law school. Pictured here is "Wesemann I," the third of four buildings occupied by the School of Law. This photograph (circa 1962) depicts the first Wesemann Hall as viewed through the windows of the Chapel of the Resurrection. Dedicated in 1962, the building served as the law school until 1986. The building was, in large part, made possible through the generosity of the late Adolph H. Wesemann and his wife Janette, in whose honor the building was named. In 1976, an expansion project was completed, adding library space, faculty offices and a seminar room. The library expansion was named after benefactors Clara and Spencer Werner. Now, the building has been remodeled and houses the administrative offices of the University. The building has been renamed and dedicated as O. P. Kretzmann Hall, in honor of President Kretzmann, who served as University President from 1940-1968.

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# LETTER FROM THE DEAN

Recently Tulane Law School announced that all students, effective with the graduating class of 1990, will have to perform twenty hours of public service as a condition of graduation. It is the first ABA-accredited law school to impose such a requirement. The Tulane program will be implemented through the New Orleans Pro Bono Project established by the Louisiana Bar Foundation. Students will work with attorneys on *pro bono* matters and the attorneys will certify the completion of the twenty hours by students.

I believe the Tulane program is a great idea and wish that we had been the first school to adopt such a program. Although we cannot be first, I have recommended to the faculty that Valparaiso University School of Law adopt a similar requirement, with twenty hours of public service to be performed during the third year of law school. Such a program can serve several purposes, but the primary purpose is to introduce law students to the public service requirement of the profession and sensitize law students to the needs and problems of the under-represented in our society. As side benefits, students will obtain practical experience and contacts in the legal community, attorneys will receive assistance in fulfilling their public service requirements, and the availability of legal representation may be expanded.



Ivan E. Bodensteiner

Much has been written recently about the implementation, or lack of implementation, of Rule 6.1 of the ABA Model Rules of Professional Conduct which states that "a [lawyer] should render public interest legal service." It further indicates how this responsibility can be discharged. Recently, the Council of the ABA Section on Legal Education and Admissions adopted the following policy:

Law schools should make law students aware of the special needs of those persons often under-represented in legal matters, including minorities, the poor, elderly, and handicapped members of society, facilitate student services to these groups and should instill a sense in their students of the profession's obligation to provide legal services to those who are unable to afford them.

Obviously, the law school cannot implement such a program without the cooperation of attorneys and judges in Northwest Indiana. Because there is not an existing bar project, as in New Orleans, initially we will have to rely on individual judges and attorneys to supervise the *pro bono* work of our students. A memorandum has been distributed to judges and attorneys in Northwest Indiana inquiring about their willingness to participate in the program. This is part of our "study" to determine whether it is feasible to impose a *pro bono* requirement here. If any of you have not received my memorandum and are interested in participating, please contact me as soon as possible. Students could satisfy a *pro bono* requirement through a variety of activities, including assisting attorneys representing governmental agencies and indigents in criminal or civil matters and by assisting judges. Cases in which attorneys are appointed by the court to represent indigents would obviously qualify. Generally, law students could assist attorneys in any *pro bono* representation.

While the faculty has not yet made a final determination concerning such a program, I am confident it will be adopted if there is sufficient interest among attorneys and judges to make it feasible. I believe it would be beneficial to the entire community,

not just the law students. As a general matter, we need to do more to bring law students and the legal community together. Such a program, it seems to me, would be a significant step in the right direction.

Ivan E. Bodensteiner  
Dean

Congratulations are in order for Professor John Potts and Professor David Vandercoy, who were inducted as tenured faculty members by President Harre during the Opening Convocation Ceremony for the 1988-89 academic year. Professor Vandercoy came to the School of Law in 1980. He received his B.A. from Pennsylvania State University in 1971, his J.D. from Dickinson in 1974 and his LL.M. from New York University in 1980. Professor Vandercoy is the Director of the School of Law Clinic Program and, in addition, teaches courses in pre-trial skills and products liability. Professor Potts joined the law school faculty in 1981. He received his B.A. from the University of New Mexico in 1969, an M.S. from Northeastern University in 1975 and his J.D. degree from Boston College Law School in 1974. A certified public accountant, Professor Potts has taught courses in individual income tax, corporate and partnership tax, family tax, corporate reorganization taxation, legal process, remedies, international aspects of U.S. income tax, and a comparative tax seminar.

# MESSAGE FROM THE PRESIDENT

Dean Cichowski told me that this issue of *Amicus* focuses on "What I Did This Summer." One thing I did this summer was address the first year class in my capacity as Alumni Association President. Hindsight works wonders on you when you listen to the Deans tell the students what to expect both from law school and the profession. I wondered what I would have done nine years ago when I sat there for my orientation day if I knew what I know now — a thought for another time.

One thing I do know now is that this group of entering students — our largest class ever, some 170 students — has very different expectations than most of us Alumni did when we entered law school. These students expect competition in the marketplace. They know a job will not be handed to them upon graduation by the law school or anyone else for that matter. They know that passing a bar exam does not equate with becoming some type of god. They know that lawyering in a law firm is only one option for a career path, not the only option.

I believe that these expectations will work in favor of the students, the law school, and the Alumni Association. Since the Alumni Association voted to focus its efforts on the students and the law school at our April meeting, one of the objectives of the October meeting will be implementation of that focus. The changing demographics in the law student pool (more women, minorities, and older students), coupled with changing expectations, offer the Alumni Association a challenging opportunity. It will be our task to develop a positive and realistic attitude in these students concerning their responsibilities toward society and the law school.

In that vein, I asked them to be proud of themselves for choosing a whole new life. I told them that Valpo will give them the educational tools to begin that new life. But Valpo will give them more than an education. Valpo will give them lasting relationships and a lot of memories, some lousy, but mostly good ones. In turn, I asked them to give back to Valpo more than their tuition. I asked them to give of themselves to Valpo both now while they're in school and also once they

have graduated. I also ask the Alumni, with the hindsight we do have, to think about their responsibilities to society and to the law school.

In terms of activities that we will be planning for this school year, by the end of the month you will receive a copy of the *Forum*, the law school newspaper. With the paper will be a request to subscribe to the paper for \$10. Obviously, these monies will help to fund publication costs for the paper. Once the students have a response from the Alumni, they will decide the future course of publication efforts. I strongly urge you to support the work these students do for the law school.



Mary M. Squyres

I look forward to seeing as many of you as possible at the October 8th Homecoming festivities, including the dinner at Strongbow's and the CLE seminar on Aids in Employment and Education sponsored by the law school. As other activities are planned throughout the year, we will keep you informed.

The Search Committee will begin its activities in the near future to find a replacement for Dean Bodensteiner. We will have an Alumni Association member on that Committee. I would like to let the Dean know at this point in time how much we appreciate his contribution to the law school, both as a professor and as Dean. Whatever the future brings, we wish him the best. We also offer our support to the Search Committee to complete a difficult, but extremely, important task.

I would like to take this opportunity to thank all of the Alumni for its support of the law school and the Alumni Association. We look forward to a successful and enriching year for the law school, the Association, and the Alumni.

Mary M. Squyres,  
President  
Valparaiso University  
School of Law  
Alumni Association

## ALUMNI SUPPORT

Publication of the *Amicus* is made possible in large part as a result of the financial backing of the School of Law Alumni Association. In order to continue, all alumni are encouraged to support the Association by submitting the annual dues. For the classes of 1986-88 the dues are only \$15.00. For all other classes, dues are \$25.00. Alumni dues, the only source of income for the Alumni Association, currently fund the emergency student loan program, alumni receptions, placement activities and publications, the Alumni Directory and the *Amicus*. As the services of the Association continue to expand, so too must your support. Please send your check to the Law Alumni Association today, in care of Gail Peshel, Valparaiso University School of Law, Wesemann Hall, Valparaiso, Indiana 46383.

# LAW SCHOOL BRIEFS

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**Dean Ivan Bodensteiner** lectured at the Legal Services continuing legal education program on "Federal Litigation Training" at the VU Law School on September 15. **Dean Bodensteiner** attended the American Bar Association annual meeting in Toronto in August. He also attended the Indiana Supreme Court admission ceremony for new bar admittees on June 16. On May 6 he attended the memorial service for Judge Luther Swygert at the Seventh Circuit Court of Appeals in Chicago. **Assistant Dean Curtis Cichowski** also attended the Indiana bar admission ceremony and the memorial for Judge Swygert.

**Professor Geri Yonover** will have an article "Ascertaining State Law: The Continuing Erie Dilemma" published this fall in volume 38 of the *DePaul Law Review*.

**Professor Jack Hiller** is chairing the Dean Search Committee for a new dean for the School of Law. **Dean Ivan Bodensteiner** is returning to teaching.

In June **Professor Hiller** attended the meeting of the Board of Directors of the International Third World Legal Studies Association in New York as a member of that board and Associate Editor of **Third World Legal Studies**, a law review that is published at the Law School.

The poetry journal, *The Haven/New Poetry*, publishes in addition to its regular issues a single issue devoted to its annual *haiku* contest. Of the 560 entries, sixty prize winners were selected for publication. Of these, four were by **Professor Hiller**. Two of Professor Hiller's prize-winning haiku appear elsewhere in this issue.

**Professor Seymour Moskowitz** has completed the manuscript for an article "Codes of Ethics and Employment-at-Will: The Professional's Dilemma," to be published this fall by the *Valparaiso University Law Review*. He has also recently become the editor of a multi-volume treatise on discovery. In June, he attended the annual conference of the Teachers of Health Law of the American Society of Law and Medicine.

**Professor Ruth C. Vance** ('82) and husband **David W. Holub** ('82) announce the birth of a daughter, **Katelyn Casey Vance Holub**, on June 29, 1988 (7 lb., 14 oz.).

**Nancy Kohlhoff**, Registrar for the Law School, was appointed by retired University President Robert V. Schnabel to the Committee for the Inaugural of new University President Alan F. Harre. The Inaugural will be held the week of October 24-30 with a special Convocation on Wednesday and a Dinner and Ball on Friday evening. Various seminars and symposia have been planned for the Inaugural which coincides with the University's "Week of Challenge."

In May **Professor Robert F. Blomquist** was appointed by the Porter County Board of Commissioners to the Porter County (Indiana) Landfill Ordinance Study Commission. This Commission—consisting of representatives of industry, business, government, and academia—is preparing a report to the Porter County Board of Commissioners on a new sanitary landfill ordinance for the County. Professor Blomquist was chosen by the committee members as vice-chairperson.

Since June **Professor Blomquist** has served as legal consultant to an Indiana environmental group known as S.T.O.P., Inc. in a citizen suit intervenor action against an Indiana hazardous waste landfill facility for alleged improper operations at the hazardous landfill. He is also consulting with the Town of Ogden Dunes on long-term legal strategies for dealing with beach erosion on the Lake Michigan shoreline, and with the Lake County Emergency Response Commission on a federally-mandated hazardous response plan.

In May 1988 **Professor Blomquist** received the *Post Tribune* (Gary, IN) Edgar L. Mills Community Service Award ("for outstanding contributions in improving life in Northwest Indiana—environmental advancement").

On August 26 he presented a paper before the full faculty of Valparaiso University at a workshop on "Technology, Ethical Imagination and Education." The title of the paper was "Life and Death in the Natural World: In Search of Environmental Wisdom." On August 27 he spoke on the topics of citizen suits and landfill regulation at the second annual Midwest Environmental Leadership Development Conference held at the Epworth Forest Conference Center in North Webster, IN. On October 8 he will speak in Indianapolis at a conference

sponsored by the Hoosier Environmental Council on long-range environmental problems in Indiana.

**Katharine Wehling** ('83), Assistant to Dean—Admissions, attended the Law School Admission Council Summer Workshop for Admissions Professionals in June in Dallas. The Midwest Alliance for Law School Admissions (MALSA) also met in Dallas, and Ms. Wehling was re-elected Treasurer. She is also serving on the Indiana State Bar Association Committee on Opportunities for Minorities in the Bar to develop a system of providing summer employment for minority students. The group's initial focus is working with law firms in Indianapolis.

**Professor Rosalie Levinson** ('73) was one of the panelists in the Indiana Continuing Legal Education Forum "Indiana Law Update" held in Indianapolis on September 8-9. **Professor Levinson** spoke on "Constitutional Law—Recent and Pending Cases in Perspective."

**Gail Peshel**, Director of Career Services and Alumni Relations, has been appointed by the President of the National Association for Law Placement to serve as Co-Chair of the Research Committee for 1988-89. The best known annual project of the Research Committee is the *Employment Report and Salary Survey*, which encompasses data collected from law school graduates. Nearly all of the ABA-accredited law schools will be included in this year's report. Recently Mrs. Peshel helped organize two multi-school job fairs in Chicago: The Patent Law Job Fair and the Chicago Job Fair. Forty-one law firms interviewed at the Patent Law Job Fair held at Loyola University in Chicago. Two VU students participated, and they had a total of 31 interviews.

The Chicago Job Fair was co-sponsored by the Chicago Bar Association and involved the students from nine law schools: Washington University of St. Louis, St. Louis University, Northern Illinois University, Southern Illinois University, the University of Missouri-Columbia, Marquette University, the University of Iowa, Indiana University-Indianapolis, and Valparaiso. Twenty-four firms participated in the fair, as did 18 Valpo students. Valparaiso

# LAW SCHOOL BRIEFS

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students had a total of 61 interviews. A third job fair, this one strictly for VU law students who are interested in working in Indianapolis, was held September 10 in Indianapolis. As of this writing, 13 Indianapolis firms are participating, which provides Valpo students with the potential for an additional 240 interviews in the Indianapolis area.

For the fourth year, **Mrs. Peshel** is coordinating the job fair which runs concurrently with the annual meeting of the American Agricultural Law Association. The meeting and job fair will be held October 13 and 14 in Kansas City, MO. Students from all ABA-accredited law schools will be given the opportunity to participate.

A pilot project is underway in the Law Library, involving LEGI-SLATE, an online information service from the *Washington Post*, which covers federal legislation, regulations and news coverage. This valuable service is being made available free to the Law Library for the fall semester through the membership of **Documents Librarian Sally Holterhoff** on the Depository Library Council to the Public Printer.

