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The Dean's Letter

I am writing this letter to you from Cambridge, England, where Valparaiso University has maintained a house of studies for nearly three decades. This program has been utilized predominantly by the undergraduates who spend a semester studying here. Nearly seven centuries after Cambridge was established as a great center of learning, your law school marked its third year operating a summer study program in this facility. Each year we have expanded on our past efforts.

In our first year, under the guidance of Dean Bruce Berner, we built on the practices of our undergraduate colleagues who have maintained a Valparaiso presence in Cambridge. For example, we followed other Valparaiso Professors and students who had gone before us to Coventry, Warwick, and Stratford-upon-Avon. We added our stamp to the program by visits to the most important sites of legal London. We listened to sharp debate in the House of Commons and to the more rarified discourse of the House of Lords, including a session of its Judicial Committee, which serves as England's Supreme Court. We also learned about the training of British barristers at one of England's oldest Inns of Court, the Inner Temple. And we went to one of the most famous trial courts in the world, the Old Bailey.

In our second year, under Professor David Vandercoy, Director of Clinical Programs, we repeated the experiences of the previous year and added class sessions with a British solicitor and a British barrister, who added greatly to our appreciation of comparative law. David's patient persistence with various officials of Cambridge University last summer led to our students being granted admission to the Squire Library, the University's law collection, and to a donation of American legal materials from our library in Valparaiso. The American Bar Association Committee on Legal Education and Admission to the Bar inspected our Cambridge program last summer and we passed with flying colors.

Professor Rosalie Levinson ('73) is serving as director of our third program. Her decades of experience in teaching constitutional law made her an ideal companion to our Distinguished Visiting Lecturer, the Hon. Antonin Scalia, Associate Justice of the Supreme Court of the United States. We were able to invite Justice Scalia to participate in our program through a generous gift from Herb Stride ('57) and Dolores Stride (VU '55).

Justice Scalia's presence added greatly to our program this summer. I can think of at least four benefits from his presence. First of all, Justice Scalia is a very gifted teacher who made an honest living as a law professor for over a decade before he became a federal Circuit Judge and subsequently, a Justice of the Supreme Court. He has a very lively style of classroom delivery that our students found stimulating.

Second, Justice Scalia is well suited to illustrate the central theme of his lectures — separation of powers — by virtue of many years of experience as a senior attorney in the Executive Branch. This experience has undoubtedly colored his judgment on this theme; we heard frequent reference to the Congress as a "900 pound gorilla," but no mention of the "Imperial Presidency."

Third, the occasion of Justice Scalia's visit provided a marvelous opportunity for the Valparaiso faculty and students to get a very different picture of Cambridge than would otherwise be possible. For example, Professor John
Tiley, University Professor of Taxation and Fellow at Queen’s College, gave a set of lectures on British tax law mirroring the theme that my colleague, Professor John Potts, was exploring in his course. Professor Laura Gaston Dooley was joined by a British barrister, Jonathan Middleburgh of the Inner Temple, for a discussion of one of the themes in her course on Feminist Jurisprudence. Professor Levinson and I were invited to dine at “high table” — an elegant multi-course affair reserved for University faculty and special guests — with Justice Scalia and his wife at Trinity College, established by King Henry VIII in the sixteenth century. And all of our faculty and students and guests were invited to a beautiful reception in honor of Justice Scalia that took place in the magnificent arched cloister at Trinity designed by Sir Christopher Wren. The elegant setting provided the occasion of our first England reunion of Valparaiso law alumni Judge James E. Letsinger ('62), Charles Potter ('73), Alwin Tamosius ('77) and Kathryn D. Schmidt ('80) in England. Later in the week G. Allen Andreas ('68), based in the U.K. as Chief Financial Officer for the European operations of Archer-Daniels-Midland Co., lunched with the Scalias in London. Richard Duesenberg ('53) and Phyllis Duesenberg (VU '54) toured Ireland with Justice Scalia and his wife.

Fourth, the visit of Justice Scalia provided the basis for a solid tour illustrating the theme of separation of powers in British legal history centuries before the French philosopher Baron Charles de Montesquieu wrote on the theme in his famous *Esprit des les lois*. We visited the Houses of Parliament, where we learned of the struggle of the Legislature to gain firm control over two powers that had thought to be prerogatives of the Executive: the power to tax and spend money, and the power to take the nation to war. And we followed the Pilgrim’s Way down to Canterbury to the shrine of St. Thomas a Becket, Archbishop of Canterbury. Becket’s struggle with King Henry II in the end of the twelfth century established firmly the principle of separation of the powers of the church and the crown. Ironically, this principle was diminished at the time of the English Reformation under Henry VIII, but we Americans reasserted it as a foundational principle when we enshrined religious freedom as in the first of our civil liberties protected in the First Amendment.

For these reasons I am pleased to report that in three short years your law school has developed a solid program that is now one of the finest summer study abroad programs operated by an American law school. I can say this not only out of personal loyalty to the institution I serve, but also from the perspective of one who has visited many other programs in Europe. We are now a leader, not a follower.
Dear Alumni:

The spring semester and graduation events for 1993 have concluded, but your School of Law is not in a summer hiatus slumber. Dynamic and exciting events continue through the summer.

- **VUSL Summer Law Programs**

As I write this message to you, the Cambridge Summer Law Program is well underway with the Honorable Antonin Scalia, Associate Justice of the United States Supreme Court, serving as distinguished visiting lecturer. In addition to Justice Scalia, the 1993 Cambridge Summer Program faculty includes VUSL Professors Dooley, Levinson, and Potts. John Tilly, Chairman of the Faculty of Law for Cambridge University, is a guest lecturer. I would prefer to say that I am writing this letter from Cambridge, England, but unfortunately, such is not the case.

You may want to consider attending this program in the Summer of 1994. Combining the continuing educational benefits of the VUSL Cambridge Summer Law Program with a vacation, provides opportunities for the entire family. In the past, VUSL has also conducted summer educational programs in China.

- **1993 VUSL graduates and a changing climate for the practice of law**

Those alumni who graduated from law school in the 60s, 70s, and early 80s are now keenly aware of the revolutionary changes that are occurring in our practices and the required “newfangled” equipment necessary to be competitive in today’s legal market. The 1993 Graduating Class has abruptly learned that the employment climate has also dramatically changed.

The employment climate for lawyers is a significant change from years past. How can we, as alumni, assist our new 1993 alumni members? While many firms may not currently have need for additional lawyers, you may know firms or companies in your locality that have openings for law graduates. Even if your area does not presently have need for additional lawyers, encouragement to those graduates who may live in your community will be appreciated. Please consider writing Gail Peshel, Director of Career Services, to obtain a list of those graduating students in your area who may still be unemployed.

Encouragement to and fellowship with these new VUSL graduates is a part of our responsibility as graduates of Valparaiso School of Law.

A former Chief Justice of the New Jersey Supreme Court, Arthur T. Vanderbilt once said, “A truly great lawyer is a wise counselor to all manner of men in the varied crises of their lives when they most need disinterested advice.” Please become involved and interested in the alumni/student network which has been established at the law school. Assisting a VUSL graduate who is interested in locating in your area will benefit not only the graduate, but you will also be rewarded several times over.

- **Homecoming events**

Great activities are being planned for this year's Homecoming. Mark your calendars now for the weekend of October 2, 1993. The Annual Homecoming Banquet at the Strongbow Inn is planned for Saturday, October 2. You will receive additional information regarding the specific events for Homecoming in a later notice from the School of Law. Don’t miss seeing old friends and take the opportunity to make new ones.

- **Alumni suggestions**

During the past year, your alumni board has received suggestions from alumni and
students for continuing improvement and enhancement of the purposes, objectives, and programs of your alumni association. If you have suggestions, ideas, or thoughts concerning your alumni association and what it may do to better serve and assist you, the School of Law, and the students, please forward your comments to Beth Henning Guria, Director of Alumni Affairs. This is your law school and alumni association. Your suggestions and comments are valued and will be discussed and considered at the next board meeting of the alumni association in October, 1993.

As lawyers, and specifically as graduates of the Valparaiso University School of Law, we have a continuing challenge and responsibility, individually, and as a member of the organized bar, to improve our profession, our school of law, and its alumni association. As Dean Gaffney and the faculty so admirably continue their quest to improve the excellence of the law school, so must we continuously use our individual and collective efforts to improve the alumni association for the benefit of our profession and those whom we serve and counsel.

Sincerely,

Jack W. Lawson ('61), President
VUSL Alumni Association

.... and the SBA President

Dear Alumni,

The 1993-94 academic year is nearly upon us, and promises to be a year of change for VUSL. My term as President of the Student Bar Association is still young, but my goal of increasing effective communication in the law school has begun.