**Professor Warren D. Bracy**, Visiting Professor of Law, was a Michigan member of the Rules Committee at the Democratic National Convention in Atlanta in July. **Professor Bracy** gave the initial speech at the June meeting of the Rules Committee in Washington, DC. His speech advocated adopting the new rule which eliminated Democratic National Committee members as automatic superdelegates to the convention.

**Assistant Law Librarian Richard E. Mills** ('88) and **Daneene B. Mitchell** (VU '86, '89L) were married in Valparaiso on July 2.

**Law Librarian Mary G. Persyn**, **Documents Librarian Sally Holterhoff**, **Public Services Librarian Tim J. Watts**, and **Reference Librarian Naomi Goodman** attended the annual meeting of the American Association of Law Libraries in Atlanta in June. **Professor Persyn** delivered a speech on "Legal Reference Trends and Resources" to the Annual Reference Update meeting of the Wabash Valley Library Services Authority in Lafayette, IN in September.

**Professor Persyn** will chair a discussion group on Academic Law Librarianship at the Fall Meeting of the Ohio Regional Association of Law Libraries in Indianapolis in October.

**Mary Moore, Assistant to the Dean** has been elected President of the Valparaiso Community Schools Board of Education for 1988-89.

**Professor David Myers** taught Entertainment Law at the Indiana University-Indianapolis School of Law this past summer.

**Professor Paul Brietzke** has returned from teaching during spring semester, 1988, at the Institut Teknologi MARA in Shah Alam, Malaysia. While at MARA he taught courses in law and economics and research: the relation between law and the distribution of income among social groups in Malaysia.

**Associate Dean Bruce Berner** spoke to the Indiana judges at their judicial conference in Clarksville, IN on September 14. His topic was Criminal law and procedure.

**Professor Charles Gromley** continues to coordinate the Professional Education Corporation Indiana bar review course. In addition to his administrative activities, **Professor Gromley** teaches the bar review sections on property and wills. Other VU Law School professors who teach in the Indiana bar review course include **Professor Rosalie Levinson** who reviews constitutional law; and **Associate Dean Bruce Berner** who covers criminal law.

The Proceedings of the "Perspectives on South African Liberation" Symposium, held at the VU Law School in October, 1987, were published in volume 5 of *The Journal of Law and Religion*. **Visiting Professor Lawrence Albrecht**, who organized the Symposium, edited the proceedings for publication.

*Sudden spring shower  
opens every umbrella:  
instant black mushrooms.*

Jack A. Hiller

*Oh, helpless full moon,  
tangled in those oak branches!  
Maybe if I move...*

Jack A. Hiller

On Wednesday, August 10, a reception was held in honor of the return visit of Kumar Menon. Prof. Menon is a leading faculty member of the oldest law school in Malaysia—the MARA Institute of Technology. A colleague of Professor Jack Hiller during Jack's recent year in residence at the MARA Institute, Prof. Menon's first visit to the School of Law was in the fall of 1986. An expert in the fields of corporate, computer and copyright law, Prof. Menon is currently working on his Ph.D. in Corporate Law at the Faculty of Law—Monash University in Victoria, Australia. Prof. Menon was in the country to attend a copyright law seminar held in Chicago.

# FACULTY FOCUS

*People to People* was administered by the State Department until 1961, when it became a private, nonprofit organization. Since the inception of *People to People*, more than 40 separate activities, including the Citizen Ambassador Program, have been developed to establish and maintain interpersonal communication among members of the world community. International exchanges administered by the Citizen Ambassador Program focus on specialized disciplines within the fields of medicine, energy and resource development, agriculture, engineering, industrial technology, building science, law, administrative and financial management, and the basic sciences. Each project is developed around an outline of specific professional objectives and major discussion topics, and delegation members are then selected on the basis of areas of specialization.

This past summer, two of our faculty participated in the Citizen Ambassador Program. Professor Rosalie Levinson visited the Soviet Union as a member of a *People to People Women in the Law Delegation*. Professor Al Meyer visited China as a member of the *People to People Alternative Dispute Resolution Delegation*. Tales of their respective journeys follow.

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## "EVERYTHING"

by Professor Alfred Meyer, '50

Three weeks in the People's Republic of China (PRC) can be a dis-Orienting experience—especially for this unsophisticated and inexperienced sojourner whose prior international travel had been confined to major Canadian cities. But the opportunity to go West (East?) presented itself not merely as a tourist venture but as a professional and educational activity. Since there may be cynics among you, I hope you will bear with me as I defer the travelogue and first attempt to justify why employers and the IRS will (may?) treat the trip as a business expense.

## TEN REQUESTS

- FIRST.PLEASE SPEAK MANDARIN.
  - SECOND.PLEASE WEAR THE UNIVERSITY BADGE.
  - THIRD.PLEASE PAY ATTENTION TO MANNERS AND DRESS NEATLY.
  - FOURTH.PLEASE BE THOUGHTFUL OF OTHERS:ACT MODESTLY AND AMIABLY, SHOW RESPECT FOR TEACHERS AND THE ELDERLY,AND BE CONSIDERATE OF WOMEN AND CHILDREN.
  - FIFTH.PLEASE HELP TO MAINTAIN ORDER AND DO NOT DISTURB OTHERS WHILE THEY ARE STUDYING,WORKING,OR RESTING.
  - SIXTH.PLEASE PAY ATTENTION TO HYGIENE,AND REFRAIN FROM SPITTING AND LITTERING.
  - SEVENTH.PLEASE DO NOT SMOKE IN PUBLIC PLACES.
  - EIGHTH.PLEASE TAKE CARE OF PUBLIC PROPERTY AND BE THRIFTY IN CONDUCTING YOUR AFFAIRS.
  - NINETH.PLEASE MAINTAIN DISCIPLINE.DO NOT BE LATE FOR CLASS OR WORK, AND DO NOT LEAVE AHEAD OF TIME.
  - TENTH.PLEASE BEGIN WITH YOURSELF IN OBSERVING THE ABOVE FROM NOW ON.
- SHENZHEN UNIVERSITY

*Student conduct rules for the law school at Shenzhen University.*

For several years I have been teaching ("supervising" would be a better word) a seminar in Alternative Dispute Resolution ("ADR" to the cognoscenti). Without any qualification other than curiosity, I had offered to conduct a seminar in this subject matter after hearing it discussed at a class reunion at another law school. Briefly stated, ADR refers to the techniques of negotiation, mediation, conciliation, arbitration, mini-trial, summary jury trial, Rent-a-judge or other procedures which are "alternative" to traditional court case processing. This is not the place to discuss the merits of what has been described as a "movement." In the initial stage, the movement was characterized by an almost messianic zeal with the disciples making simplistic and unrealistic claims in its behalf. Recently, however, a new body of critical scholarship has challenged many of the presuppositions which dominated the reform proposals. Adherents make both pragmatic and justice claims for ADR. They see it as a remedy for court congestion and as an idealistic program for substituting cooperative and communitarian techniques of dispute settlement for what a recent author described as the "unique, novel, and unsound adversary ethic" of litigation. Critics brand the movement a threat to concepts of "law" and "justice" because of its essential reliance on the *procedures* for resolving disputes rather than on the application of substantive norms (law) to ensure the

justice of the results. It is a lively controversy now that academic heavyweights, who previously spurned the matter as unworthy of serious scholarly concern, have entered the fray.

So what does all this have to do with China? Well, it just so happens that mediation, the prime technique in the ADR arsenal, has been used in China as the dominant means to settle disputes for more than 2,000 years. Currently, there are more than 10 million mediators in the PRC. To put this into perspective, keep in mind that the potential market of Chinese disputants totals 1.1 billion (eleven hundred million!) with a resulting ratio of one mediator per 110 people. (Digression: Numbers in China have a way of numbing the mind. You just can't cope with their significance. Not so, however, the Chinese general who, having received successive daily body count statistics of Chinese 16,000/Japanese 250; Chinese 20,000/Japanese 150; and Chinese 22,000/Japanese 100; smiled, rubbed his hands and said: "Ah, pretty soon, no more Japanese.") With a 2,000 year track record (1500 years before this country was born) and a cast of literally millions, the Chinese system commands attention by those seeking a greater role for mediation in our system. I therefore eagerly accepted an invitation to join a professional delegation of judges, attorneys, law teachers and mediators which had

# FACULTY FOCUS

been formed to share a bilateral exchange with counterparts in the PRC. Hosted by the Chinese Ministry of Justice, the delegation travelled under the auspices of the Citizen Ambassador Program of People to People International. Following briefings in Seattle, the delegation visited Beijing (Peking), Nanjing (Nanking), Chengdu, Guangzhou (Canton), Shenzhen (a brand new city in a "special economic zone") and finally, Hong Kong, the British Protectorate scheduled to become part of the PRC in 1997. Two staff officers from the central Ministry of Justice in Beijing accompanied us throughout China serving admirably as tour guides, translators, travel agents, social chairmen, and meal time commentators on what we were eating (based on my experience in Chinese restaurants in the U.S., it was my observation that the chefs in China do not know how to prepare Chinese food). As we arrived in each city, we were met and escorted by local ministry of justice officials. I trust you will not be disappointed if I spare you the details of the many exchanges we had with our Chinese hosts. The initial novelty of participating in conferences where each speaker's words were translated, phrase by phrase, wore off quickly. And the perceived necessity to introduce everybody to everybody, to welcome everybody to every place, to thank everyone profusely, and to be constantly engaged in a competition of platitudes was stultifying. Nor did the content of the "presentations" provide a saving grace. Speakers, both theirs and ours, gave elementary lectures heavily laced with previously distributed statistical information which would have been tedious enough even without the need for constant translation. When the all-too-brief-time for questions arrived, translation difficulties frustrated any significant dialogue. In a post-trip evaluation requested by our sponsor, I criticized the practice of literal translation at our conferences. Not only did it fragment the continuity of expression, but it played havoc with conceptual content. We were not negotiating a treaty in which precision of word choice would be essential. Our purpose would have been better served by the translator listening to the complete development of an idea or question before articulating it in the other language using appropriate

idioms to express content. Despite these difficulties which attended the formal exchanges, we were able to get a feel for mediation in China through informal contacts and through literature which our sponsor had distributed in advance.

China's mediation has origins in Confucian philosophy which views social conflict as a disgraceful violation of the natural order. Litigation is an unacceptable admission of disharmony. This basic social code perseveres despite the revolutionary changes which have rocked Chinese culture in recent years. The 1982 Constitution of the PRC provides for neighborhood people's mediation committees, and the Chinese Marriage Law makes mediation a compulsory first step in any divorce proceeding. This type of mediation is uncomplicated and informal with neighborhood elders, family, and friends acting as go-betweens, counselors, and sources of suggestions. As reported to us by a reconciled couple and their two neighborhood mediators, the couple



*The celebration of a successful mediation — the reconciled couple.*

had experienced difficulties early in their marriage and had sought divorce. Although we were not informed of the causes of discord (a frustrating omission from the account), we were to assume that the problems were serious. The mediators (elected and unpaid citizens of the neighborhood) described a process which extended over a six-month period and involved weekend bicycle (of course) trips to the couple's family homes some 50 to 100 miles distant. The mediators had to do all of this in their spare time since they were regularly employed elsewhere. The happy ending was celebrated before our very eyes and there was no mistaking the successful outcome (Are they living happily after?). Techniques were noticeably

absent from the account. What was obvious, however, was the environmental context in which the mediation took place—close family ties, close living conditions, everyone knew everybody, tradition of cooperating with the system, and group social pressure. After the session, I asked several of our mediator delegates whether they would be willing to devote their weekends and free time over a period of months to settle disputes in their neighborhoods. They smiled. The contrast is too obvious to belabor. In a homogenous culture people can live by unwritten rules. "We don't do that" or "we don't do it that way" are acceptable admonitions to errant behavior. Rules, laws, and procedures manifest distrust of the social fabric which binds the community together. But, as Joseph Campbell observed in his recent public television dialogue with Bill Moyers, "...in America we have people from all kinds of backgrounds, all in a cluster, together, and consequently law has become very important in this country. Lawyers and law are what hold us together." (*The Power of Myth*, Joseph Campbell.) Despite the contrast in cultures which makes export or import of techniques ludicrous, one can be more than wistful at the prospect of bringing into the neighborhoods of our society a more cohesive, communitarian ethos which would be more conducive to conciliatory methods of dispute settlement. But that is a subject for another time and place. A visit to China whets the appetite to engage in the effort.

It is tempting to view our venture as one which would pay dividends as we would bring back and incorporate into our system the successful mediation techniques of the Chinese. And, from time to time, I heard the kind of "Gee, whiz!" comments from some of our delegates who had obviously been wowed by what they had observed and who intended to transport the techniques back to the U.S. Somehow I have to think that the enthusiasm cooled upon the return to their American localities and realities. Just as the expression, "You had to be there," is a cautionary condition for appreciating contextual humor, you have to be in China to appreciate Chinese mediation.

Finally, I should observe that Napoleon, *Sports Illustrated* and your

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erstwhile man in China (me!) agree that China has a future. Napoleon thought so, declaring: "China? There lies a sleeping giant. Let him sleep! For when he wakes he will move the world!" And *SI* in a recent issue reported that since 1980, the Chinese have broken more than 100 world records and won more than 1,000 titles in international competition. "By the year 2000, when the Olympics may be held in Beijing, the U.S., the Soviet Union, the two Germanys and the rest of the current athletic powers may look like so many NIT also-rans before the Sino juggernaut." My



Left to right: George H. Liu, '74, Susan Liu, Professor Meyer at the Liu's Hong Kong residence.

contribution to this trinitarian prophesy is based on a spontaneous exchange with a 15-year-old female student on a high school playground. It was recess and we had just observed classes in English, biology (they were dissecting little white bunnies—what ever happened to frogs?) and mathematics. It was an impressive display of crowded classrooms with disciplined students giving rapt attention to their work—almost too rapt as the biology students wielded their scalpels. At recess we watched as the students quickly organized themselves and began playing games more confusing (to us) than cricket. As they returned to their classrooms, the student approached me and began a conversation in perfect, if not idiomatic, English. (Chinese students, at least in this school, had been studying English since the early grades.) Our conversation: "Sir, I want to know if idea that I have can be turned into reality."

"What is your idea?" (I always use the Socratic method with students.) "I want to come to America to study." "What subjects do you want to study?" Her puzzled look indicated she had not understood the question when I then rephrased: "What are your interests?" The instantaneous, bright-eyed, smiling response: "Everything." So much for the Socratic method. Make room for the Chinese. They're on a roll.

## IMPRESSIONS ON THE SOVIET UNION

by Professor Rosalie Levinson, '73

"I cannot forecast to you the action of Russia. It is a riddle wrapped in a mystery inside an enigma."<sup>1</sup>

How much protection does Soviet law afford its citizens? How much freedom do Soviet citizens enjoy? To what degree has *glasnost*, the "openness policy" of Gorbachev, affected the lives of the people?

After having spent three weeks in the Soviet Union this past summer, studying its legal system, observing its people, and visiting and exploring four of its major cities, I am left with more questions than when I arrived. Although I have learned a significant amount, there are no black and white responses to these questions.

In part the lack of answers is due to the fact that the country is currently in the midst of undergoing significant and drastic changes. In our newspapers we are beginning to read more and more about General Secretary Mikhail Gorbachev's policies of *glasnost* and *perestroika*. "*Glasnost*" means openness, i.e., the idea that Soviet citizens should be more free to criticize their government. "*Perestroika*" means restructuring. This refers to both economic restructuring whereby workers are to be given more responsibility for their work product, incentives will be provided to encourage hard work, more private enterprise will be permitted, and, in general, the standard of living will be improved. *Perestroika* also refers to restructuring or reformulation of foreign policy. As a teen-ager in Kiev explained to us, it means changing the image of the United States as "our enemy" and trying to "break through

<sup>1</sup>Churchill, Winston, *The Twilight War*

red tape." Gorbachev's policies were openly debated at the Nineteenth Communist Party Conference at the end of June. This was just a few weeks after my visit, and the people were very concerned about Gorbachev's fate. At that time Gorbachev stated publicly that he would resign if the Party did not wholeheartedly endorse his ideals. The major concern was with the layer of bureaucrats who stand to lose power under Gorbachev's regime. The Soviets, however, were very optimistic about *glasnost* and *perestroika* and felt that Gorbachev would come out of the conference with greater power, which in fact occurred. Since my visit also coincided with the Summit Conference between Gorbachev and President Reagan, it was an extremely exciting time to be in the U.S.S.R.

Referring back to the enigmas I mentioned earlier, I will explore briefly my observations regarding the Soviet legal system, the position of women in the U.S.S.R., and the question of religious freedom.

### The Soviet Legal System

The Soviet Constitution is quite utopian on its face. It guarantees the right to work and rest, the right to health care, the right to pension benefits, the right to a free education, as well as freedom of speech and association. To its credit, the Soviet Union has provided jobs for most of its citizens, medical and dental care are available free of charge, senior citizens receive pension benefits, education through the university level is free, and housing is available at a nominal cost. On the other hand, questions are being raised as to the quality of the medical care, salaries are extremely low, material goods are of poor quality or simply unavailable, and Soviet citizens have to wait years for housing, (a six-year wait is the norm for an apartment in Leningrad), resulting in two and three generations living in the same two-bedroom flat.

As to freedom of speech and association, although the Soviet Constitution reads almost verbatim the same as the First Amendment to the United States Constitution, Article 70 of the Criminal Code prohibits anti-Soviet agitation and propaganda. As recently as 1984, Article 70 was amended to provide a sentence of up to 10 years imprisonment for propaganda activities carried on with the use of monies or material goods received from foreign organizations. The

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sentence for first offenders had previously been 6 months to 7 years; thus the amendment makes possible harsher treatment of dissident believers who cultivate foreign connections. Although *glasnost* encourages greater openness and a recently enacted law imposes penal responsibility on government officials who repress or retaliate against workers who criticize their employers, the criminal code has not been altered, leaving a very precarious distinction between protected "whistleblowing" and unprotected anti-Soviet propaganda.

Further, although *glasnost* is beginning to make a difference, years of repression have made the people wary of being too vocal about the defects in their government. At a meeting with the Women's Committee in Moscow, for example, we were told that although Soviet citizens will not be fired for criticizing their government, the Administration still punishes free speech by depriving workers of bonuses or by not providing them with new apartments. While we were in Kiev a program was being broadcast in the Soviet Union in which Vladimir Posner, a reknowned Soviet journalist, interviewed Americans. We asked a group of students what their impressions were regarding this program, and a 15-year-old immediately responded that she was amazed at the freedom with which Americans speak out regarding their government and their lives. To quote her, "Americans speak as though no one is looking over their shoulders." This statement illustrates that the years of repression have obviously taken their toll upon the Soviet people. As one Soviet has commented regarding the difference between the Soviet and American Constitutions, "In the Soviet Constitution they promise freedom of speech. In the American Constitution they promise freedom after speech."

## The Status of Women in the Soviet Union

Because our delegation consisted of women attorneys, judges, and law professors, much of the focus of our discussions with the Soviets concerned women's issues. Here too, the situation cannot be explained in simple terms. Article 34 of the Constitution guarantees equal protection and Soviet law provides

equal pay for equal work. Seventy-five percent of the doctors in the Soviet Union are women and about 30% of all attorneys are female. In addition, Soviet women are provided maternity leave which guarantees return to one's job as well as full salary for two months before and after childbirth. Further, Soviet women are given the option of staying home and continuing to receive partial salary during the early years of childhood, or they may take courses to improve their educational status, rather than return immediately to work. Also, although there are wait lists in some cities, day care centers are provided by the government.

On the other hand, we learned that women do not very often occupy the highest positions—be that in hospitals, in schools, or in factories. Although 75% of all doctors in the Soviet Union are female, the wages of a doctor are comparable to that of a seamstress. A skilled technician or factory worker earns more than a physician. Further, women normally are not in the highest governmental positions. There has been no female in the Politburo, which basically runs the government on a day-to-day basis from the Kremlin, since the time of Khrushchev, and there are less than a dozen women in the 307-member Central Committee.

Perhaps the greatest concern that Soviet women expressed to our group is a result more of cultural discrimination rather than legal distinctions. Women in the Soviet Union suffer a much greater disadvantage due to the so-called "double shift," i.e., after working a full day at one's career, Soviet women must perform the tasks of shopping, cooking and cleaning. The Soviet women we met expressed great envy for American women who enjoy so-called miracle kitchens, with such luxuries as dishwashers, freezers, microwave ovens, food processors, as well as washing machines and dryers. Soviet women spend on the average of two hours daily simply doing the shopping for the family due to the long lines in the grocery stores. As one woman attorney explained at a seminar, "Man is a freer person; women do not assume higher positions because they do not want to sacrifice their families." We were told that if Soviet women had the con-

veniences of American women they could compete on an equal footing, but that Soviet women can attain prominent positions only by sacrificing family and home-life.



Professor Levinson at the People's Court in Baku. The plaque contains the text of the Equal Protection provision of the Soviet Constitution.

I suggested to a group of Soviet women attorneys and professionals a possible remedy to this cultural discrimination, i.e., that if males undertook some of the domestic tasks, this would free them to pursue their careers. The Soviet women were taken aback, as though they had never contemplated this idea. Clearly the feminist movement, as it exists in the United States, has not reached the Soviet Union. In fact, we encountered a fairly strong sentiment that women felt repressed by the Soviet statute requiring all citizens to work. Many felt that the Soviet Government was requiring them to sacrifice their family and home-life. Indeed a key legislative change urged by the prominent women's advocacy group would allow women to work a shorter day, i.e., five to six hours. As one Soviet woman commented, "In our country we have long ceased to fight for the rights of women. We are fighting for the right to be women." In short, as in our country, there is certainly a division as to what direction the women's movement should take.

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## Religious Freedom in the Soviet Union

The question of religious freedom also cannot be reduced to a single statement. Article 34 of the Soviet Constitution specifically guarantees equality without distinction based on religion. Further, Article 51 guarantees freedom of conscience. In addition, this year marks the 1,000th Anniversary of Christianity in Russia and, in observance of this event, some churches are being returned to worshippers. Also, some of the monasteries we visited were being refurbished in honor of this anniversary.

On the other hand, the law and reality we observed indicate that there still is a very anti-religious policy in the Soviet Union. Still on the books are the 1929 statutes which require religious groups to register with the government and all religious leaders to be licensed by the government. The law prohibits religious groups from conducting charitable works, holding prayer meetings, teaching religion or even having libraries or reading rooms with religious materials. Further, Article 227 of the Criminal Code provides for a prison term or exile of up to 5 years for religious leaders whose activity is found to "harm the health of citizens" or to induce citizens

to refuse civic duties or to draw minors into their group. In sharp contrast, the law specifically guarantees the right to spread atheist propaganda. As recently as 1984, *Pravda*, the major Soviet newspaper, launched a campaign to discredit religion, describing it as "a core weapon used in the capitalistic struggle against communism." Further, in these articles, religious persons who receive any type of Western support are described as "agents of a foreign government." Despite *glasnost*, there continue to be cases where those seeking exit visas are fired from their jobs and then charged with "parasitism," i.e., failing to work. Emigration from the Soviet Union among Jews, perhaps the most vocal dissident group, has declined significantly from a high of some 80,000 in 1979 to about 1,000 in 1985 and only 914 in 1986. A 1986 amendment to the Reunification Law limits emigration to those who have immediate family members in a foreign country, thus significantly curtailing the exodus of religious dissidents.

### A Plea for Peace

To end on a more positive note, I would like to focus on the Soviet people, rather than their government and laws. What impressed me above

all was the warmth of the people, both the officials whom we met as well as those whom we encountered on the streets. Everywhere we went, the Soviets expressed their strong desire for peace between our countries. Because the Soviets, especially those in the besieged cities of Leningrad, Kiev, and Moscow, directly felt the pain of World War II, they are much more cognizant of the tragedy of war. Impressive War Memorials with statues that poignantly depict the suffering of the people are found in all the major cities. We also observed the Soviet custom of newlyweds, still in their wedding garments, bringing flowers to these War Memorials. At all the functions we attended, both formal and informal, the Soviets began their toasts with a plea for peace between our nations. In addition to their vivid recollections of the War, the Soviets are plagued today with horrendous economic problems which mandate a decrease in defense funding so that dollars may be spent to provide better housing, better consumer products, better medical care for Soviet citizens. The Soviets we encountered asked us to convey their feelings for peace to Americans upon our return — to discredit the American view of Russians as heartless warmongers and to urge better relations between our peoples.

## MONSANTO LECTURE ON TORT LAW REFORM AND JURISPRUDENCE

Monday, November 14, 1988 — 3:45 p.m., Wesemann Hall School of Law

### "The Specific Morality of Tort Law"

#### THE LECTURER

Born April 8, 1943, Ernest J. Weinrib earned a B.A. degree from the University of Toronto in 1965, a Ph.D. from Harvard University in 1968, and an LL. B. from the University of Toronto in 1972. He joined the faculty of the University of Toronto Classics Department in 1968, and since 1972 has held a joint appointment in law and classics at the University of Toronto. He has been visiting professor at the University of Tel Aviv Law School and at the Yale Law School. From 1986 to 1988, he held the Killam Research Fellowship, one of Canada's most prestigious academic awards. He serves on the editorial committees of several international publications and is the leader of the Law and Philosophy Research Stream at the University of Toronto. He has written extensively on tort law and legal philosophy.

#### THE LECTURE

Tort law is in ferment with judicial innovation and vigorous academic argument. Some wish to extend tort, others to abridge it, and still others to abolish it. Behind these controversies lie competing

visions of the morality of tort law. Yet there is a pervasive misunderstanding of what that morality is.

Two approaches characterize contemporary writing. The dominant one assumes that tort law is instrumental to independently identifiable social goals, such as wealth maximization, deterrence, or compensation, and that the morality of tort law depends on the desirability of these goals, the effectiveness of tort law in promoting them, and trade-offs entailed against other goals. The second view focuses on personal blameworthiness: the morality of tort law revolves around the moral character of the defendant's act considered on its own.

This lecture will criticize both these approaches and suggest an alternative. It will argue that the morality of tort law is specific to the nature of tort law. The lecture will outline how the nature of tort law can be recognized, what it is for tort law to have a morality, how that morality manifests itself in the doctrines and institutions of tort law, and how that morality is connected to a now-ignored tradition of legal philosophy.

# ALUMNI IN FOCUS

*Jon P. Dilts, '81, is an Associate Dean and Associate Professor at the Indiana University School of Journalism. While a law student, he was a part time lecturer in journalism at V. U. Jon is a member of the Indiana State Bar Association, Monroe County Bar, Society of Professional Journalists, American Society of Writers on Legal Subjects, and head of the Law Division of the Association for Education in Journalism and Mass Communications. He received his B.A. from St. Meinrad College in 1967, his M.A. from Indiana University in 1974, and his J.D. from Valparaiso in 1981.*

## PORNOGRAPHY AND COUNTY PROSECUTORS IN INDIANA

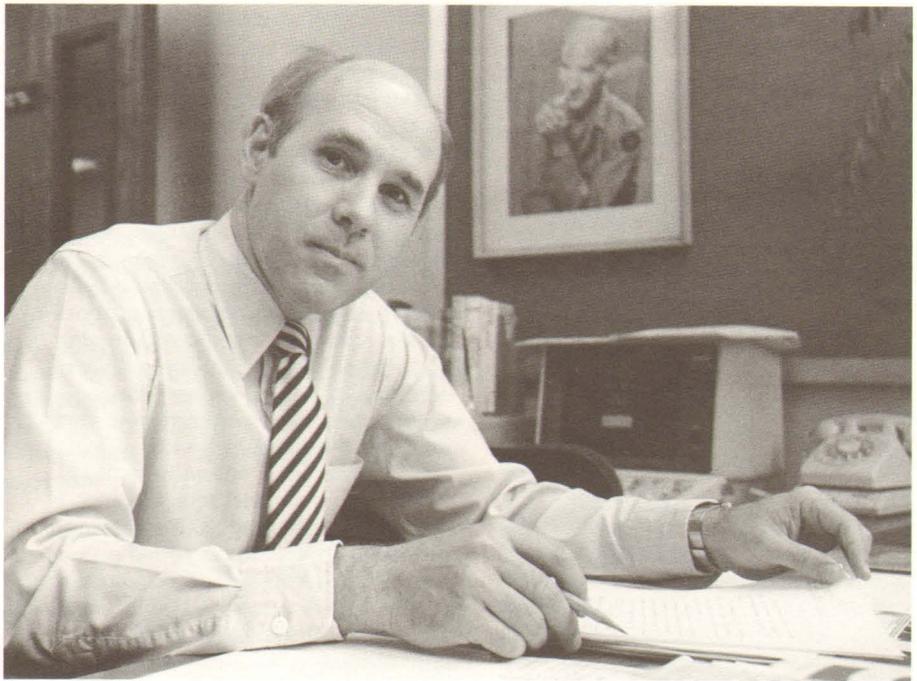
by Jon Paul Dilts, '81

When the Attorney General's Commission on Pornography issued its report on pornography in 1986, something about it didn't seem quite right.