The SBA will continue to publish minutes from each Board meeting and will distribute a monthly newsletter as well. The numerous student organizations at VUSL will send a representative to an organization delegation. The delegation will attempt to increase the number and quality of extracurricular activities as well as keeping an open line of communication between all organizations. Further, the SBA will strive for more multi-organizations activities and projects as well, much like the successful Environmental Racism Project which recently was awarded a grant from the American Bar Association. The SBA is committed to working with the administration, faculty, staff, and alumni in the unified goal of continuing VUSL’s respected reputation.

As President of the SBA, I welcome information, ideas, criticisms and compliments so that I will not limit the SBA’s potential to the ideas of a few. I appreciate the opportunity to share the goals of the SBA with you. If the SBA may be of any assistance to you, please contact us. We welcome your input!

Sincerely,

Kip Winters ('94)
SBA President
EYES ON THE ENVIRONMENT

ALUMNI FOCUS ON ECOYSTEMIC DILEMMAS

Valparaiso University School of Law’s geographic location lies in the center of a region full of rich environmental history. The precarious coexistence of firmly entrenched industrial facilities with an area known for playing a key role in the development in the study of ecology has spawned many unique questions of law and policy. Poised in the midst of this region, VUSL has nurtured the careers of many a distinguished environmental practitioner by providing students with the course studies and student activities to bring such a practice to fruition.

Located within short driving distance to the School of Law, the Indiana Dunes National Lakeshore provides for peaceful reflections upon life by many law students. The National Lakeshore, one of over 350 National Parks and Monuments run by the National Park Service, is highly unique, ranking third in vascular plant diversity in the Park System. The Lakeshore hosts 1,445 plant species in 14,219 acres. These Lakeshore acres are interspersed with both residential communities and industrial facilities. The southern shore of Lake Michigan, noted for its plant diversity, also hosts a heavily industrialized area of steel and petrochemical industries. Much of the area’s wetlands were filled to accommodate industrialization and urbanization. The area, served by both major rail and highway systems, facilitates transport for the northern third of the United States around the Great Lakes region. The industrialization of the area lead to numerous changes in the environment, including changing the course of rivers, the draining and filling of wetlands with sand and slag, the construction of landfills into Lake Michigan, creation of deep water ports and navigable canals, and continued sand mining of dunes and interdunal areas.

Beth Henning Guria
The lengthy history of heavy industrial and municipal use of the areas also resulted in numerous unpermitted dumping sites, taking in everything from concrete and construction debris to drums of industrial waste. One such uncontrolled waste site in Gary, Indiana, now known as the “H and H Enterprises” site, caught fire on February 11, 1993, causing the evacuation of approximately 1,500 people. The site also caught the attention of Lake County Prosecuting Attorney Jon E. DeGuilio '81. Following an investigation by the Indiana Department of Environmental Management, Jon announced that six counts of violating the Indiana Environmental Management Act would be filed against the owners and operators of H and H Enterprises for open dumping of automobile grinding residue known as “automobile fluff,” a solid waste, without a permit to do so. Sampling of the “fluff” revealed that the material exceeded the legal limits of Polychlorinated Biphenols (PCBs) as defined by federal statute and as adopted by the State of Indiana. If the principal operators of H and H Enterprises are convicted, they face a maximum sentence of 18 years in prison, as well as substantial monetary penalties. The Lake County Prosecutor’s office has taken an aggressive posture toward environmental cases; the office has been, however, hampered to some degree by a lack of resources appropriated by the State toward prosecuting environmental crimes.

The United States Environmental Protection Agency’s (U.S. EPA) Assistant Regional Counsel Brett L. Warning '88 is no stranger to high profile environmental cases. Brett has been representing the U.S. EPA in In re Hardin County (EPA App Bd., RCRA V-W-89-R-29), an action involving the illegal disposal of sludge containing chemicals such as phenol, formaldehyde and spent acetone solvent. In the U.S. EPA action, the Administrative Law Judge ruled that U.S. EPA could not amend its complaint to allege violations of Ohio’s “mixed waste” regulations. The U.S. EPA may only enforce state standards that are more stringent than federal standards. The critical issue in the Hardin matter centers upon U.S. EPA enforcement actions regarding mixtures of hazardous and non-hazardous wastes. In December 1991, a long standing agency regulation that treated all “mixed wastes” as hazardous wastes was invalidated by a federal appeals court. [See Shell Oil Co. v. EPA, 950 F.2d 741 (1991).] Hardin County holds significance for environmental practitioners as it will “clarify the extent that U.S. EPA can enforce [environmental] programs,” says Brett. Brett has been with the U.S. EPA since 1989, following a year clerking for the Illinois Court of Appeals. He has enjoyed his practice at U.S. EPA as it has provided much responsibility, especially for young attorneys. He also cites his course work at VUSL for preparing him for his position as an Assistant Regional Counsel, especially the Environmental Law, Natural Resources, and Debtor/Creditor classes. While Brett is
currently enforcing regulations, he sees increased emphasis on pollution prevention projects in the future. He also has noted an increased emphasis on state participation in enforcement actions coming from U.S. EPA Headquarters in Washington. Brett’s interest in environmental law has been long-standing. He was one of the founding members of the Midwest Environmental Law Caucus (MELC), a student group devoted to promoting environmental awareness, during his matriculation at VUSL.

**George Van Nest** (3L), the current President of MELC, had the opportunity to work in Brett’s office at the U.S. EPA this summer. George found the U.S. EPA externship to be an excellent opportunity to learn how the government goes about enforcing environmental regulations. George worked on different aspects of case preparation for several attorneys in his section. He was also able to attend training sessions and negotiations. George, who was attracted to VUSL because of Professor Robert F. Blomquist’s work in environmental law, commented that the Environmental Law class was highly beneficial in preparing him for the U.S. EPA externship.

**Cindy A. Coldiron** ('87) became interested in environmental law following her course work with Professor David Myers. Cindy concurred with Brett that U.S. EPA is a great place to begin an environmental career. Her tenure at U.S. EPA Headquarters located in Washington, D.C., began in the water division dealing with construction grant disputes and publicly owned treatment works. Her next move was to the Pesticides and Toxic Enforcement Division. First working in the technical group, then moving to enforcement, Cindy handled numerous administrative cases, one worth $15 million. She also worked closely with companies on voluntary disclosures under the Toxic Substances Control Act (TSCA); Cindy noted that many companies, rather than facing stiff penalties, would come to U.S. EPA and make voluntary disclosures. Following three and one-half years in the Pesticides branch, Cindy has moved to the U.S. EPA Office of Enforcement which is tasked with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). She will be working with that part of the Office of Enforcement that investigates other branches of the federal government that may be responsible for polluting the environment. Her role is being shaped as the current U.S. EPA administration revamps certain functions of the enforcement groups in Washington, D.C.

Since his arrival at VUSL, Professor Blomquist has influenced numerous students to enter the practice of environmental law. **Charles Feinen** ('91) is just one of those students. Chuck works with the Illinois EPA and has found his role to take on an increased “political” aspect as he often finds himself drafting bills and amendment language, and sometimes reviewing bills for the Governor. Chuck must deal with the concerns of constituents, public interest
groups and industry lobbyists. This position is quite rewarding and Chuck often finds himself traveling to the state capital to check on the status of bills and to meet with legislators over environmental regulations.

Mark L. Goodwin ('73), Chief Counsel for the Pennsylvania emergency Management Agency, has written regulations for the State Radiation Protection Act. Aside from his duties in monitoring the five nuclear utility plants in Pennsylvania, Mark is extensively involved in "Title III," a stand alone title of the Superfund Amendments and Reauthorization Act of 1986, also known as the Emergency Planning and Community Right-to-Know Act. This Act established four major legal authorities related to: 1) emergency planning; 2) emergency notification; 3) community right-to-know reporting on chemical usage; and 4) chemical release notification. One of the most visible manifestations of these legal authorities is emergency planning. Title III requires that the Governor of each state designate state emergency response commissions which in turn designate local emergency planning districts. Pennsylvania law requires each county to have a certified hazardous materials team. The Pennsylvania Emergency Management Act helps establish standards for these hazardous material teams as well as administering a grant program for the local emergency planning committees. Prior to his tenure at the Agency, Mark served as a Marine Safety Officer for the U.S. Coast Guard, responding to oil spills on waterways.

Making the transition from the Pennsylvania Department of Natural Resources (DNR) to the Harrisburg, Pennsylvania office of LeBoeuf, Lamb, Leiby & MacRae has been relatively easy for George "Al" Keiser ('88). Al has found knowing the DNR and the way the agency operates to be a big plus for his current practice. His common theme at both the firm and the agency — "do the best thing within the law." He notes that he has taken some good natured chiding from his former colleagues at the DNR for making the switch to private practice. Al became involved in the environmental field because of the interaction of law and science. Additionally, he has great concern for the Earth's resources. One of the most striking differences in his practice now is the change of issues -- in government he found himself concentrating primarily on the "environmental issues," while now he examines expanded issues including constitutional questions. Rather than expanding the scope of the government regulation, Al now looks for ways to harness government power.