The Commission, after defining pornography broadly and condemning it as a national menace, recommended no change in law. Instead, it said, the problem was with enforcement.

Enforcement? I had been studying and teaching about First Amendment issues for nearly eight years, first at Valparaiso University and then at Indiana University. I had long thought that the difficulty with prosecuting obscenity cases was with the Supreme Court's definition of obscenity, not with the willingness of law enforcement to curb smut.

In all those years I had never had a prosecutor tell me he didn't believe in prosecuting obscenity cases. I had a few tell me it was a frustrating business to go after adult bookstores and X-rated cinemas, but no one ever said he wouldn't do it. Yet the Commission seemed certain. The problem, it wrote, is that most local prosecutors do not use the existing legal tools to combat pornography. "The evidence is unmistakable that with few exceptions the obscenity laws that are on the books go unenforced."<sup>1</sup> The Commission chided police and judges for their slackness and then focused on what it believed to be a serious lack of prosecutorial aggressiveness.



Jon Dilts

The evidence of sloth was this: that at the federal level there had been little effort to enforce obscenity statutes.<sup>2</sup> From January 1, 1978 to February 27, 1986, for example, only 100 persons were indicted for violation of federal obscenity laws, and only 71 were convicted.<sup>3</sup>

As damning as those figures are (they translate into only about one federal obscenity prosecution per month in the entire United States over more than eight years), they don't say anything about what goes on at the state level. As the Commission itself noted, obscenity law is mostly state law. Consequently, the bulk of prosecutorial activity would be expected to be in the state, rather than the federal, courts. Information about the relatively small number of prosecutions at the federal level didn't seem to me to be much of an empirical basis for the conclusion that there is "striking underenforcement."

More importantly, a colleague of mine at the School of Journalism, Professor David Pritchard, was curious about the role of law enforcement in obscenity cases. Together we decided to take a look at it, at least in Indiana.

Pritchard is a social scientist who specializes in issues involving law and society. Whereas my work generally

relates to the formal aspects of law, his is usually directed to the informal influences on the use of law by citizens. Together, and with the help of graduate student Dan Berkowitz, now a professor at the University of Iowa, we contacted all the prosecutors in Indiana. What we found out was that, as we expected, Indiana prosecutors are far more aggressive in obscenity cases than the Commission's report would lead one to suspect. But we learned a lot of other things, too—things about prosecutors' priorities and the influence of public opinion on their decisions to take action.

### The Survey

To ascertain prosecutors' beliefs and behavior with respect to pornography, we mailed a questionnaire to each of the state's 89 county prosecutors. We received responses from 71, or 80 percent.<sup>4</sup>

We asked the prosecutors to give their personal views about the importance of non-violent sex-related offenses, such as obscenity and prostitution, relative to four other categories of crime: property crimes, substance offenses, violent crimes, and white-collar crimes.

We also asked the prosecutors how they thought the residents of their

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counties would rank the importance of non-violent sex-related crimes relative to the other categories of crimes. Finally, we asked the prosecutors to rank the categories according to how they thought the local press would rank them.

Next, we asked the prosecutors to describe their activity with respect to pornography during the calendar year 1985. We asked for the number of obscenity prosecutions initiated, the number and type of other prosecutions against distributors of sexually oriented materials, and the status of each of those cases. We also asked prosecutors what kinds of informal actions, if any, they had taken to reduce the distribution and/or display of sexually oriented materials.

In addition, we asked the prosecutors about outside influences on their decisions for dealing with sexually oriented materials. We were interested in learning to what extent the prosecutors believed they were being influenced by public opinion, the press, and the police. Finally, we asked the prosecutors to give us some information about themselves—their age, political-party affiliation, gender, and their ideology (on a five-point scale ranging from strongly conservative to strongly liberal).

## Findings

The typical Indiana county prosecutor is a man in his late 30s; only four of the 71 respondents were women. Ages ranged from 30 to 59, with a median of 38. Slightly more than half of the prosecutors who responded were Republicans (53.6 percent). Relatively few prosecutors (7 percent) described themselves as strongly conservative; the vast majority claimed to be either somewhat conservative (51 percent) or middle-of-the-road (32 percent). The remaining 10 percent said they were somewhat liberal. None of the respondents claimed to be strongly liberal.

Non-violent, sex-related crimes, such as pornography, were not perceived by the prosecutors as being high on any agenda, including their own personal agendas or the agendas

of the press or public. However, they perceived the issue of pornography as being somewhat higher on the agendas of the press and of the public than on their own. When responding to the question about their personal attitudes, only 21 percent of the prosecutors ranked non-violent sex crimes, such as pornography, as more important than at least one other category of crime. When asked how the biggest newspapers in their counties would rank the issue, however, 30 percent of the prosecutors said pornography would be more important to the press than at least one other category of crime. Also, some prosecutors thought the public was more concerned than either the press or the prosecutors about pornography and related issues. Thirty-eight percent of the respondents said that citizens in their counties would rank non-violent sex crimes as more important than at least one other category of crime.<sup>5</sup>

Despite the general opinion that sex-related crimes were of low to modest priority, Indiana prosecutors engaged in a significant amount of anti-pornography action. Thirty-nine percent of those who returned questionnaires said they took some kind of action against the distribution of sexually explicit materials.

Of the 71 respondents, 15 (21 percent) said they took formal action against pornography by filing charges. Eighteen respondents (25 percent) said they used informal methods short of filing charges. Five prosecutors said they had taken both formal and informal action.

Informal methods most often took the form of meetings with store and theater owners and other distributors of sexually oriented materials. One prosecutor wrote: "We have had meetings with distributors of some 'soft' porn materials, i.e. *Hustler*, *Oui*, etc., and indicated covered displays, out of children's reach, behind counters, etc. would obviate." [sic] Prosecutors reported they were generally successful in convincing sellers to move explicit materials to locations inaccessible to children.

Some prosecutors said that by threatening prosecution, they were successful in convincing video stores to stop distributing X-rated videotapes.

In one case, said a prosecutor, the store "was asked to take certain material off (the) rack and not to have that type again (incest). They complied voluntarily. Two subsequent checks showed no other materials." Another prosecutor indicated he filed charges and directed police to seize material only when there was no adequate response to warnings and threats.

Fifteen prosecutors initiated 31 obscenity prosecutions during 1985. Seventeen of those cases were still pending at the time of the survey, one had been dismissed, 10 had ended in guilty pleas, one defendant was acquitted at trial, one defendant was convicted at trial, and one case was disposed of by diversion. The most frequently mentioned statute used to file charges was Indiana's obscenity statute. No actions were brought under zoning or nuisance laws. However, one prosecutor reported he filed charges under Indiana's Racketeer Influenced and Corrupt Organizations (RICO) act.

## Outside Influences

The picture that emerges reflects more activity on the part of local prosecutors, at least in Indiana, than the Attorney General's commission suggested was the case. However, the survey findings also indicate that if prosecutors took action on the basis of their personal priorities, the level of state activity might have been considerably less.

Of the 39 percent of the state's prosecutors who took formal or informal action against pornography in 1985, a majority (56 percent) cited public opinion as having a great deal or considerable influence on their decisions about dealing with sexually oriented material. About a third (32 percent) said police officers had considerable or a great deal of influence in their decisions. As for the news media, one prosecutor said they had considerable influence, most (60 percent) said they had some influence, and 36 percent said they had little influence on deciding how to handle sexually oriented material.

Even among those who took no action involving pornography, public opinion was cited by 37 percent as having great or considerable influence

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on their decisions regarding pornography. Again, they were less inclined to credit the news media or police as influencing the decision-making process.

To further analyze the strengths of certain influences on prosecutors' decisions about what to do with pornography cases, we used the statistical technique of multiple regression analysis to assess the relative importance of certain influences. We found that the strongest predictor of formal prosecutorial action was the prosecutors' estimate of pornography's position on the general public's agenda. The more the prosecutor believed pornography was of concern to local citizens generally, the more likely the prosecutor was to file charges.

The analysis also revealed that a prosecutor's perception of the local newspaper's agenda had modest but measurable influence on formal action taken against pornography. The more important the prosecutor thought pornography was to the local press, the more likely he was to take formal action. However, that was much less important a factor than the prosecutor's sense of public opinion.

The results were surprising with respect to the prosecutors' personal agendas. When the effects of all the variables were taken into account, the result was modestly *negative*. This suggests, statistically, that the prosecutors were more likely to take action when pornography was at the bottom of their personal agendas than when it was in a higher position. One can speculate about what that means, but, in any case, it suggests that there is no evidence in this study that prosecutors take action against pornography simply because the issue is important to them personally. They appear to be taking their cues about what to do from other agendas in the community. Those agendas may be those of the public and the press, but they also could be those of religious groups, business leaders, educators, and other influential people. Moreover, it is possible that when prosecutors attempt to determine public opinion, the agendas of these opinion leaders are clues to the kind of support likely from the public as a whole.

## Some Final Thoughts

The commission's assertion that obscenity statutes are unenforced doesn't get much support from these findings in Indiana. Rather, at least 30 percent of Indiana's county prosecutors took formal or informal action against pornographers in a single year. However, the Indiana data suggest the Attorney General's commission is correct when it asserts that obscenity prosecution is low on the prosecutorial list of priorities.

It is this discrepancy between low priorities and high activity that lends support to the conclusion that prosecutors may be motivated to act in obscenity cases for political, rather than legal, reasons. In counties where prosecutors perceive pornography to be high on the agenda of the public and of the press, at least some energy is diverted from the prosecution of violent or property crimes to pornography.

If motivation for prosecution is often essentially political, then the Attorney General's Commission, while perhaps underestimating the extent of current activity and perhaps blaming the wrong people for that inactivity, may nevertheless be right in not calling for broader legislation. Underlying much of the Commission's report and much of what Indiana prosecutors told us is this conclusion: The number of prosecutors and the kind of activity taken against pornography depend more on public attitudes made known to prosecutors than on adequate law or self-motivated police or prosecutorial efforts. If the public wants a crackdown on porn, prosecutors are likely to comply. If they don't, prosecutors have more important concerns to deal with.

## NOTES

Data collection and analysis for this article was funded by a grant from the Multidisciplinary Studies Committee at Indiana University.

<sup>1</sup>Attorney General's Commission on Pornography, Final Report (1986) at 366.

<sup>2</sup>The Commission, of course, was referring to efforts at the federal level before the issuance of the Commission's report. In the fall of 1986, Attorney General Meese created a special team of prosecutors to handle pornography cases. Shenon, *Meese Creates Special Team to Deal with Pornography*, N.Y. Times, Oct. 23, 1986, at 14, col. 1.

<sup>3</sup>Attorney General's Commission on Pornography, Final Report, *supra* note 1, at 367.

<sup>4</sup>Interestingly, the prosecutor for the largest urban area in the state, Indianapolis, declined to participate despite his widely publicized anti-pornography efforts. Prosecutor Stephen Goldsmith cited his bid for re-election as the reason for his refusal to complete the questionnaire. Letter from Stephen Goldsmith to Jon Dilts (April 1986). Consequently, the activity of the Marion County Prosecutor's office was not measured in the survey, making the aggregate figures reflecting the extent of activity statewide slightly conservative.

<sup>5</sup>These rankings are consistent with the results of the Civil Liberties Survey, which found the "legal elite" to be least concerned about pornography. "Community leaders" (including the press) were somewhat more concerned, and the "mass public" was most concerned of all. H. McClosky and A. Brill, *Dimensions of Tolerance: What Americans Believe About Civil Liberties* (1983) at 60-62.

# COMMENCEMENT 1988

## THE DEAN'S REMARKS

by Dean Ivan E. Bodensteiner  
May 22, 1988

On behalf of the law school faculty and staff, I want to welcome all families and friends of the class of 1988. I'm sure you are proud of them and looking forward to their successful careers as members of the legal profession. We, too, are proud of them — they survived our grilling in the classroom, our lengthy and often confusing examinations, and all of the other roadblocks which law professors tend to put in the paths of law students.

One of the more interesting, positive aspects of working at a law school is the inherent, continual change in the largest segment of the law school community — the students. This guarantees new relationships each year and nearly a complete change every three years. In fact, the normal term of students — three years — is about the same as the average term of law deans! This regular turnover of students has a negative side, i.e., graduation. With all the happiness, today also brings an end to, at least a significant change in, many relationships.

A few years ago I heard a story suggesting that white mice and rats were being replaced in the experimental labs by lawyers. Two reasons were given:

1. lawyers are more plentiful; and
2. the lab technicians do not become as attached to lawyers.