N. Cornell Boggs III ('85) has also made that transition from government regulator to the private sector, in this case, in-house counsel. Cornell had a rich background in government service prior to his graduation from VUSL. He worked for both the Departments of Defense and State, and found himself geared toward government service at graduation. He was accepted into the Judge Advocate
Eyes on the Environment — Alumni Focus on Ecosystemic Dilemmas

General’s Corps (JAG Corps), but instead took an Indiana Court of Appeals clerkship with the Honorable William G. Conover ('51), a move that Cornell feels brought him back into the mainstream practice of law. He was struck by the very real consequences of the cases before the court. Following his clerkship with Judge Conover, he applied to the U.S. Department of Justice honors program. He was accepted and went to work in the Environmental and Occupational Disease Litigation Section of the Torts Branch, where he principally practices in toxic tort litigation. While at the Department of Justice, Cornell worked on issues arising under the Federal Torts Claims Act at military facilities, often centering on groundwater contamination and constitutional issues. Cornell then wanted to challenge his legal abilities by counseling a corporation. Following several interviews, Cornell accepted a position with Monsanto. Cornell enjoys working with his technical counterparts as he feels they are quite in the know. He states he is constantly learning on the job from his peers. In his first year at Monsanto, Cornell worked in the Environmental Law Group where half of his time was devoted to CERCLA actions, the other half to advising environmental managers at Monsanto. He subsequently moved to the Legal Department where he is working again on direct litigation actions. He coordinates case preparation issues including fact development, discovery, and expert witnesses. Cornell is currently involved in the management of a major case involving environmental insurance coverage issues.

Philadelphia based Sun Refining & Marketing has experienced substantial growth in their environmental law department, paralleling the promulgation of amendments to existing regulatory programs and the launching of new program initiatives. Thomas S. Stammel ('78) who began his legal career in private practice in Portage, Indiana, now finds himself a Clean Air Act expert. When the 1990 amendments to the Clean Air Act were signed into law, Sun Refining needed an attorney to learn the complex overhaul quickly — Stammel was their man. The new amendments set forth aggressive schedules for geographic areas to attain certain levels of air quality. Additionally, the new scheme overhauled the way in which air toxics were regulated. While Tom has noted that U.S. EPA schedules for promulgating certain air toxics regulations have slipped dramatically, he still must stay on top of all the enforcement developments as Sun Refining facilities are located in thirteen Northeastern states -- cross cutting U.S. EPA Regions and hence, enforcement agendas. Thomas firmly believes that all parties involved in the regulatory agenda must have open lines of communication; if there is mistrust or misinformation, he is fearful that regulations may be promulgated that would shut down America’s petroleum industry.
Many law firms and corporations participate in trade associations so that they may stay on top of regulatory trends and participate in workgroups tasked with lobbying for industry standards. Scott E. Ellis ('89), Senior Environmental Compliance Coordinator for Cadence Environmental Energy, Inc., participates in both the National Association of Chemical Recyclers and the Cement Kiln Recycling Coalition. Scott’s participation in such trade groups is important as it allows him to stay apprised of regulatory trends and to work on public relations and education to communities regarding Cadence and its clients. Cadence utilizes industrial waste for fuel in cement kilns. The waste replaces nonrenewable energy sources such as coal and natural gas. Scott’s participation in educating communities where a Cadence client may locate a cement kiln recycling unit is very important, especially in light of the high-profile controversy centering on waste incineration projects. Scott acknowledges a large movement against any type of thermal treatment technologies has arisen. Therefore, public communication is very critical. Scott cites his VUSL legal skills in managing his varied responsibilities at Cadence and for opening a career path to him with a wide open horizon.

Participation in industry trade groups is important to Stephan K. Todd ('70), Senior Environmental Counsel for U.S. Steel in Pittsburgh, Pennsylvania. Stephan has been monitoring the progress of the Great Lakes Water Quality Initiative. The Initiative will develop minimum water quality criteria and controls that will be applied consistently by all of the Great Lakes States. Consequently, the Initiative will have a major impact on industry located in the Great Lakes Basin, including U.S. Steel. Stephan is quite active in Clean Water Act and CERCLA cases. He began his environmental career while an instructor at the Army JAG Corps School. Stephan was a new instructor at the School and was assigned to teach a relatively new subject matter — environmental law. Since that fateful course assignment, he has earned an LL.M. from the University of Virginia School of Law. At U.S. Steel he supervises five attorneys and three paralegals who work in the environmental group — one of whom is another VUSL graduate, Miles Stipanovich, Jr. ('83).

Jean L. Doyle ('88) began her environmental career working in the National Park Service as an environmental educator. It seemed natural for Jean to pursue a career in environmental law at Valparaiso University School of Law. Now she spends her time educating small and medium size companies about environmental compliance issues. Her work at the South Bend, Indiana, office of Barnes & Thornburg focuses on the Clean Water Act, the Resource Conservation and Recovery Act and CERCLA negotiations.

Teaching a Sunday School class entitled "Taking Care of the Earth" spurred Susan L. Hartman ('89) to pursue her environmental interests. She attributes some of her environmental interest in growing
up near Midland, Michigan, home of many major manufacturing facilities. Susan began her undergraduate studies as a Biology major and finds that knowledge helpful in reviewing documents at the Chicago law firm of Bullaro, Carton & Stone. She finds some of her practice time “playing detective;” that is, finding other potentially responsible parties at CERCLA sites to help fund or perform a clean-up. Susan’s environmental practice draws in many other law concentrations including insurance coverage and bankruptcy issues.

The location of three Superfund hazardous waste sites prompted John H. Whitfield (’88) to become involved in environmental case work. John found children playing on a waste oil site that contained PCB and arsenic contamination. John is working with some of the companies whose waste was disposed of at the neighborhood site, urging them to take the first steps in remediation, rather than waiting for the government’s urging. He successfully put together a group of the major contributors to the site, who have subsequently formed a pool of resources to perform a site assessment. A secondary pool of resources to begin the clean-up has also been established. John encourages his clients to work with the local community and inform them of any toxic releases. In addition to his busy practice, John currently serves as the Chair of the Special Committee of Toxic and Environmental Torts of the American Bar Association Section of Natural Resources, Energy, and Environmental Law. John is also working on a draft report for presentation to the ABA on environmental equity issues. Environmental equity is the recognition that low income and racial minority communities bear a disproportionate share of the burden of environmental harms. John feels VUSL has influenced his career in many ways; his interest in environmental law being fueled by both his studies and by attending a meeting of a new organization at VUSL at the urging of his classmate Keith R. Henry (’88) -- that meeting was the founding of the Midwest Environmental Law Caucus.

Although the balance of nature and industry may shift over time, Valparaiso University School of Law’s tradition of fostering environmental law careers will certainly carry on, as evidenced by the notable practices of graduates and the interest exhibited by enrolled students. Located nearby so many natural wonders, it is the easy environmental case to make.
Ruth Bader Ginsburg’s nomination to the U.S. Supreme Court will prove to be one of the most significant judicial appointments in recent memory. This is the case not only because she is a feminist, but also because she replaces Justice Byron White, who has been the “conservative” swing vote in a number of the court’s very important and controversial 5-4 decisions.

Justice White was appointed to the court by President Kennedy in 1962, but he voted with the conservative wing much of the time during the Reagan-Bush era. He has been a staunch opponent of the abortion right; he wrote the majority opinion in Bowers v. Hardwick, which upheld Georgia’s right to prosecute persons for engaging in homosexual sex, and he proved hostile to affirmative action in City of Richmond v. J.A. Croson Co.

White’s replacement by Ginsburg, then, signals a sure change in the Court’s disposition of a number of issues, because for the first time in more than a decade, moderates, together with liberals, will constitute a majority.

Ginsburg’s own career constitutes a study in complexity that makes characterizing her position on this moderate-to-left spectrum difficult. As a judge on the D.C. Circuit Court of Appeals for the past 13 years, she has earned the respect of both Democrats and Republicans by working diligently to create cohesion between the warring liberal and conservative factions.

Among lawyers who practice before her, she has a reputation as a no-nonsense stickler for preparation and procedure, as well as an independent thinker. Her brilliance is undisputed, having graduated Phi Beta Kappa from Cornell and then being first in her class at the Columbia Law School.

But notwithstanding these credentials, when she graduated from law school in 1959 she was unable to get a job, due to her gender. This early experience with discrimination fostered her intense interest in women’s rights.

Judge Ginsburg’s impact on the constitutional law relating to gender is unquestioned, due to her involvement in a number of critically important Supreme Court decisions in the 1970s. It was she who argued the landmark Frontiero v. Richardson case that established an intermediate level of scrutiny for legislative classifications based on gender.

Before going to the D.C. Circuit Court in 1980, she taught at Rutgers and Columbia and wrote extensively on gender and the law. Because she will be the only member on the court with anything like a sophisticated political theory about the position of women in American society, her very presence can be expected to raise the level of the
A Significant Appointment

debate on sex discrimination.

But aside from the concrete changes her appointment will bring in the makeup of the Supreme Court, her nomination has particularly symbolic value for women lawyers because it signals a departure from tokenism. One can argue that the presence of two respected women on the court now more accurately reflects the tremendous influx of women into the legal profession that has taken place since the early '70s and better conveys to them the potential openness of the calling they have chosen.

American presidents have often used Supreme Court appointments to placate different interest groups in society. Justice Roger B. Taney’s appointment in 1836 can be understood as having been a gesture to American Catholics, as was Louis D. Brandeis’ nomination in 1916 for Jewish Americans and Thurgood Marshall’s in 1976 for African-Americans.

Women got “their” position in 1981 when Justice O’Connor became one of the members of the court. But with Ginsburg’s nomination by President Clinton, it is possible that women will have more than a symbolic impact on the highest court in the land. It is fitting that the person who stands for this possibility should be one of the most accomplished women lawyers of her time.

* JoEllen Lind is a Professor of Law at Valparaiso University School of Law. She received her A.B. from Stanford University and received her J.D. from the University of California, Los Angeles. Professor Lind teaches Civil Procedure, Remedies, and, last spring, taught an interdisciplinary seminar in Feminist Legal Theory. This Spring she will teach a seminar in Constitutional Pathology and the Jurisprudence of Change.
The U.S. Supreme Court has the power to prescribe general rules of practice and procedure for cases in the federal courts. 28 U.S.C.A. Sec. 2072(a) (1992). In late April of this year, the Court transmitted to Congress amendments to the Federal Rules of Civil Procedure (FRCP) as well as changes in criminal and other procedural rules proposed by the Judicial Conference. See 61 U.S.L.W. 4365 et. seq. (April 22, 1993). Under 28 U.S.C. Sec. 2074, any rules’ amendments transmitted to Congress by May 1 become effective on December 1 of that year unless Congress takes action to block or delay the changes. These 1993 revisions would create the most dramatic changes in the federal civil procedure rules since their adoption in 1938. Every practitioner should be aware of these controversial modifications, particularly in the discovery process. Although space forbids a detailed analysis of all the revisions, I shall here survey the process for amending the FRCP and the major changes proposed. I shall conclude with an historical overview of these changes as a coalition of groups attempts to block them in Congress.
The various procedural rules (civil, criminal, bankruptcy, and appellate) in the federal courts are under the ongoing scrutiny of the Judicial Conference of the United States, and especially its Advisory Committees. As an example, the Advisory Committee on the Federal Rules of Civil Procedure consists of twelve members and a reporter, made up of judges, practitioners, and law professors. The Advisory Committee continually studies the operation of the current rules and can recommend changes, which are published and subject to comment both at public hearings and by mail. After this process, the Advisory Committee submits its findings, and the Judicial Conference makes its final recommendations, which are sent to the Supreme Court.

The Supreme Court has traditionally not played an active role in the drafting of the rules of procedure. In a statement accompanying the most recent amendments Justice White noted that the Court’s role is simply to transmit the Judicial Conference’s recommendations without change and without careful study, as long as there is no suggestion that the committee system has functioned improperly. The anomalous and limited role of the High Court in rulemaking is only dimly appreciated by the bar and the community at large. Amendments to rules of procedure are historically non-controversial. Only once has the Court refused to transmit such changes, and dissents from the Justices have been rare. In the case of the 1993 amendments, however, a number of legal and business groups have expressed vigorous opposition to the recommendations of the Advisory Committee and are now Lobbying Congress to veto, delay, or alter the recommended FRCP amendments that emerged from the Supreme Court. Already counted in opposition, and actively lobbying Congress, are the Lawyers for Civil Justice, a Washington, D.C.-based defense-oriented consortium, the Product Liability Advisory Council, the U.S. Chamber of Commerce and other business groups. These opposition groups have added ammunition because Justice White filed a separate statement distancing himself from the substance of the 1993 amendments and three Justices filed dissenting statements with regard to the proposed changes in the civil rules. Justice Scalia, joined by Justice Thomas, dissented from the court’s adoption of the amendments to FRCP 11 and to the discovery rules. Justice Souter likewise dissented with respect to the revisions in the discovery rules. This unusual dissension in the Supreme Court is likely to create more interest than usual among the members of Congress to block these changes.

While the most startling amendments deal with service, sanctions, and discovery, thirty federal rules of civil procedure would be changed by the 1993 proposed changes. In addition, the Supreme Court approved several amendments to the Federal Rules of Appellate Procedure, Federal Rules of Criminal Procedure, Bankruptcy Rules, and Federal Rules of Evidence. The changes in these latter rules are relatively non-controversial. Not so for the civil rules’ revisions.

A glance at the list of amendments indicates the scope of reform in civil litigation. The rules to be changed include: Rule 1 (Scope and Purpose of Rules); Rule 4 (Summons); Rule 4.1 (Service of Process)(new); Rule 5 (Service
and Filing of Pleadings and Other Papers); Rule 11 (Signing of Pleadings, Motions, and Other Papers; Representations to Court; Sanctions); Rule 12 (Defenses and Objections -- When and How Presented -- By Pleading or Motions -- Motion for Judgment on the Pleadings); Rule 15 (Amended and Supplemental Pleadings); Rule 16 (Pretrial Conferences; Scheduling; Management); Rule 26 (General Provisions Governing Discovery; Duty of Disclosure); Rule 28 (Persons Before Whom Depositions May Be Taken); Rule 29 (Stipulations Regarding Discovery Procedure); Rule 30 (Deposition Upon Oral Examination); Rule 31 (Deposition Upon Written Questions); Rule 32 (Use of Depositions in Court Proceedings); Rule 33 (Interrogatories to Parties); Rule 34 (Production of Documents and Things and Entry Upon Land for Inspection and Other Purposes); Rule 36 (Request for Admissions); Rule 37 (Failure to Make Disclosures or Cooperate in Discovery; Sanctions); Rule 38 (Jury Trial of Right); Rule 50 (Judgment as a Matter of Law in Actions Tried by Jury; Alternative Motion for New Trial; Conditional Rulings); Rule 52 (Findings by the Court; Judgment on Partial Findings); Rule 53 (Masters); Rule 54 (Judgments; Costs); Rule 58 (Entry of Judgment); Rule 71A (Condemnation of Property); Rule 72 (Magistrate Judges; Pre-Trial Orders); Rule 74 (Method of Appeal From Magistrate Judge to District Judge Under 28 U.S.C. 636(c) and Rule 73(d)); Rule 75 (Proceedings on Appeal From Magistrate Judge to District Judge Under Rule 73(d)); and Rule 76 (Judgment of the District Judge on the Appeal Under Rule 73(d) and Costs).

The most contentious of the amendments proposed are those to Rule 4 (Service of Process in Federal Civil Actions), to Rule 11 (Sanctions and Signing of Pleadings, Motions, and Other Papers), and to the Discovery Rules. These will be discussed in turn.

Service. Service of process is changed to place plaintiff in charge of service of the summons and complaint. Under new FRCP 4(d)(2), the plaintiff can notify defendant of the commencement of the action and request defendant waive service of summons. The notice and request is sent via mail or other reliable means, and is accompanied by a copy of the complaint, identifying the court in which the suit has been filed. Defendant has thirty days (sixty if the defendant's address is outside the U.S.) to comply with the request for waiver of service. If defendant refuses or fails to comply without good cause, the court must impose the costs traditionally incurred in effecting service upon the defendant, together with costs, including reasonable attorneys' fees. In effect, this establishes up a fee-shifting process if the defendant refuses to comply with waiver of service. Additional time to answer is provided defendants served in this manner.

New FRCP 4.1 governs service of other types of process; separate arrangements are made for different kinds of defendants (FRCP 4(e)-(j)). An individual may be served pursuant to the law of the forum state or the state in which service is to be effected. Service on individuals in a foreign country no longer requires explicit authorization. In another simplifying measure, the amended rule allows reasonable time to cure defects in the service of process on multiple officers, agencies, or corporations of the United States if the plaintiff has effected service on either the U.S. Attorney or the U.S. Attorney General.

Moreover, in accordance with the continuing automation of law practice,
"The 1993 amendments are aimed at increasing the fairness of Rule 11 in determining the presentation and maintenance of what might later be judged 'frivolous' positions. Sanctions will no longer be mandatory; instead, the court will have discretion in assessing sanctions, and they 'shall be limited to what is sufficient to deter repetition...'."