Whether or not the latter reason is true of lawyers, I'm not sure. But, I don't think it is true of law students. We do become attached. Each class is somewhat unique; for example:

1. The class of 1988 had the best evidence grades ever, but it took three-hour classes to do it;
2. Shortly after we moved into the new building, several students from this class promptly set up office in a corner of the student lounge and now want us to either retire the corner or name it in their honor — this would revolutionize the concept of naming rooms in honor of contributors;
3. I cannot recall another class which designated one of its members to partially strip and perform on a desk top to the music from *Risky Business* during the annual roast — unfortunately this was not the only time he was caught with his pants down;



Graduation Reception — Heritage Park

4. This class has left a number of casualties —
  - a. one faculty member retired immediately after trying to teach torts to this group;
  - b. three faculty members took leaves or sabbaticals while this class was here;
  - c. four faculty members have asked for at least one semester off next year, to recuperate;
  - d. the president of the university quit, effective in about one month;
  - e. the associate dean of the law school refused to show up today to call the roll; and
  - f. the dean of the law school has announced he will step out of that position at the end of next year.
5. On the positive side, the leadership demonstrated by this class has been great —
  - a. we have two retired Student Bar Association presidents, both of whom did a great job;
  - b. the class has taken a genuine interest in the law school and has made it a better place for those who will follow; examples of this include:
    - fine arts committee which helped decorate the new building
    - aerobics class in our warehouse in the basement
    - symposium on South Africa
    - *Forum* — law school paper
    - co-curricular activities — Minneapolis has not yet recovered from the mock trial team

— participation in faculty meetings and committees.

For those who never had the opportunity to attend a faculty meeting, I will describe them:

... faculty meetings were settings that allowed professors to speak without the pressure of twelve to one hundred and twenty pens poised to record every word. No student hands were raised to question or contradict. In short, [faculty] meetings afforded the professors the luxury of speaking publicly without the awesome responsibility of having to make sense.

M. Levin, *The Socratic Method*

I can't end without saying a few words about your profession. We are all too well aware of the negative aspects of the reputation of the profession. Unfortunately, some of that reputation is deserved and some of that reputation is inherent in a profession which must function in an adversarial system. Also unfortunately, most of you will not experience the "LA Law" glamour of the profession. Nevertheless, it can be an exciting profession if you choose to make it so. You will continue to learn, not only law but a wide variety of things through your clients and cases. You have a unique opportunity to help people and improve society — your law degree and your license to practice provide you with unlimited opportunities. However, they also bring awesome responsibilities. Please don't ignore or neglect those responsibilities.

I am confident that you will bring honor to both this law school and your profession. I wish you the best of luck and ask that you keep in touch with us after you leave.

# COMMENCEMENT 1988

## NOT THE JOURNEY'S END

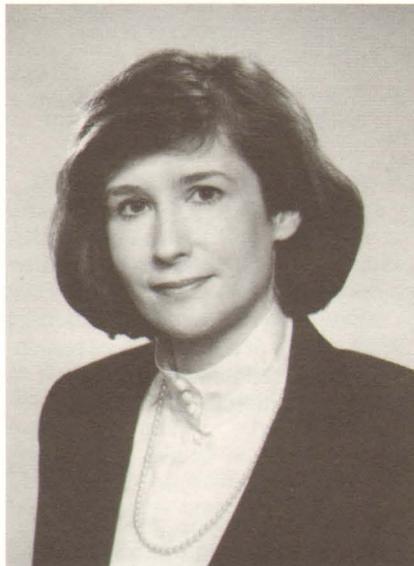
address by  
Dierdre A. Burgman  
School of Law Commencement  
May 22, 1988

I am happy to be with you today to share what is a very special occasion, not only for the students who are graduating but also for the relatives and friends who have supported them throughout what seems to be a long time to spend in school. Although I cannot recall what the speaker said at my own graduation, I do remember what we were feeling. We were all a little saddened by the prospect of possibly never seeing one another again; it's a small school, and you make good friends here. But mostly we were excited about making what we viewed as a dramatic change from being students to being lawyers. We had studied the law long enough, we thought, and now we were going to do it. We would work with the law, and we would change it. And, whereas law school had been a time of sacrifice, the years of sacrifice had finally come to an end. The practice of law would be a time of prosperity and comfort.

We were wrong in imagining that that moment was the end of sacrifice. When you become a lawyer, you give up some of your own personal convenience. This is because lawyers do not simply work with the law; they work with their clients and, more specifically, they are in business to *serve the needs* of clients. Unfortunately, clients do not have problems only when it is convenient for their lawyers and their lawyers' families. They tend to be arrested after everyone else is asleep; they have income tax questions at the eleventh hour; they have matrimonial disputes on weekends; and they need contracts drafted even when we are sick. When we are about to leave on vacation, our clients are sued and require immediate attention. When we want to be at home, they want us to travel. In short, to have a legal career is to be routinely inconvenienced.

Moreover, unlike a law student, who can choose not to study hard for a test, a lawyer does not really have a choice as to whether he will do the best job he is capable of doing. Clients are entitled to that. And that is as it

should be, because very often we are all that stands between them and personal disaster. It is a sobering experience to represent a client who is in trouble because of the work of another lawyer. This is particularly true in a criminal case, because there the standard of proof is so difficult that it is almost impossible to free a person wrongly convicted because of a lawyer's negligence. But it is also true in civil cases, and even where the negligence does not amount to what we would call malpractice, but is simply *inattention*. It is true of contracts and wills that don't do the job the client wanted done. When lawyers do not try hard, they betray the trust of their fellow lawyers, as well as their clients. When a client buys your representation, he buys the best that you can do. Giving less than that for the money is a form of consumer fraud.



Dierdre Burgman, '79

We were also wrong in thinking that graduation marked the final day of being a student. A lawyer can never stop being a student. When we graduate from law school, we simply assume the additional (and much more difficult) role of being our own teachers. We are forced to devote a large portion of our time to learning—not just learning what we need to know for a particular matter we are working on, but learning in advance, *before* our clients have problems. Ideally, we should know how to avoid problems as well as how to solve them.

There is one immediate, obvious difficulty in becoming our own

teachers: not only must we decide what to have ourselves read, but we have to evaluate ourselves constantly. One of the benefits of attending a small law school is that we learn early on to appreciate the talents of other lawyers; we learn how different we all are, and our teachers encourage those differences. When we leave law school, our professional development is in our own hands. From there on, we have to recognize our own uniqueness, and we have to nourish it ourselves.

It is likewise extremely difficult to keep abreast of the law as it changes. To do so necessitates a substantial commitment of time, and more and more lawyers are choosing to specialize in order to resolve this dilemma. A substantial commitment of money is also involved. The cost of an adequate library for even the most modest type of practice is staggering, and it is not simply a one-time investment. Instead, lawyers must constantly update their libraries with the latest case reporters and compilations of statutes and regulations.

When our law school was founded more than a hundred years ago, it took two years to obtain a law degree. Now it takes three years. Yet the quantity of law produced in the interim has been overwhelming. Viewed in this light, a legal education must now be seen as an orientation course. What we learn in law school is how to *think*. And a lawyer's review of the law at any time must rest in his mind as always being subject to revision.

Perhaps the best expression of the ceaseless revision of the law was written by Justice Benjamin Cardozo, a very eloquent state court judge from New York who later became an Associate Justice of the United States Supreme Court. He gave us a lot to think about in law school. Justice Cardozo said:

Existing rules and principles can give us our present location, our bearings, our latitude and longitude. The inn that shelters for the night is not the journey's end. The law, like the traveler, must be ready for the morrow. It must have a principle of growth.<sup>1</sup>

I have always liked his idea of law's having a sense of direction, but "growth" is an even better description. The law has no preconceived agenda; it has no

<sup>1</sup>B. Cardozo, *The Growth of the Law* 18-19 (1924).

# COMMENCEMENT 1988

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itinerary, no timetable, no map. It changes as it moves, and everything about it influences that movement. It is much more accurate to say that, like a living thing, the law grows.<sup>2</sup> Retaining essentially the same structure, it matures.

From the perspective of the lawyer as a detached observer, the law changes very rapidly. Lawyers are regularly deluged by advertisements for publications purporting to contain the latest pronouncements on every possible legal topic. Nevertheless, for those who are attempting to correct deformities in the system, change may seem intolerably slow. Legislatures ponder bills sometimes interminably. The appellate court process is slow, and even when a decision finally comes down, we may find that the court has avoided deciding the precise issue we were waiting to hear.

In law school, we studied the law as if seeing it captured by time-lapse photography. As we turned a page, a hundred years passed. And, when we read a decision in the vacuum of a casebook, it appeared that as soon as a lawyer has brought forth the magical logic, the law changes. That is not the way it works. Instead, it works by almost imperceptible steps, by plodding and *even by failure* first. Arguments that are rejected lay the groundwork for those that later win. It is the nature of law that *all* arguments partake of earlier ones. There is a lot of inching along, very slowly but deliberately. Law school does not show us how painstaking the steps are, and television programs, not surprisingly, do not portray this: it is too boring. Nothing prepares us for the relentless tedium we sometimes have to face.

Other than what cynics regard as the obvious answer—that we're only in it for the money—it may be difficult to see what it is that we derive from practicing law that would justify spending three years in school and then remaining a student, sacrificing personal convenience, and from time to time doing tedious work. The rewards are not always easy to see and, indeed, some lawyers leave the practice after a few years and use their legal training in other fields, because they have not found any reward. It is likewise not unusual for lawyers to change jobs within the legal community

<sup>2</sup>See O. Holmes, *The Common Law* 76, 77 (Howe ed. 1963).

a number of times until they finally find the right one, where the rewards are apparent.

Yet this is not a profession known for early retirement, and that ought to be a clue that there *can be* something awfully good in it. First, there is the satisfaction that comes from having helped other people, and maybe having given them a better understanding of what the law is about. Second, there is intellectual challenge. We are supposed to be more philosophers than technicians.<sup>3</sup> That is why our law school has trained us, not so much to memorize the law of a particular instant, but to recognize and appreciate principles of growth. Finally, there is a reward that melds those two things, helping others and intellectual challenge: it is the sense of being part of something very important. We are prepared and expected to contribute to the process of the law's growth, so that as society changes, as technology changes, we can have a hand in guiding the growth of the law.

As lawyers in this century, we are called upon to pursue the manifest destiny of an ideal that pervades our laws and dominates our thinking. That ideal is equal protection, and we live in what might be called the Age of Equality. After inching along and after a lot of failure, many of the large issues have been resolved, and we are down to some very challenging questions that have good legal arguments on both sides. The challenge of equality is not limited to the practice of constitutional law. We will all have occasion to deal with it in some form. Even in corporate law and securities law, there are pressing questions concerning the equal treatment of shareholders. The issue of equality is only one of many that characterize the present state of the law's evolution. It is only an example; I might have mentioned the law of computers or the law of outer space instead. The point is that it has significance for everyone, and we as lawyers have the opportunity to participate in the development, the growth, of this living thing.

Some of you may achieve riches; others may achieve fame; but none of us can count on finding either of those. To some extent, our clients influence our destinies. You may have a case that

<sup>3</sup>See G. Gilmore, *The Ages of American Law* 3 (1977).

is likely to attract widespread media attention; maybe it will have all the attributes of one that should go to the Supreme Court. You may be absolutely positive that you will win. But if your client says, "Settle it," you settle it. Or the client may say, "I want this to be over now. I don't want to appeal, no matter what the chance of success." Or there may be an opportunity to take on a case that could win both client *and* lawyer a lot of money, yet you realize that going forward with it is not really in the client's best interest. That kind of recognition comes with maturity. We are obliged to put the client's interest above our own, and sometimes that means telling the client, "My advice is that you should do nothing." In the end, the most we can honestly aspire to do is to serve our clients well, to be the best lawyers that we, individually, are capable of being.

Our legal magazines and professional journals are chock-full of articles and speeches on the bad impression the American public has of its lawyers. The colossal amount of time that is devoted to discussing this issue could be better spent helping people who need lawyers. In fact, the idea that people should respect a particular group only because of their profession is blind egotism. There is no reason to respect all lawyers, any more than there is reason to respect all clergymen or all farmers or all scientists or all plumbers. *Respect must be earned. It must be earned individually.* I think we should show respect for our clients before we expect them to show respect for us. Do your job well, and you will be respected. Comport yourselves honorably, conduct yourselves ethically, and you will be respected.

I said earlier that I cannot remember anything that was said at my own graduation, and I don't expect you to remember any of this. If there is one memory of today that you can take with you, let it be the pride that you feel in your accomplishment and the pride you see in the eyes of the people close to you who are here today to rejoice with you in this achievement. In all that you do, may you bring honor to the parents who have given you life and to the school that has given you a living.

*A 1970 graduate of Valparaiso University and a 1979 graduate of the School of Law, DIERDRE A. BURGMAN was awarded her LL.M. degree from Yale in 1985. Dee practices with the Wall Street firm of Cahill, Gordon & Reindel in New York.*

# ORIENTATION 1988

by Katharine Wehling, '83

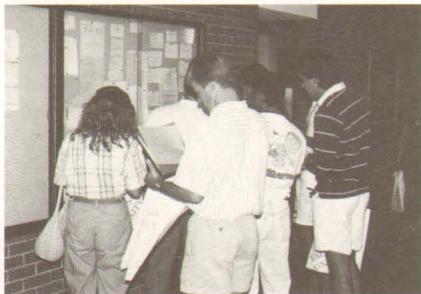
## Valparaiso Welcomes New Students

Computer Workshops; an Orientation to the Career Services Office; Registration; a Student Organizational Fair; a luncheon sponsored by the Admissions Office; Advisor Group Meetings; a picnic; and heartfelt advice from upperclass students comprised the agenda of the class of 1991 during their first few days of law school.



Orientation 1988

The Orientation programs, jointly sponsored by the law school and the Student Bar Association serve to familiarize the new students with the nuts and bolts of the School's "community." One of the primary purposes of the program is to give the new students a chance to meet some of their peers and upperclass students so they can recognize a few faces in the crowd by the time classes begin.



"Assignments already?"

Among the dignitaries who greeted the new students on Registration Day were Alumni Association President Mary Squyres, Vice President Richard Baepler and new Valparaiso University President Alan Harre. The "keynote" address was given by Dean Bodensteiner and follows in its entirety.

## Dean Bodensteiner's Charge to New Students

Those of us who are addressing you today must keep in mind that you will remember very little, if any, of what is said. But, that will not keep us from going ahead with our words of wisdom—in part because we want to be able to say, "I told you so."

Most importantly, I want you to know that members of the law school faculty and staff understand how you feel this morning. We cannot eliminate the anxiety, but we do understand why it exists. We understand because some of us have been through it, others have observed it many times, and we have read about it. One of our former colleagues, now teaching at another law school, described the situation of an entering law student as follows:

Every law student probably feels a little uneasiness about entering law school. The newness of a strange environment combined with an initial absence of friends for support, an unfamiliarity with law school teaching methods and goals, the uncertainty over what will be expected, and a confusion over how to succeed (resulting in part from gratuitous advice of upperclass students), all contribute to what might be called "threshold anxiety."

Fortunately, for most students, threshold anxiety passes quickly as they settle into new routines, make friends, and discover they are not alone in this new undertaking. A feeling of self-confidence is elusive, but beginning students tend to be enthusiastic about law school, determined to do well, and optimistic that they will do so.

An obvious source of anxiety is the unknown. And one of the unknowns at this point relates to the demands of law school. I will attempt to state very briefly what we expect of you and what you should learn as a law student.

Very simply, we expect you to prepare for and attend class, participate in class (law school is not a spectator sport), and two times each year tell us what you have learned. For most of you, this will mean working harder that you have ever worked before. However, it is important that you work hard in order to maximize both your potential and

the opportunity you have here at law school. Most of you are already concerned about a job three years from now and the best way of assuring a good job is by doing well in law school. If you decide you want to maximize your potential and the opportunity, you should avoid shortcuts. If survival is your only goal, then you can and will take shortcuts. Decide now what you want out of law school.

It is more difficult to tell you what you should learn while in law school. In one sense, law school can be viewed as an extension of a liberal arts education. By this I mean that the goal of law school is to learn the skills—analysis, research, communication, and advocacy—which will serve you forever as an attorney. Learning these skills provides you with the ability to teach yourself so you can continue to learn throughout your professional career. Your choice of courses while a law student is relatively insignificant. You do not specialize as a law student and no area of specialization as an attorney is foreclosed by the courses you take or do not take while in law school. Your course selection is far less important than how you do in the courses you decide to take. You cannot possibly "learn the law" in three years of law school. Even if this were possible, much of what you learn would be obsolete by the time you graduate. However, you can learn the process—how law is made, applied, and developed.

The first time you return home friends and family will expect you to provide answers to their legal questions. Do not be afraid to respond by indicating you do not know. An honest lawyer will often respond to a client in this fashion, but add that the answer can be found through research. Most of the legal questions or problems posed by family and friends cannot be answered by you or an attorney without asking a series of questions. An important part of studying the law, and being an attorney, is learning to ask the proper questions.

Finally, I want to say a few words about the profession you have chosen. You may be ambivalent about your choice. This is not surprising because the reputation of the profession is not as good as we would like. For example,

# ORIENTATION 1988

how did your friends react when they learned you were going to law school? Was there a suggestion that there are already too many attorneys? Was there a suggestion that attorneys rank near people who sell used cars when it comes to honesty, integrity, and methodology? Unfortunately, too much of the reputation of the profession is deserved. On the other hand, at least part of it is inherent in the system, i.e., an adversarial system where there are winners and losers. Further, because of the nature of the profession, lawyers have more opportunity than others to be dishonest. As attorneys, we are entrusted with the affairs of others and therefore are in a position to abuse this trust. Similarly, many opportunities for dishonesty exist in law school. Therefore, it is very important that you decide now that you will be honest both as a law student and as an attorney, that you will always err on the side of integrity, and that you will not even consider taking advantage of other law students, other attorneys, and your clients. Mistakes are expected; it takes a certain amount of luck to avoid mistakes which have serious adverse consequences for clients. While mistakes are expected and understandable, intentional dishonesty is not.

On the bright side, your opportunities as an attorney are unlimited. As attorneys, you will be expected to fill leadership roles in society. As attorneys, you have the opportunity and ability to help people, both to avoid trouble and to get out of trouble. You have both the opportunity and the obligation to make the legal system, our system of justice, work not only for those with the ability to pay for representation but also for those without resources. Some of the best examples of attorneys demonstrating the highest level of professional responsibility are found in situations where lawyers provided representation to the most oppressed members of our society. Such opportunities will be available to you. In short, your chosen profession can be a great profession and you can have a great career in the profession if you choose. Fortunately, the choice is yours and your important choices begin with the first day of law school.

We are happy you are here and we hope you enjoy your days as a student at this law school.



*Organizational Fair*

## **The Class of 1991**

A total of 168 students began their legal studies at Valparaiso this fall. This class of 149 full-time and 19 part-time students is the largest class enrolled in five years. Applications for admission to Valparaiso increased by 23 percent above the 1987 figures.

Statistics and surveys collected by the Admissions Office provide an idea of the people who make up the Class of 1991, where they have been and where they are going.

Women account for 44 percent, an all-time high, and minorities comprise 5 percent of the first-year class. Forty-five percent are Indiana residents, twenty-three percent from Illinois, and eleven percent are from Michigan. The remaining members of the class are from 15 other states, Canada, and the People's Republic of China.

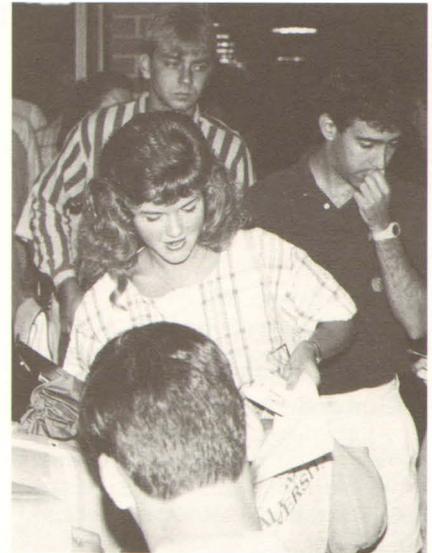
Eighty-one undergraduate colleges and universities and thirty-five majors are represented in the class. Twenty-one students have advanced degrees, including a Ph.D., M.Div., several M.A.s and several M.B.A.s.

While the median age of this year's class of incoming students, 24, is lower than in recent years, surveys indicate that 26 percent is over age 25. Seventeen percent of the class is married, and fourteen students have a spouse or parent who is an attorney.

In terms of career plans, the majority of new students indicated that they are interested in practicing with a law firm. However a number of students indicated that they preferred a career as house counsel for a corporation, in teaching, in public interest posts, or in business. Judicial clerkships and careers with a federal administrative agency were also mentioned. Students indicated that they will be seeking positions in cities

such as Indianapolis, Chicago, Washington, D.C., Boston, New York City, South Bend, Seattle, San Diego, Minneapolis, St. Louis, Detroit, Tampa and Baltimore.

The Class of 1991 includes a priest, an army officer, a professor of accounting, a probation officer, former policemen, engineers, a minister and several nurses.



*Orientation 1988*

## **Why Valparaiso?**

The survey also asked students to identify a person who influenced their decision to apply to Valparaiso. The overwhelming majority indicated that they had spoken with or met an alumnus/a who prompted their interest in Valparaiso. Others mentioned their university prelaw advisor, an admissions recruiter, current law students, parents or pastors. When asked what factor most influenced their decision to attend Valparaiso, the School's strong reputation and image were most often cited followed closely by the favorable location of the School. Other factors included the diverse curriculum offered, scholarship and other financial assistance, high bar passage and placement statistics, and the small class size and low student/faculty ratio. Over one-third of the first-year students visited Valparaiso before they made the decision to attend.

In the surveys and in meetings with the Admissions staff the new students commented frequently on their appreciation of the communication

# ORIENTATION 1988

and basic "people contact" between Valparaiso and its applicants. The letters and phone calls from alumni were a surprise and were particularly appreciated.

A great deal of credit in the increased interest in Valparaiso reflected by the increase in applications over the past couple of years belongs to alumni, and in particular to those who participate

in the Alumni Association sponsored Alumni Contact Program. I would like to personally thank each of the following alumni who graciously volunteered to help the Admissions office.

## Alumni Association Alumni Contact Program Participants 1987-1988

Kathleen L. Achterhof, '85	David Forbes, '83	Daniel Nieter, '83
Steve Affeldt, '83	Aris Gallios, '85	Doris B. Owens, '87
Mark Ahlbrand, '80	Betty Jo Gloss, '86	John N. Pangere, '85
Jeffrey W. Ahlers, '87	William Glynn, '84	William Parkhurst, '86
Daniel Avila, '83	Terri Golobish, '86	Linda Peters, '86
Douglas J. Bates, '87	Joseph Helm, Jr., '83	Wesley Ratliff, '50
Diana C. Bauer, '87	Jeffrey Herrold, '86	Marlene M. Remmert, '81
Mark W. Beerman, '72	David Hollenbeck, '74	James Roegge, '71
Mary Fisher Bernet, '76	James Jacobs, '78	John Ruck, '67
William Bodensteiner, '83	Frances Gaseor Jagla, '84	Barbara Ruhe, '76
N. Cornell Boggs, III, '85	Jennifer J. Jewell, '87	Jonathan W. Ruhe, '87
Carol Ann Bowman, '77	Linda J. Kibler, '87	Michael Rush, '73
Robert Breshock, '82	Randolph King, Jr., '74	Patricia Morris Sarkisian, '83
Edwin T. Brown, Jr., '51	Alfred Kirkland, Jr., '74	Kathryn Schmidt, '80
Kenneth Bruce, '83	Paul Kohlhoff, '86	Mark Schmidtke, '81
Craig M. Buche, '85	Peter Krentz, '56	Susan Schulze-Claasen, '79
Derrick A. Carter, '75	Mark Kreter, '83	Patrick Schuster, '81
Patricia K. Caulfield, '87	Ronald J. Kurpiers, '87	Donald Seberger, '80
Maggie Mawby Chipman, '82	Frank Lattal, '83	Laura Sever, '86
Michael Clark, '83	Scott Laue, '86	Jill Sisson, '80
Robert Clark, '79	John Lee, '77	Steven Skahn, '81
Lawrence Clifford, '75	Mark Lenyo, '84	Michelle A. Snell, '86
Roy Coffey, '81	Paul Leonard, Jr. '82	Anthony Soderman, '71
Theodore S. Danchi, '87	Mark Leinhoop, '81	Mary Squyres, '82
Brian L. Dean, '81	Mary A. Link, '85	Jennifer Stocker, '85
Wayne Defferding, '74	George Livarchik, '79	Chris M. Teagle, '85
Rocco deGrasse, '84	F. L. Dennis Logan, '77	Colleen Gunder Truden, '82
Randy Dessau, '85	John E. Longwell, '85	Charles V. Vaughan, '85
Jon Dilts, '81	Jane Malloy, '86	Karen Walker, '83
Rogelio Dominguez, '82	Patricia Marshall, '83	Paul Wenzloff, '77
Elisa Dougherty, '87	Dock McDowell, '75	Joanne C. Whalen, '87
Richard Duesenberg, '53	Ray B. Merritt, '82	Lewis E. Willis, '87
Joan R. Dufault, '87	Craig S. Morford, '84	Donn Wray, '80
Jeffrey Eggers, '81	Alan Morrisson, '62	Warren Wyneken, '50
Diane Quinn Erickson, '84	Tallam Nguti, '86	Barbara Young, '76
Richard Eynon, '69	Wade Nichols, '84	Dean Young, '81
Jerome Ezell, '79	Marilyn Y. Nickell, '87	

# CLASS NOTES

1914

**Aldo J. Simpson** resides in Goshen, Ind. He was an active trial lawyer until 1932 when he began his record-holding tenure as Judge of Elkhart Circuit Court. He served as judge until his retirement in 1976. Judge Simpson's community involvement includes organizing the Salvation Army in Goshen in 1924. He has served as Director and Chairman of the Board of Salem Bank and Trust Company (now Trustcorp Bank, Goshen) since 1949, and received the Rotarian of the Year award in 1981.

1917

**William M. Briggs** retired from the practice of law in Ashland, Ore. in 1974 and now resides in Phoenix, Ore.

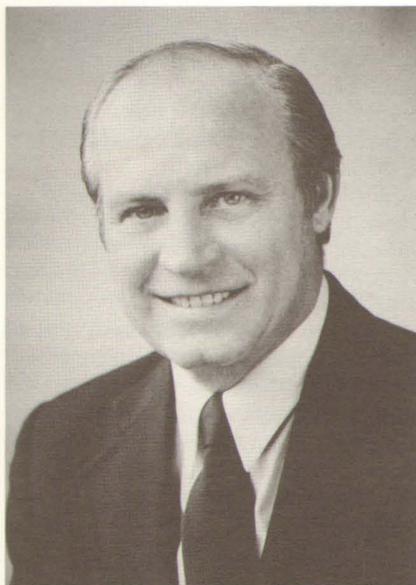
1937

**Francis J. Householter** and **J. Gregory Householter**, '73, have moved their father-and-son law practice to a new office in Kankakee, Ill.

1951

**Charles A. Stoner** is a member of the Addison, Stoner, Stiles & Katich law firm, which has moved to a new office in Merrillville, Ind.

1953



Robert K. Duerr

**Robert K. Duerr**, Judge of North Tonawanda, N.Y. was elected

President of the New York State Association of City Court Judges at the annual meeting of the association held on June 4 at Alexandria Bay. Of Judge Duerr's seven children, six have graduated from Valparaiso University, and Sarah, his youngest, enrolled this fall. At the marriage of his daughter, Mary, last summer, Chaplain Robert Rose of the U.S. Military Academy at West Point, who performed the ceremony, commented that it appeared the Duerr children had two choices, either attend Valparaiso University or no school at all!

1954

**Delmar Hoepfner** and **William Wagner**, '58, **Larry Evans**, '62, **William Satterlee**, '66, **John Hughes**, '71, **Morris Sunkel**, '74, **James Cheslek**, '74, **James Jorgensen**, '74, **Ronald Kuker**, '76, **Barbara Young**, '76, **Richard Browne**, '78, **Joseph Jaskowiak**, '79, **Katherine Gerken**, '82, **Mark Schmidtke**, '81 and **Judith Garner**, '87, of Hoepfner, Wagner & Evans, announce the opening of the firm's second office in Merrillville, Ind.

**Alan Holmes** has formed a new law firm, Holmes & Galpern, in Medford, Oregon.

1957

**Sharon L. King** has joined Sidley & Austin as a partner, at their Chicago, Ill. offices.

**Charles R. Vaughan** will be portrayed by Oscar-winning actor, George C. Scott, in a television movie which will air on ABC later this year. The film, on AIDS patient Ryan White, depicts Vaughan representing the teenager in his successful battle to attend a Kokomo-area school.