Rule 11 Sanctions. In 1983, FRCP 11 was amended to require that the signer of pleadings and other papers filed in federal court actions attest that the claims or arguments are well-grounded in fact and in law. Sanctions were required to be assessed on attorneys who signed pleadings or other papers having no adequate foundation in law or fact. Lawyers had a duty to make reasonable inquiry before filing court papers. Although the recent Advisory Committee report reaffirmed the goal of deterring abuses in the filing of frivolous papers, it took cognizance of the difficulties caused by Rule 11. Plaintiffs' lawyers who assert novel legal contentions or who need discovery to determine if the facts of a complaint or a motion can be supported by evidence have been particularly critical of Rule 11. Much satellite litigation emerged from the Rule and courts were quite inconsistent in applying it.

The 1993 amendments are aimed at increasing the fairness of Rule 11 in determining the presentation and maintenance of what might later be judged "frivolous" positions. Sanctions will no longer be mandatory; instead, the court will have discretion in assessing sanctions, and they "shall be limited to what is sufficient to deter repetition..." Amended Rule 11(c)(2). Non-monetary sanctions are thus favored. On the other hand, the Rule is strengthened by authorizing sanctions on lawyers who reaffirm positions to the court after ascertaining they are not supportable. In addition, the Advisory Committee Notes state that even if sanctions are imposed, they ordinarily will be paid to the court and only where necessary for effective deterrence. The new rule allows voluntary withdrawal from a position within 21 days after service of a motion for sanction served by the opposing party. No sanctions can be imposed unless the party refuses to withdraw a position or to acknowledge it does not currently have evidence to support a specific allegation. This new "safe harbor" provision in Rule 11 provoked a dissenting opinion from Justice Scalia, who maintained it renders the rule toothless by disfavoring compensation for litigation expenses and allows abuse of litigants and of courts.

Discovery Rules' Revisions. In both the scholarly and the popular press, the cost of litigation, in dollars and time, has been the focus of heated debate and much criticism. The pre-trial process, particularly discovery, has been the flash point of much of this controversy. Many argue that discovery is abused, overutilized, and inefficient; they maintain it is often used for intentional delay and economic advantage. Much of this debate is anecdotal and rhetorical, and the evidence supporting discovery abuse has been vigorously disputed.

One of the major proposals for change in current discovery practice envisions greater cooperation and voluntary disclosure between parties during the pre-trial phase. A number of commentators have advocated compulsory disclosure by both sides of relevant information without the need for formal deposition, interrogatories, and other discovery mechanisms provided by Rules.
The passage of the Civil Justice Reform Act of 1990, 28 U.S.C. §471-482 (1990), gave added impetus to discovery changes. That act requires all federal district courts to implement, by December 1, 1993, local plans to reduce expense and delay in civil litigation. In the pretrial process, it expresses Congress' purpose to encourage all federal districts to limit discovery costs "through voluntary exchange of information among litigants and their attorneys and through the use of cooperative discovery devices." 28 U.S.C. § 473(a)(4). Many of the districts that have already begun to implement reforms in the adjudication of cases have used mandatory pre-discovery disclosure.

The Advisory Committee proposed, and the Supreme Court transmitted, changes to FRCP 26, 30, 31, 32, 33, 34, 36, and 37. These are undoubtedly the most controversial of the proposed amendments to the civil procedure rules, and will alter discovery for all federal civil cases. The key overall policies include voluntary disclosure of information, numerical limits on the extent of information gathering, and mandatory sanctions for violations. These principles attempt to foster cooperation between adversaries and to deter recalcitrance to information disclosure by automatically punishing non-compliance. Moreover, an amendment to Rule 30(b) allows attorneys to record depositions with audio or videotape instead of stenography, thus giving a big boost to formerly non-traditional means of taking depositions. Vehement opposition to this latter proposal has been registered by the court reporters who would be the big losers in such a change.

The proposed revision of FRCP 26(a) requires a party, without awaiting discovery request, to hand over to the opponent information (e.g., names of individuals with discoverable information, copies or descriptions of relevant documents, computation of claimed damages, insurance policies, etc.) relevant to "disputed facts alleged with particularity in the pleadings." This changes the methodology of information gathering, which has been historically party-initiated through depositions, interrogatories, and other discovery devices. The amendments create the equivalent of standing interrogatories and requests for production of documents. The information exchange rule should create an incentive to parties to plead facts with particularity, which may move cases through the pretrial phase more quickly. The disclosures imposed by Rules 26(a)(1-3) must be supplemented if counsel later learns they are incomplete or incorrect. Some federal, and state courts currently have such mandatory information disclosure, but it is currently not usual practice throughout the United States.

New Rule 26 would require early meeting between the parties to discuss the possibility of prompt negotiated resolution of the case, to make or arrange for the required voluntary disclosure, and to develop a proposed discovery plan. Such a plan must be comprehensive and is to be submitted to the court. Mandatory disclosure must be made within ten days after the meeting of the parties. No discovery will be allowed prior to such meeting. Moreover, before a party makes disclosure, it is under a duty to make reasonable inquiry into the facts of the case.

Subsequent mandatory disclosure applies to the identity of any expert witness who might be used at trial, whose signed report must be provided to other litigants. Depositions may not be taken until this report is provided. Amended Rule 26(b)(4)(A). Thirty days before trial, the names of lay witnesses
1993 Amendments to Federal Rules Challenge Current Practice

New Rule 26(b)(2)(iii) will now provide that a court shall limit discovery where the 'burden or expense of the proposed discovery outweighs its likely benefit,' considering what is at stake, the significance of the issues to the case and the importance of the discovery in resolving the issues.

who may testify and documents that may be introduced as exhibits at trial must be disclosed. The amended rules also add a significant duty to supplement discovery responses with later-discovered information or documents. New Rule 26(e) requires supplementation of responses when a party "learns that in some material respect the information disclosed is incomplete or incorrect." In contrast, current 26(e) imposes a continuing obligation to supplement on in very limited circumstances. Through these mechanisms, the rules attempt to limit the adversarial nature of the discovery process, foster realistic assessment of each party's case, and cut the cost and time needed for bringing those controversies that do require trial to culmination.

Interestingly, a "home rule" provision has been added by new 26(a) which allows exceptions to these required disclosures by stipulation, by specific court order in a case, or by local rule. The wisdom of such exceptions to national procedural rules is not readily apparent except that individual circumstances may be recognized, and local feelings accommodated. Moreover, this addition follows recent exponential increase in the number of local rules and individual judge's "standing orders" which have created a very powerful localizing effect upon federal court practice.

Other 1993 changes attempt to curtail and to streamline discovery. Absent leave of court, depositions are limited to ten by amended FRCP 30, and interrogatories are limited to 25 by amended FRCP 33. Courts may also now limit the time permitted for the conduct of depositions, another highly contested aspect of discovery. In another departure with respect to deposition taking, amended FRCP 30 permits depositions to be taken by non-stenographic means. This should provide a major incentive to taking depositions by audio or videotape methods, although that record must be supplemented with a transcript when the deposition is offered at trial. Modern video depositions can reduce costs and heighten dramatic impact when used before a jury. In effect, the proposed amendments require parties to eliminate some information gathering in an attempt to focus upon matters actually needed for trial or settlement.

In a more general vein, new Rule 26(b)(2)(iii) will now provide that a court shall limit discovery where the "burden or expense of the proposed discovery outweighs its likely benefit," considering what is at stake, the significance of the issues to the case and the importance of the discovery in resolving the issues. The new rule inserts a cost/benefit analysis into discovery and will need considerable judicial oversight to be effective. However, investment of counsel and judge time on the front end of a case can undoubtedly lead to substantial savings later.

The changes in disclosure demanded by FRCP 26(a) and the other discovery rules will be complemented by amendments to FRCP 37, which require sanctions for non-disclosure of required information. If a party fails to make mandatory disclosure or to respond to more traditional forms of discovery, the opposing party may move to compel disclosure and for sanctions. The movant must certify that there has been a conference with the opposing side. Revised Rule 37 will then require an automatic sanction on any party that, without substantial justification, failed to disclose information under FRCP 26(a) or the other rules. New 37(c) will bar parties who unjustifiably fail to disclose from presenting such information as substantive evidence at trial or in motions, such
as a Rule 56 Motion for Summary Judgement, unless the failure was harmless. Other sanctions, such as expenses, precluding the offending party from completing its own discovery, and other actions authorized under Rule 37(b)(2) (A), (B), (C) are also possible.