1958

**James Butcher** of Butcher, Ball and Lowry, attorneys in Kokomo, Ind., spoke on "Alternative Dispute Resolution" during the observance of Law Week, April 11-16.

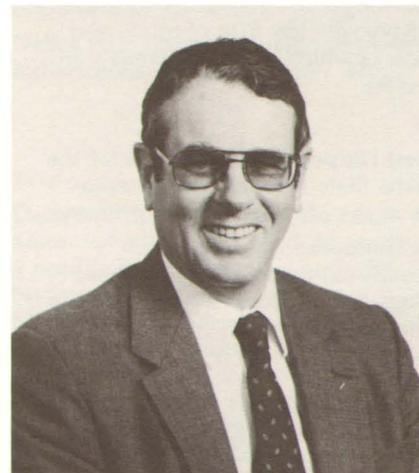
**Donald R. Holtman** has moved to Farmington, Conn.

**John R. Thomas** has relocated from Merrillville, Ind. to Brandenton, Fla.

1959

**Karl Meyer** of Affton, Missouri, is a manager with Travelers Insurance Company in St. Louis.

1960



Dieter H. Nickel

**Dieter H. Nickel** was elected Chairman of the Alliance of American Insurers at the association's annual meeting recently in Palm Beach, Fla. The Alliance is a national trade association comprising 171 property and casualty insurance companies. Member companies wrote more than \$22 billion in premium in the U.S. in 1987. Nickel is chairman of the board and president of Church Mutual Insurance Company in Merrill, Wisc.

1962

**Jack Allen** has been elected president of United Consumers Club. A Valparaiso, Ind. resident and former Porter County Superior Court judge, he has been UCC executive vice president since 1985.

**Gale Saint** wrote a chapter on "Social Security for Farmers in Retirement" for the 1987 edition of *Advising Farmers*, published by the Illinois Institute for Continuing Legal Education. A partner in the Bloomington, Ill. law firm of Saint, Bailen & Ambrose, he is a fellow of the Life Management Institute from which he holds the Chartered Life Underwriter designation.

**Pat Tabor** is director of Family House in Valparaiso, Ind.

1966

**Frederich Thomforde** has begun the private practice of law, including partnerships, corporations, and securities law, in Knoxville, Tenn.

# CLASS NOTES

A former VU and Tennessee U law professor, he also serves of counsel to the Knoxville law firm of Stone and Hinds, of which he was previously an associate.

**1968**

**Robert Harper** was nominated for the Indiana State House of Representatives in the May Democratic primary.

**Paul Hennecke** was appointed Internal Auditor for United Federal Savings Bank. Paul is now residing in Springfield, Ill.

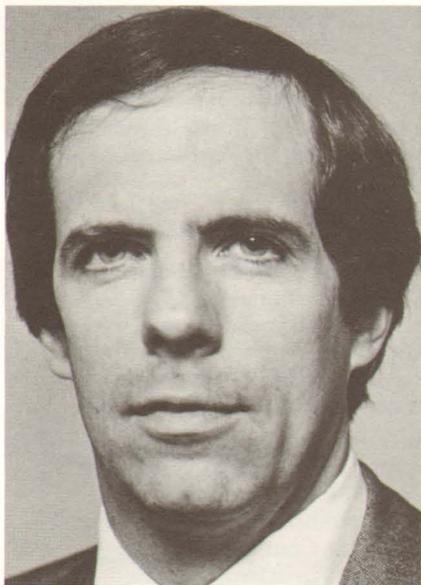
**1969**

**Peter Glick**, who is a deputy district attorney for Los Angeles County Calif., has taken and passed the CPA exam and is seeking to combine law and accounting. He and his wife, Lynne, reside in L.A. with daughters Heather, 12 and Elizabeth, 7.

**1970**

**Carlton W. Lohrentz** has his own firm in Arlington Heights, Ill.

**1971**



*Stephen Rathke*

**Stephen Rathke**, county attorney for Crow Wing County, Minn., spoke at the annual banquet of Porter County Prisoner and Community Together (PACT). Stephen has been a member of the Minnesota Sentencing Guidelines Commission since 1978 and served as chairman of the commission for four years. As a result of his work on that commission, Stephen is a nationally recognized authority on alternative sentencing and progressive law enforcement.

**1972**

**Karen L. Hughes** has joined the Merrillville, Ind. firm of Lucas, Holcomb & Medrea.

**1973**

**Martin W. Baumgaertner**, Chief Administrative Judge and Regional Director of the Chicago Regional Office of the U.S. Merit Systems Protection Board, has been honored with the Arthur S. Flemming Award. The award, presented by the Downtown Jaycees of Washington, D.C., honors outstanding federal employees who have made significant contributions both to the federal government and to their communities.

Baumgaertner was cited for "his exceptional dedication and leadership in fostering the integrity of the U.S. civil service system by his superior management" of the MSPB Chicago Regional Office and to the community.

As the head of the MSPB Chicago Regional Office, Baumgaertner is responsible for the adjudication of appeals from federal employees in the states of Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin. He served as an attorney in the Chicago office prior to his appointment as Regional Director in 1982.

**Glenn W. Hagen** opened his own law practice in Denver, Colo. in November, 1987. Glenn's practice has a concentration of corporate, commercial and real estate matters. Glenn previously practiced in Kalamazoo, Mich. and served as Director of Legal Services for Battle Creek, as Staff Counsel for CF & I Steel in Pueblo, Colo., and as business counsel for several Denver firms. His wife, Cindy, teaches and is concluding a graduate program in school administration.

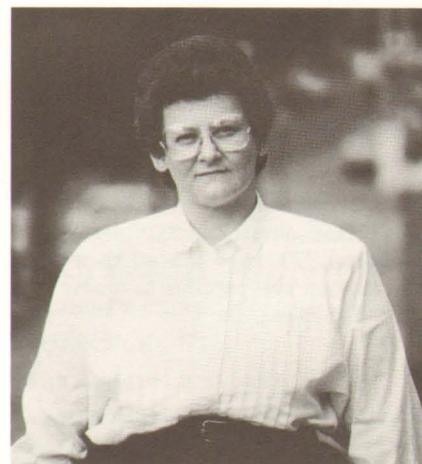
**1974**



*Dee Bruening McKinney*

**Dee M. Bruening McKinney** left her position as in-house counsel with Martin Marietta Corporation in early 1986 after nearly ten years with that company. In April 1986 Dee joined McDonnell Douglas Corporation as Deputy Chief Counsel for its helicopter company in Mesa, Ariz.

Dee and her husband, Richard, enjoy the "winters" in Arizona but find the "summers" still take some "getting used to." Dee has indicated she would enjoy hearing from her former classmates and also encourages their visits to the scenic west.



*Sheryl Dorney*

Judge **Sheryl Dorney** recently completed her first six months of a ten-year term as the first woman elected to the Court of Common Pleas in York County's 246-year history. She is assigned to the Family Court Division, where she handles all cases of domestic violence, divorce, custody, support and mental health commitments. Prior to her election to the bench, Judge Dorney was in private practice from 1985 through 1987, served as co-solicitor for York County Children and Youth Services from 1986 through 1987, and as a full-time Assistant District Attorney from 1975 through 1984.

**Thomas J. Gezon** left Wyoming, Mich. to assume a position as Assistant United States Attorney for the Western District of Michigan in Grand Rapids.

**Mark Mangerson**, as the elected judge of Oneida County Circuit Court in Rhinelander, Wisc., began his six-year term August 1.

**Randolph Rich** has relocated his law office to a solo practice in Marshall, Ill.

# CLASS NOTES

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1975

For nine years **Paulette (Reidel) Gang** has been managing editor with Callaghan & Co., legal publishers, in Wilmette, Ill. A resident of Skokie, Ill., Polly has been with the firm for 12 years.

**Dock McDowell** married the former Cynthia Minor on August 28, 1988. Dock practices law in Gary. Cynthia is currently practicing law in Chicago.

**Jordan Pedersen** became a partner in the Rutherford, N.J. firm of Baker, Garber, Duffy & Pedersen. The firm practices maritime and admiralty law.

**David Pera** became a partner in the Merrillville, Ind. law firm of Whitted and Buoscio.

**Marcia K. Sowles** received a special citation from the U.S. Attorney General for her work in the enforcement action against all-terrain vehicles under the Consumer Product Safety Commission. The consent decree requires the manufacturers to provide warning, adhere to strict advertising restrictions, conduct an \$8 million dollar television campaign on the hazards of ATVs and offer free a training course to all purchasers.

1976

**Michael J. Cork** has associated with David F. Tudor in Noblesville, Ind.

**Kenneth Nowak** became a partner in the Merrillville, Ind. law firm of Whitted and Buoscio.

**Ronald Schultz** was promoted to Legal Director for the City of Rockford, Ill. in February 1987. Among his staff of seven attorneys is **Anne Blatchford**, '86.

1977

**Nancy Meyer** has been granted Visiting Scholar status for the fall semester at The Poynter Institute for Media Studies, St. Petersburg, Fla.

**Shawn Rosscup** and her husband incorporated on January 1, 1988 and now do business as Rosscup & Kragh, A Professional Corporation, in Polson, Mont., where they have lived for five years.

**Charles E. Stewart, Jr.** opened his own office for the practice of law in Crown Point, Ind.

1978

**John Tasker** married Tamie Martinez on May 20, 1988 in Orange, Calif.

**Larry Denslaw**, '78, and **Gale Garriott**, '78 attended the wedding

ceremonies. John and Tamie spent their honeymoon in Maui and Kuai, Hawaii.

**Bessie Taylor** and her husband, Jackie Green, celebrated the birth of their second child, a daughter, Ashley, born March 22, 1988.

1979

**Norman Breen** is now a partner in his firm, Schall, Boudreau & Gore, Inc. San Diego, Calif. He continues to emphasize business litigation in his practice and represents the FSLIC and FDIC in complex matters.

**Charles MacKinnon** has taken a position as corporate attorney for Zenith Data Systems, the Computer and Heath-Kit Divisions of Zenith Electronics. He manages general corporate and government contracting matters.

**Michael Petrovich** was a trial attorney for the NLRB in New Orleans, Louisiana for four years. For the past two years Michael has been an associate in the labor group of Keck, Mahin & Cate, Chicago, IL. He married Jodi Kead Petkovich in February, 1988, and they are expecting their first child (hopefully twins!) in January 1989.

1981

Captain **A. Mark Casady**, is transferring to Hughes Corp. Defense Contract Administration Services Plant Representative Office in Fullerton, Calif. in October.

1982

**Paul Gilfillan** became a partner in the Peoria, Ill. firm of Quinn, Johnston, Henderson & Pretorius in October, 1987. Paul and his wife, Jeri, have two children: Ben 6, and Matt 4.

**Diane Kavadias Schneider** and her husband David R. Schneider announce the birth of their son, Joel Alexander, born July 26, 1988.

**Nancy L. Notley**, mother of Aaron Benjamin Tenuta Perzigian, born June 12, 1983, and Asher Collier Notley Perzigian, born November 10, 1986, has opened a part time family mediation practice in Milwaukee, Wisc. Nancy would enjoy hearing from folks practicing in the area of family mediation. Nancy's husband, Robert Perzigian is in pediatric residency at Children's Hospital of Milwaukee.

**Paul O'Malley** has relocated from Glenview, Ill. to St. Paul, Minn.

**Debra Williamson** has relocated from Indianapolis, Ind. to Mission, Kan.

1983

**Daniel Avila** moved from Boston, Mass. to Indianapolis, Ind. to assume a position as staff counsel with the National Legal Center for the Medically Dependent and Disabled, Inc., a national support center of the Legal Services Corporation.

**Randall Brownwood** is a partner in the San Diego, Calif. law firm of Luna, Brownwood & Rice.

**Dair Deckert** has joined the legal staff of Bristol Myers, U.S. Pharmaceutical & Nutritional Group in Evansville, Ind.

**Bruce Glotzer** is practicing with Donald L. Frum and Associates in Tarrytown, N.Y.

**Walter M. Kaminsky** recently accepted a position as an Assistant Sherburne County Attorney in Elk River, Minn. He will be working in the area of felony prosecutions. **Sally S. Kaminsky** is employed by West Publishing Co., St. Paul, Minn. in the position of Westlaw Marketing Coordinator. She has maintained a part-time schedule since their son, Thomas John, was born on April 8, 1987.

**Frank Lattal** married Gretta Maureen Ulrich, V.U. undergrad, class of '82, on May 28, 1988. Frank is associated with the Roseland, N.J. law firm of Connell Foley & Geiser.

After serving as Senior Trial Attorney with the Indianapolis Office of the Chief Counsel, Treasury Department, IRS, **Brett Miller** has joined the Indianapolis, Ind. law firm of Lewis, Kappes, Fuller & Eades.

**Nancy Sorenson-Ninowski** was appointed Magistrate for the 48th District Court, in September, 1987. The 48th District Court has jurisdiction over seven communities: Birmingham, Bloomfield Hills, Bloomfield Township, West Bloomfield, Orchard Lake, Sylvan Lake, and Keego Harbor, Mich. Nancy presides over informal hearings, which are hearings on traffic violations. She also presides over small claims trials and authorizes arrest warrants, search warrants, and conducts arraignments on all felony and misdemeanor cases.

# CLASS NOTES

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## 1984

**Gary Calhoun** has joined the law firm of Galucci, Hopkins & Theisen in Fort Wayne, Ind.

**Frances Gaseor Jagla** married Leon Jagla in January of 1988. She is an attorney in the Patent and Trademark Division of Miles Laboratories, Inc. in Elkhart, Ind.

**Thomas Massey** has accepted an adjunct faculty position teaching a business law class at Lockyear College in Evansville, Ind. He is continuing his civil trial practice with Bowers, Harrison, Kent & Miller in Evansville.

## 1985

**Frank Harris** works as an Assistant District Attorney in Nassau County, just east of New York City. He was recently appointed Deputy Chief of the Complaint Unit. His review of Lacey Baldwin Smith's book on "Treason" appeared in 5 *Law and History Review* 291 (1987). He recently published "The Law and Economics of High Treason in England" in 22 *Valparaiso University Law Review* 81 (1987).

**Marc Krimen** has joined the law firm of Robinson, Brebner & Moga in Lake Bluff, Ill.

**Bienvenido M. Llaneta, Jr.** married Nancy S. Moes, a 1985 V.U. graduate, on June 4, 1988 in Highland, Ind. They reside in Oak Forest, Ill.

**John E. Longwell** is a special agent with the Federal Bureau of Investigation in Quantico, Va.

**Frank J. Parise** was appointed by the circuit judges of Kenosha County, Wisc., as a Judicial Court Commissioner in January of 1988. Frank was formerly employed as an Assistant District Attorney for Kenosha County. Frank married Cheryl Rannick of Kenosha on October 31, 1987.

**Fances (Pitts) Leadley** married **Dan Leadley**, '84, on June 11, 1988. Dan continues employment at the law firm of Richard R. Solomon & Assoc. in Aurora, Ill. Frances is employed as Vice President and General Counsel of Argo Savings & Loan Association in Summit, Ill.

**Jonathan Potter** was promoted to Captain in the Army JAGC on May 1, 1988. Jonathan works as a staff attorney in the Government Appellate Division in Washington, D.C. He plays on the JAGC basketball team

and was the U.S. Army Legal Services basketball team's leading scorer when the team played the Pentagon.

**Dugal S. Sickert**, formerly a clerk for the **Honorable William G. Conover**, '51, is currently engaged in the practice of patent law at the Cincinnati, Ohio offices of Merrell Dow Pharmaceuticals, a subsidiary of Dow Chemical.

**Earl D. Walton** has become a partner in the law firm of Blaney, Nesbitt & Casey. Earl runs the DeMotte, Ind. office. The firm also has offices in Rensselaer and Morocco, Ind.

## 1986

**Dennis Favaro** has opened his own law office in Arlington Heights, Ill.

**David Goodnight** is clerking for Chief Judge William Holloway, Jr. of the 10th Circuit Court of Appeals in Oklahoma City, Okla.

**Thomas D. Guest** is practicing with Guest Legal, P.C. in Rochelle, Ill.

**Fred MacDonald** and his wife, JoEllen, became the proud parents of their second son, Daniel Scott, on February 9, 1988. Fred is associated with the Salt Lake City firm of Pruitt, Gushee & Fletcher.

**Nancy Hughes Milstone** and **James Milstone**, '85, announce the birth of their first child, Christopher James, born May 28, 1988.

**Mary Smyth** has relocated from Corbin, Ky. to Ocean Spring, Miss.

**Julie Spanbauer** and **Robert Dignam**, '86, were married on March 19, 1988.

**Eric Sponheim** has relocated from Kansas City, Missouri to Farmington, Minn.

## 1987

**Pamela Almus** is the first attorney hired in the Trust Department of the First National Bank of Valparaiso, Ind.

**Douglas Bates** has associated with the Chicago firm of Levin & Funkhouser, Ltd.

**Joseph Beatty**, formerly a clerk for Judge Hines in Fort Wayne, Ind. begins Marine JAG Corps Officer Candidate School October 3, 1988.

**Patricia Caulfield** joined the legal staff at the Office of Public Guardian in Chicago, Ill. after practicing with the law firm of Karon, Savikas & Horn.

**Claudia Kramer** has accepted a position as Assistant States Attorney in Joliet, Ill.

**Brenda Marcus** has associated with Richard Marshall in El Paso, Texas.

**Margaret L. Murphy** joined the JAG Corps, U.S. Army in March, 1988. She attended Officer Basic Class in Charlottesville, Virginia and will be stationed in Garlstedt, West Germany in October.

**Tina Nommay** is presently in her second year of a judicial clerkship with the Northern District of Indiana. She began her clerkship with the Honorable Rudy Lozano in March, 1988.

Captain **Linda Potter** married John Taylor, a fellow Army JAGC officer, on June 9, 1988. Linda and John will be stationed at Fort Bragg, N.C.

**Joanne C. Whalen** has associated with Henderson & Brennan in White Plains, N.Y.

## 1988

**Thomas J. Alevizos** is running for Indiana State Representative on the Democratic ticket.

**William R. Bates** is clerking for the Honorable Richard R. Lamb in Kalamazoo, Mich.

**Patricia Beecher** has associated with Attorney Marilyn Hrnjak in Merrillville, Ind.

**Michael P. Blaize** has associated with the Valparaiso, Ind. law firm of Hoepfner, Wagner & Evans.

**George S. Brasovan** has associated with Efron and Efron in Hammond, Ind.

**Perry Browder** is Admissions Recruiter for the School of Law.

**Christina A. Checchia** joined the U.S. Army JAG Corps.

**William W. Ciesar, Jr.** associated with one of the "big eight" accounting firms, Peat Marwick Main & Co. in Chicago, Ill.

**Mark J. Colon** is clerking for Federal Magistrate Joseph Scoville in Grand Rapids, Mich.

**Shirley K. Comer** has associated with the Valparaiso, Ind. law firm of Hoepfner, Wagner & Evans.

**Carlyle D. Dalen** has associated with Eggert, Erb, O'Donohoe & Frye in Charles City, Iowa.

# CLASS NOTES

**William C. Davisson** has associated with the Anderson, Ind. law firm of Davisson & Davisson, P.C.

**Thomas E. Densford** has associated with the law firm of Mallor, Erodner & Bohrer in Bloomington, Ind.

**Robert E. Doelling, Jr.** has associated with the Indianapolis, Ind. firm of Kightlinger & Gray.

**Susan Douglas** has associated with the Grand Rapids, Mich. firm of Walz, Stanton & Veil.

**Jean Doyle** has associated with the law firm of Barnes & Thornburg and will practice in South Bend, Ind.

**J. Michael Ebersol** has associated with the law firm of Jones, Obenchain, Ford, Pankow & Lewis in South Bend, Ind.

**Scott P. Faurote** has associated with the Huntington, Ind. law firm of Gordon Bendall & Brenham.

**Kathy Fox** has opened her own law office in Franklin, Ind.

**Conny M. Franken** is clerking for the Allen County Superior Court in Fort Wayne, Ind.

**Ronald W. Frazier** is clerking for the Honorable William G. Conover, '51, Indiana Court of Appeals, Indianapolis, Ind.

**Andre B. Gammage** is a Deputy Prosecutor for St. Joseph County in South Bend, Ind.

**Rebecca A. Grogg** is an attorney with the Oakwood Corporation in Indianapolis, Ind.

**Jeffrey F. Gunning** has associated with the Highland, Ind. law firm of Roth Pinkerton and Friedman.

**Leslie Hagen** is clerking for the Michigan Court of Appeals in Grand Rapids.

**Lynn Hammond** has associated with the Highland, Ind. law firm of Hand, Muenich & Wilk.

**Christine Harris** is clerking for U.S. District Court Judge Allen Sharp in South Bend, Ind.

**Ronald G. Hayden** is clerking for U.S. District Court Judge F. A. Little, Jr. in Alexandria, La.

**Priscilla A. Herochik** has associated with Eichhorn, Eichhorn & Link in Hammond, Ind.

**William Koch** is clerking for the Honorable George J. Nicola in New Brunswick, N.J.

**Bruce A. Kugler** is clerking for U.S. District Court Judge Karen L.K. Henderson in S.C.

**Catherine A. Lake** is a Deputy Public Defender in Indianapolis, Ind.

**Todd A. Leeth** has become associated with the Valparaiso, Ind. law firm of Hoepfner, Wagner & Evans.

**James McCalka** has become associated with the Terre Haute, Ind. law firm of Tofaute & Spoelman.

**Susan Matyus** is an Assistant Public Defender in Lake County, Ill.

**Christine J. Miller** has associated with Salberg & Weiss in Merrillville, Ind.

**Richard Mills** is Assistant Law Librarian at the School of Law.

**Roland W. Norris** has associated with the law firm of Irving M. Weiner, P.C., in Southfield, Mich.

**Matthew P. Pappas** has associated with Pretzel & Stouffer in Chicago, Ill.

**Cynthia M. Penn** is clerking for the Allen Superior Court in Fort Wayne, Ind.

**Anne R. Rempe** has associated with the Chicago, Ill. law firm of Cassidy, Schade & Gloor.

**Mary Jane Rhodes** has associated with Law, Weathers & Richardson in Grand Rapids, Mich.

**Margaret A. Robinson** is clerking for the Honorable Wesley W. Ratliff, Jr., '50, Chief Judge of the Indiana Court of Appeals, Indianapolis.

**Cynthia P. Rockwell** is clerking for U.S. District Court Judge William C. Lee in Fort Wayne, Ind.

**Kenneth W. Savage, III** associated with one of the "big eight" accounting firms, Touche Ross & Co. in Chicago, Ill.

**M. Bruce Scott** has associated with DeVass, Scott, Johnson & Baker in Decatur, Ind.

**Robert B. Scott** has associated with McHale, Cook & Welch in Indianapolis, Ind.

**Laurie J. Sikorski** is clerking for the Allen Superior Court in Fort Wayne, Ind.

**James Stephens** has joined the law firm of Emerick & Diggins in Kendallville, Ind.

**Troy C. Swanson** has associated with the Baltimore, Maryland firm of Semmes, Bowen & Semmes.

**Mary Kay Thanos** has become associated with the Highland, Ind. law firm of Goldsmith, Goodman, Ball & Van Bokkelen.

**Tammy P. Tideswell** joined the U.S. Navy JAG Corps and is stationed at Pearl Harbor, Hawaii.

**Timothy L. Tromp** has associated with the law firm of David H. Tripp and Associates in Hastings, Mich.

**Marilyn E. Vasquez** is an associate professor at Indiana University Northwest, Gary, Ind.

**Brett L. Warning** is a staff attorney with the State of Illinois Appellate Court, Fourth District, in Springfield.

**Warren Wenzloff** has associated with the Chicago, Ill. law firm of Keck, Mahin & Cate.

**John H. Whitfield** has associated with the Biloxi, Miss. firm of Ruching and Guice.

**Kim Wilkins** has associated with the Chicago, Ill. law firm of Clausen Miller Gorman Caffrey & Witous.

**Lisa L. Woons** is clerking for the Honorable Philip D. Schaefer in Kalamazoo, Mich.

**Garth E. Wooten** joined the U.S. Navy JAG Corps.

**Timothy A. Zahorsky** has associated with the Merrillville, Ind. firm of Borns, Quinn, Heintz, Bowman & McPhee.

## IN MEMORIAM

1932

A. Owen Hawkins

1951

Ken Lasky

1965

Edward L. S. Arkema, Jr.

# CALENDAR

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## School of Law Activities

October 26	Inauguration of Dr. Alan F. Harre as 17th President of Valparaiso University
November 13-14	Board of Visitors Meeting
November 14	Monsanto Lecture Professor Ernest J. Weinrib University of Toronto Faculty of Law
November 17-19	Association of American Law Schools Faculty Recruitment Conference Washington, D.C.
November 19	ABA/LSD Negotiation Competition Ruth Vance, Faculty Advisor
January 17-18	Pastoral Law Institute Topic — Law of the Family
TBA	Seegers Lecture Professor William Twining University of London Faculty of Law  Inaugural Lecture Professor and Associate Dean Bruce G. Berner

## Alumni Activities

October 8	Homecoming Alumni Board Meeting — 9:30 a.m. CLE — "AIDS: Employment and Education Issues" Annual Alumni dinner — Strongbow's Cocktails — 6:00 p.m. Dinner — 7:00 p.m.
October 20	Alumni Reception — 5:30-7:00 p.m. Indiana State Bar Association Annual Meeting French Lick, Indiana

## Continuing Legal Education Program

Date	Seminar Topic	CLE Credits
October 13 . . . . .	Subrogation Law . . . . .	6
November 3 . . . . .	Taxation of Farms and Agri-Business . . . . .	6
November 10 . . . . .	Appellate Practice . . . . .	6
November 17 . . . . .	Use of Experts . . . . .	6
December 1-2 . . . . .	Wills/Trust . . . . .	6
December 8-9 . . . . .	Divorce . . . . .	6
December 13 . . . . .	Commercial Real Estate . . . . .	6
December 15 . . . . .	Bankruptcy . . . . .	6
December 20 . . . . .	Construction Law . . . . .	6
December 22 . . . . .	Securities Law . . . . .	6
January 12-13 . . . . .	Federal Practice . . . . .	12
January 19 . . . . .	Lender Liability . . . . .	6
January 26 . . . . .	Health Care Law . . . . .	6
February 2-3 . . . . .	Insurance Coverage Litigation . . . . .	12
February 9 . . . . .	Litigation . . . . .	6

**Alumni News**

Office of Career Services  
Valparaiso University  
School of Law  
Valparaiso, Indiana 46383

NAME \_\_\_\_\_ J.D. Year \_\_\_\_\_  New Address

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(business) \_\_\_\_\_  
Street City State Zip Phone

News about self or other alumni \_\_\_\_\_

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\_\_\_\_\_

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**Placement Items**

Office of Career Services  
Valparaiso University  
School of Law  
Valparaiso, Indiana 46383

NAME \_\_\_\_\_ J.D. Year \_\_\_\_\_

BUSINESS ADDRESS \_\_\_\_\_  
Street City State Zip Phone

Employment opportunity for a Valparaiso law student  
Please identify and describe \_\_\_\_\_

Contact person \_\_\_\_\_

Employment opportunity for a Valparaiso law graduate  
Please identify and describe \_\_\_\_\_

Contact person \_\_\_\_\_

Please send me a copy of the School of Law's monthly Job Bulletin.

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**Admissions Recommendation**

Admissions Office  
Valparaiso University  
School of Law  
Valparaiso, Indiana 46383

NAME \_\_\_\_\_ J.D. Year \_\_\_\_\_

ADDRESS \_\_\_\_\_  
Street City State Zip Phone

Prospective Admissions Candidate(s):

Name(s) \_\_\_\_\_

Address(es) \_\_\_\_\_  
Street City State Zip Phone

Comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Please send an admissions packet to the prospective student(s) indicated above.

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