On June 16, 1993, a House subcommittee conducted a hearing to consider the views of backers (primarily the Advisory Committee) and opponents of the amendments. Portions of the bar, business groups, and the powerful insurance industry are actively opposing the amendments to FRCP 11 and the discovery rules. They contend the solutions exacerbate existing discovery problems, compromise confidentiality, and will increase, rather than decrease, the cost of pre-trial process. For example, they maintain there will be ample opportunities for lawyers to battle over what facts are relevant to an action, whether facts have been alleged with sufficient particularity, and other legal issues presented by the amended rules. In addition, they claim mandatory disclosure creates an intolerable strain on the American lawyer’s duty to zealously represent his client. The proponents counter by arguing the mandatory disclosures only cover what is presently discoverable, and thus information gathering should become more efficient. They note there is no loss of the opportunity to raise objections to disclosure on the basis of work-product or other immunities and privileges. Considerable lobbying and political pressure may be expected this summer and fall to block or defer the changes in both House and Senate. Whether Congress, confronted by major substantive issues like health care reform, is disposed to grapple with revisions to procedural rules in the federal courts is problematic.

If Congress does not block these amendments, future practice in the Federal courts will be dramatically altered. Moreover, if these changes are made in Federal practice, it is likely that state rules of procedure will follow suit within a short period of time. It has been my observation, in tracking developments in state procedural rules, that a process identical or substantially similar to the Federal Rules governs almost all state civil rules. As a result, ideas incorporated in the FRCP affect almost all litigation in the United States.

Viewing the specific changes from a broader historical perspective, I believe we will inevitably see a more “managed” approach to the pre-trial process, where more than ninety percent of cases are now resolved. Before the promulgation of the FRCP in 1937, discovery was extremely limited and difficult. The disclosing party had no obligation to the opponent or court to help narrow issues or focus upon what was truly in dispute. The FRCP, and its subsequent amendments, made discovery easier and broader in scope, while simultaneously increasing its use and cost. Today, assuming competent counsel and good faith responses, the system forces parties to provide broad access to any relevant and unprivileged information. The 1993 amendments re-emphasize and facilitate that principle. Although there are important distinctions, discovery more and more mimics the open files principle embedded in the Freedom of Information Act. We are now at the threshold of an era in which information will be voluntarily shared, thus increasing efficiency while retaining the essence of our adversarial system.
New Faculty Join VUSL

The Law School welcomes Professor James Smoot to our faculty this fall. Professor Smoot comes to Valparaiso from Memphis State University where he taught corporations, banking law, securities, and secured transactions. Professor Smoot will be teaching Trusts & Estates I and a Banking Law Seminar this fall and Business Associations during the Spring Semester.

Professor Smoot recently joined the academic community after fifteen years of practice, during which he specialized in corporate legal affairs, including financial transactions, joint ventures, mergers and acquisitions, public offerings, international transactions, corporate structure, and commercial matters. His clients were chiefly large corporations and financial institutions. He is a member of the bars of New York and Tennessee.

He obtained his education at Yale Law School (J.D. 1974), where he was Executive Editor of THE YALE LAW JOURNAL, and at the University of Southern California, where he received his B.A. (Phi Beta Kappa, summa cum laude) in political science. In between, he served as a commissioned officer in the United States Army, residing for a time at government expense in Southeast Asia. After law school, he clerked for Judge Henry J. Friendly of the Court of Appeals for the Second Circuit, engaged in private practice with the firm of Cravath, Swaine and Moore in its New York and Paris offices, and served as Deputy General Counsel for a New York publishing company.

His wife, Pat, is employed by a corporation headquartered in Chicago's Loop. His outside interests include theater, music (particularly the blues), travel, and cuisine. His is a committed Francophile.

Welcome also to Professor Linda J. Kibler, the new adjunct professor for Legal Writing and Research. Professor Kibler received her law degree from Valparaiso University School of Law in 1987 where she was editor-in-chief of the VALPARAISO UNIVERSITY LAW REVIEW. Following graduation, Professor Kibler practiced with firms in Hammond and Chesterton, Indiana. She specializes in corporate law, concentrating on trucking and transportation law. She is a member of the American, Indiana State, Porter County, and Lake County Bar Associations. She is also a member of the Trucking Industry Defense Association.

A native of Kansas, Professor Kibler graduated from Emporia State University, receiving both her bachelor's and master's degrees with honors. Prior to attending law school, she was a reporter for newspapers in Kankakee & Chicago Heights, Illinois and Valparaiso, Indiana.
Dear Alumnus/a:

The 1992-1993 Dean's Annual Campaign was our best ever, raising over $100,000 for the first time in the history of the Campaign. The following charts provide a six-year history of donor participation and dollars raised in the Campaign. The 1992-1993 campaign resulted in a 255% increase in the number of donors, and a 280% increase in the total number of dollars raised.

Over the last five years, there has been a quiet yet dramatic shift in higher education. Service demands of today's students have grown at a phenomenal rate. Operating costs have continued to escalate, despite careful strategic planning and a host of other well established educational management models. Tuition, the price tag of education, has been the historical source of revenue to offset these costs. If tuition were to remain the sole sources of educational income, the required increases would almost immediately place education beyond the reach of America's youth.

Now, more than ever, educational institutions (law schools included) must develop stable, and major, non-tuition sources of annual financial support — thus the VUSL Dean's Annual Campaign. This phenomenon is not limited to private institutions — even state supported colleges and universities have found themselves in the position of having to aggressively seek increased financial support from their alumni.

It was a great year for our annual fund. Corporate, law firm, and foundation support is pursued, but contributions from individuals, you and your fellow alumni, continue as the overwhelming percentage of annual gifts at VUSL, which mirrors the national trend. However, even with our continued growth, we still have only a 22% alumni participation rate. We must continue to increase the number of alumni participants and the total dollars raised in order to improve and expand the many quality programs offered at Valparaiso University School of Law. Every year we will have significant needs which only the annual campaign can address.

Congratulations to the class of 1974, which had the most participants, to the class of 1943 and its 100% participation, and to the class of 1953, which contributed the most money. Special thanks to everyone listed on the following pages for including our law school in their philanthropic lives. Each of you, in large part, makes "us" possible.

On behalf of the entire law school community I remain,

Gratefully yours,

Curtis W. Cichowski '81
Assistant Dean
Dean's Annual Campaign

number of donors (6 year history)

<table>
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<th>Year</th>
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Dean's Annual Campaign

dollar amounts (6 year history)
### Dean’s Campaign Honor Roll 1992-1993

The following is a listing of alumni who included the law school in their philanthropic lives this past academic year by making a gift to the Dean’s Annual Campaign. For alumni, the listing is broken down by class. For each class, the number of living alumni, the number and total of all gifts, and the percentage of class members participating is included (all classes prior to 1950 have been combined for these calculations).

<table>
<thead>
<tr>
<th>Prior to 1950</th>
<th>Alumni: 95</th>
<th>15 gifts = $7,025.00</th>
<th>Participation: 16%</th>
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</table>

**1925**
Frances Tilton Weaver

**1929**
Robert M. Blaese

**1936**
Melvin O. Nuss
Arthur I. Raelson

**1941**
Herbert H. Freise

**1942**
Dominic J. Farina
Edwin A. Kurtz

**1943**
Jerome C. Barcus
Elmer P. Simon

**1947**
Louis F. Bartelt

**1948**
Thomas J. Faulconer
Walter H. Piehler

**1949**
Daniel E. Lewis
Harold A. Rissman
William A. Thorne

**1950**
Alumni: 29
8 gifts = $1,725.00
Participation: 28%

<table>
<thead>
<tr>
<th>Prior to 1950</th>
<th>Alumni: 95</th>
<th>15 gifts = $7,025.00</th>
<th>Participation: 16%</th>
</tr>
</thead>
</table>

**1951**
Alumni: 25
7 gifts = $495.00
Participation: 28%

George B. Hoffman, Jr.
Frank M. Lamson
Robert E. Payt
Alfred J. Pivarnik
John H. Rehm, Jr.
Robert E. Schnoor
Erwin C. Seehafer

**1952**
Alumni: 29
5 gifts = $900.00
Participation: 17%

Harold E. Couillard
Lowell E. Enslen
Walter P. Helmke
John H. Krueckeberg
K. Donavon Waskom

**1953**
Alumni: 31
5 gifts = $15,566.00
Participation: 16%

William H. Boltz
Roger K. Claudon
Richard W. Duesenberg
Robert H. Duesenberg
Melvin E. Frederick

**1954**
Alumni: 9
2 gifts = $350.00

**1955**
Alumni: 16
3 gifts = $1,100.00
Participation: 19%

Jack A. Hiller
Thomas H. Kraut
Robert J. Stroebel

**1956**
Alumni: 18
2 gifts = $600.00
Participation: 11%

William R. Heerman
Peter L. Krentz

**1957**
Alumni: 20
4 gifts = $1,950.62
Participation: 20%

Sharon L. King
James L. Perbix
Herbert F. Stride
John W. Tagge

**1958**
Alumni: 21
6 gifts = $700.00
Participation: 29%

Millard W. Becker, Jr.
Donald R. Holtman
David H. McCann
Donald E. Prevallet
Glenn J. Tabor
William W. Winterhoff

**1959**
Alumni: 24
2 gifts = $250.00
Participation: 8%

Karl F. Meyer
Herbert A. Schmiedel

**1960**
Alumni: 19
5 gifts = $500.00
Participation: 26%

Raymond W. Hall
Charles W. Lembke
Robert C. Probst
John L. Richert
Albert N. Steele

**1961**
Alumni: 16
6 gifts = $925.00
Participation: 38%

Eugene E. Brassfield
John L. DeLaurenti
Terry L. Lantry
Jack W. Lawson
Victor D. Palmer
Albert W. Zimmermann

**1962**
Alumni: 17
9 gifts = $1,600.00
Participation: 53%

Jack R. Allen
Dale A. Anderson
Donald C. Fellows
Gary M. Gilbert
James E. Letsinger
Alan S. Morrison
Patricia A. Tabor
Ruth J. Weber
Charles H. Wilhelm
1992-1993 Dean’s Annual Campaign

1963
Alumni: 8
1 gift = $100.00
Participation: 13%
Robert W. Lensing
Michael I. Swygert
James V. Tsoutsouris
John W. Yakimow
1968
Alumni: 30
11 gifts = $4,350.00
Participation: 37%
George P. Anderson
Kenneth N. Beth
Thomas M. Cockerill
Jon Gramhofer
George H. Hass
David J. Hessler
Duncan A. McDonnell
Kenneth C. Meeker
David L. Petersen
Roy J. Roscoe
Richard Treichel
1969
Alumni: 36
9 gifts = $3,475.00
Participation: 25%
J. Stephen Brophy
Richard S. Eynon
John P. Goldenetz
Stephen E. Lewis
William J. Rohr
Joseph A. Vitell
Jon D. Walton
Steven E. Wercmarantz
Bruce A. Yungman
1970
Alumni: 31
5 gifts = $1,050.00
Participation: 16%
Stephen M. Brennan
Paul R. Snider
Robert L. Swanson
Stephan K. Todd
Robert J. Vegter
1971
Alumni: 40
12 gifts = $5,670.00
Participation: 30%
David M. Alfredson
A. Dale Bloom
1972
Alumni: 51
17 gifts = $3,750.00
Participation: 33%
Mark W. Beerman
Gary D. Boyy
Keith D. Cermak
Irving M. Einhorn
Stephen Gottschalk
Thomas K. Guelzow
Nathan D. Herkamp
Earle F. Hites
Alan F. Hizer
John D. Jessop
John G. Postweiler
Mary E. Redamak
Terry L. Redamak
Thomas J. Rutkowski
Paul J. Stier
James T. Teros
Thomas P. Young
1973
Alumni: 104
22 gifts = $4,425.00
Participation: 21%
William E. Alexa
John Bahner, Jr.
Gary L. Boring
Scott A. Christopher
Anthony W. Hartman
J. Gregory Householter
Mary MC Kennedy
Rosalie B. Levinson
J. Philip McGraw
Thomas H. Nelson
Kenneth E. Podell
Joseph H. Pomeroy
Michael D. Rush
Barbara J. Schmidt
1974
Alumni: 128
37 gifts = $6,740.00
Participation: 29%
Timothy D. Anderson
Howard J. Ansorge
Martin Baumgartner
Robert L. Bartelt, Jr.
Lloyd Bierma
Frederick Davison, Jr.
Wayne C. Defferding
Jeffery J. Dywan
John P. Friel
Gene H. Hennig
David L. Hellenbeck
Ralph F. Howes
Reinert W. Husmann
William G. Keller, Jr.
Randolph W. King, Jr.
Alfred Y. Kirkland
Sondra C. Knutson
Ronald J. Kooistra
William F. Kratzke
Steven A. LaMar
Robert J. Lindvall
George H. Liu
Jeffrey Luekens
Leulomega S. Lutu
Forrest O. Maki
Thomas L. McClintock
Paul A. Meints
Keith L. Milbrandt
F. Jeffery Oliveira
K. Richard Olson
Randolph M. Rich
Thomas E. Rucinski
Alan F. Saake
Ronald B. Shamblin
Morris A. Sunkel
Thomas W. Webber, Sr.
David R. Yoder
1975
Alumni: 95
18 gifts = $2,285.00
Participation: 19%

James L. Brendemuhl
Robert H. Brinkley, III
John R. Colip
Robert G. Cook
James E. Daugherty
Gregory A. Deck
Linda M. Georgeson
Richard R. Hammar
Daniel O. Hands
Timothy Hillegonds
Mark O. Ilten
Irvin L. Masching
James W. Mueller
Michael M. Mulder
Diane T. Patrick
Marcia K. Sowles
Dean L. Sutton
Dale F. Wolff

1976
Alumni: 103
15 gifts = $1,450.00
Participation: 15%

David J. Avery
John W. Bean
Mary Bernt
Michael J. Cork
Marie A. Failinger
Jack B. Holwerda
John J. Horeled
Peter G. Mallers
Melvin S. McWilliams
Suzann M. Olson
Thomas R. Ruge
Alistair J. Smith
Barbara A. Young
Anthony M. Zappia
David L. Zoss

1977
Alumni: 98
19 gifts = $3,370.00
Participation: 19%

David J. Allen
Carol Ann Bowman
Michael K. Bush
George W. Carberry
Richard P. Foelber
Chris L. Fredericksen
Michael W. Hall
Thomas K. Hoffman
Jo Anne Lohmeyer
John W. Lohmann
Gregory R. Lyman
Anna Markley Bush
Nancy J. Meyer
David A. Milks
Patrick A. Murphrey
Shawn E. Rossocup
Robert M. Travers
Glenn S. Vician
A. Randall Vogelzang

1978
Alumni: 100
16 gifts = $1,875.00
Participation: 16%

Rhonda P. Craig
Louis D. Fisher
Gale L. Garriott
Gregory Hagan
Peter A. Hessler
Christopher B. Hunt
James E. Jacobs
Gregory A. Kahre
Steven E. King
Doris M. McAndrew
Jewell J. Miller
Jill L. Olson
Robert B. Selund, Jr.
Fred A. Simon
Keith A. Vanderburg
Wiley H. Wells

1979
Alumni: 88
22 gifts = $2,400.00
Participation: 25%

Dierdre A. Burgman
Richard P. Coffee
Lis L. Cohen Kahn
John C. Dennison
Charles A. Hilmer
Gary L. Kovanda
Daniel A. Lane
Eric C. Lewis
Philip Linnemeier
George R. Livarchik
Charles MacKinnon

James A. McKown, Jr.
Teresa K. McNeely
Michael E. Menkes
James W. Myers, III
Leonard R. Parks
Michael A. Pianowski
Melinda S. Small
John S. Smith
Dan Wehrenberg
Shelli Wright Johnson
Ernest R. Wruck

1980
Alumni: 82
15 gifts = $2,320.00
Participation: 18%

Beth A. Brown
Sharon A. Buckler
V. Michael Drayton
Keith L. Johnson
Steven L. Langer
Stephen M. Maish
Richard F. Nugent, Jr.
Daniel Ostojic
Robert J. Palmer
Robert E. Rogers
Paul O. Sauerteig
Eugene A. Schoon
Thomas A. Thanas
Gregory A. Vega
Donn H. Wray

1981
Alumni: 82
10 gifts = $1,775.00
Participation: 12%

Robert J. Cafisch
Paul R. Chael
Curtis W. Cichowski
Jon P. Diltz
Steven G. Hammer
Michael A. Langer
Jacqueline A. Leimer
Roy J. Portenga
Thomas L. Storm
Thomas A. Vater

1982
Alumni: 108
20 gifts = $2,705.00
Participation: 19%

Roger L. Burrus
Marta Camafreya Bukata
David Cerven
James S. Cowlin
Gary D. Davis
Celeste L. Fase
Paul P. Gilfllan
Diane Kavadas Schneider
James L. Kingsland
Paul A. Leonard
Carl E. Malmstrom
Robert J. McCune Jr.
Ray B. Merritt
Barry D. Rooth
Michael P. Schoenbohm
Friedrich A. Siekert
Mary M. Squyres
Randall C. Stravers
Brian J. T’Kindt
Ruth C. Vance

1983
Alumni: 113
28 gifts = $5,730.00
Participation: 25%

Jon C. Abernathy
Steve A. Affeldt
Daniel Avila
Kenneth R. Bruce
Leane E. Cerven
Michael P. Clark
Sally F. Cloyd
Richard L. Costanzo
Colleen Crandall
Stephen J. DeHaan
David L. Forbes
Clarke D. Forsythe
David A. Garrison
Daniel W. Granquist
Thomas R. Hamilton
Patrick K. Harrington
Carol Colby Kaesbier
R. Bradley Koeppen
Joan Kourou
Paul W. Kucinski
Frank Lattal
Daniel P. Nieter
James R. Oates
Lisa M. Oates
Bradley J. Salmon
Steve P. Smits
Perry W. Theodoros
Katharine E. Wehling
1984
Alumni: 87
10 gifts = $590.00
Participation: 11%
Jayne Dewire
Lee H. Dodd
James R. Engelman
Frances M. Jagla
Leeanna K. Kirkwood
Mark S. Lenyo
Thomas A. Masssey
Kathleen M. McCain
Gwenn R. Rinkenberger
Douglas E. Rogers

1985
Alumni: 98
16 gifts = $1,660.00
Participation: 16%
N. Cornell Boggs
Craig M. Buche
Randy S. Dessau
Aris J. Gallios
Nadine L. Gjurich
Robert B. Golding
Frank W. Harris
Patricia C. Moore
Steven B. Morgan
George Pappas
Jonathan F. Potter
Frederick J. Schellgell
Edward P. Schroeder
Jennifer J. Stocker
Timothy J. Thorton
Charles V. Vaughan

1986
Alumni: 114
23 gifts = $2,365.00
Participation: 20%
Samuel L. Cappas
Mary Lu Cianciolo
Betty J. Crane
Robert J. Dignam
Thomas D. Guest
Jeffrey W. Herrold
Wanda E. Jones
Paul M. Kohloff
Edgar R. Lantis III
Michael N. Lygnos
Teresita M. Medina
Walter E. Melion
Gwendolyn J. Morgan
Teresa L. Mysiwy
Raymond A. Nash
Beth A. North
Alicee M. Pickett
Mark W. Rutherford
Julie M. Spanbauer
Eva S. Sweeney
Lisa M. Tayler-Wolff
Jeffrey B. Wampler
Linda S. Whitten

1987
Alumni: 105
10 gifts = $690.00
Participation: 10%
Robert C. Buoscio
Cindy A. Coldiron
Jennifer J. Kitzmiller
Mark A. Jones
Linda J. Kibler
Julie A. Newhouse
Nancy B. Strzynski
Linda D. Taylor
Jeffrey E. Wallace
Charlotte A. Weybright

1988
Alumni: 90
17 gifts = $1,375.00
Participation: 19%
Mark J. Colon
Robert E. Doelling, Jr.
Jean L. Doyle
Rebecca A. Grog Hill
Jeffrey F. Gunning
Priscilla A. Herochik
Bruce A. Kugler
Cheryl L. Moultrie
Tracy J. Newhouse
Cynthia M. Penn Amber
Mary Jane Rhoades
Cynthia Rockwell
Theodore G. Spyles
Troy C. Swanson
Larry E. Thrall
Brett L. Warning
John H. Whitfield

1989
Alumni: 91
12 gifts = $1,440.00
Participation: 13%
Timothy A. Baker
Beth A. Henning Guria
Jeffrey S. Kinsler
A. Ted Kundrat
Mary Beth Lavezzorio
Joseph Q. Loker
Rachel K. Mathison
Michael B. McVickar
Adrian L. Overman
Debra L. Reusze
Daniel R. Rustmann
Jayne S. Walker

1990
Alumni: 103
13 gifts = $775.00
Participation: 13%
Samuel Brooks
David Clark
Mary Lou Connolly
Chris T. Cramer
William Donaldson
Anita Gordon
Robert Henke
Mark Lang
Maria Lembessis
Thomas Moran
Scott Reno
Thomas Stefaniak
Katherine Tabor

1991
Alumni: 114
18 gifts = $1,675.00
Participation: 16%
M. Catherine Andrews
Jonathan Berkowitz
Kristi Brown
Bruce Carr
Marilyn Holscher
Michael King
Cheryl A. Kuechenberg
Douglas LaLone
Alexandria Leywick
Earl F. McNaughton
Brett A. Schenck
Fay Schwartz

Firm & Corporate Gifts
Douglas, Alexa, Koeppen & Hurley
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VUSL Alumni Assoc.

Non-Alumni
Faculty & Staff
Joanne Albers
Marilyn Arvidson
Robert F. Blomequist
Ivan E. Bodensteiner
Hugh Breyer
Paul H. Brietzke
Phillipp Brockington
Linda Canada
Lisa Cannon
Laura Dooley
Charles Ehren
Joyce Freeman
Edward Gaffney
Debbie Gleason
Naomi Goodman
Carolyn Hardman
Susan Hefner
Sally Holterhoff
JoEllen Lind
Terri Little
Pat McRae
Elaine Moore
Is Your Name Missing??

The above listing includes only donors to the 1992-1993 Dean’s Annual Campaign. This campaign covers the time period between July 1, 1992 and June 30, 1993. Gifts made prior to or after the above dates do not appear in the listing. Also, gifts made to the University, but not as part of the Dean’s Campaign, are not included. If you believe there is an error, oversight, misspelling or have a question, please call or write the Law School Development Office, Valparaiso University School of Law, Wesemann Hall, Valparaiso, IN 46383, (219) 465-7849. We apologize for any error that may have occurred on our part and appreciate your support of VUSL.
During his recent sabbatical semester (Spring 1993), Professor Robert F. Blomquist worked on a number of law writing projects, including the following:

- completion of research and writing of an article entitled *Emerging Themes and Dilemmas in America Toxic Tort Law, 1988-1991: A Legal-Historical and Philosophical Exegesis*;
- research and writing of a draft article entitled *Meditations on a Toxic Jurisprudence*;
- research and writing of a draft article entitled *The Wages of “General Observations” on Merrell Dow*;

During his sabbatical, Professor Blomquist also served as Special Consulting Counsel to the Common Council of the City of Hammond, Indiana, in a major federal environmental lawsuit brought against the Council and the City of Hammond by the multinational corporation Rhone-Poulenc Co., alleging the invalidity of a city ordinance regulating boilers and industrial furnaces (BIFS) on grounds of federal pre-emption, the Commerce Clause, the Equal Protection Clause, and various constitutional tort theories.

Moreover, he continued to serve as Special Council for the town of Ogden Dunes, Indiana, in its continuing negotiations with the Indiana Port Commission, Indiana Department of Natural Resources, and NIPSCO for a solution to its long standing beach erosion problem.

This past May, Professor Blomquist also completed a draft of his first novel *Toxic Plumes* (an environmental-murder mystery). In June, he attended the second Gruter Institute Conference on the Uses of Biology in the Study of Law (Squaw Valley, California) and the World Future Society General Assembly (Washington, D.C.).

During the summer, Professor Blomquist utilized a law school research grant to do research in Washington, D.C., on an environmental biography in progress of former United States Senator Edmund S. Muskie of Maine.

In June, Professor Blomquist was named the Chair of the Legislative Affairs Committee of the Indiana Pollution Prevention Board, on which he has served since his initial appointment by Governor Bayh in 1992.

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Professor Ruth Vance’s article, *Worker’s Compensation and Sexual Harassment in the Workplace: A Remedy for Employees, or a Shield for Employers?*, was accepted for publication by the Hofstra Labor Law Journal.

Additionally, her piece on *The Use of Student Teaching Assistants in the Legal Writing Course* made its debut at the AALS conference in San Francisco last January in West’s new publication, Perspectives.

In May, Professor Vance was appointed a special education mediator by the Indiana Department of Education. She will mediate disputes between parents of special education students and their school districts regarding the student’s educational program.

Professor Vance attended the AALS conference in San Francisco in January, the regional conference of the Society for Professionals in Dispute Resolution in April, and an ABA-sponsored seminar on pre-suit mediation held in Indianapolis in May.

Professor Vance designed and taught new courses in advanced legal writing and alternative dispute resolution during the spring and summer seminars.

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Professor Laura Gaston Dooley has published an article in the Journal of the American Medical Association, entitled *Racial Equity in Renal Transplantation: The Disparate Impact of HLA-Based Allocation*, with co-authors Robert Gaston, M.D. and Arnold Diethelm, M.D. of the University of Alabama Medical Center and Professor Ian Ayres of Stanford Law School. The JAMA article highlights the consequences for African American kidney transplant...
patients of the current federally-controlled allocation scheme. In another article published in the VANDERBIIL...tissue gained efficiency in constructing allocation schemes and propose alternative systems that would address the racial imbalance caused by current policies. Professor Dooley delivered remarks on the subject of equity in transplantation to the American Bar Foundation in Chicago last November and the Public Choice Society meetings in New Orleans in March, where she also chaired a panel on Positive Political Theory and the Rule of Law.

In May, Professor Dooley was named the first recipient of the Gromley Distinguished Teaching Award. She spent the summer teaching in the Law School's program in Cambridge, England.

Professor Ivan Bodensteiner was a speaker in a student sponsored debate of the Supreme Court's 1992 abortion decision in Planned Parenthood v. Casey. He was also a participant in a discussion of "The First Amendment & Equality in the Workplace - a Conflict?" at Washington University School of Law in St. Louis, Missouri.

In May, Prof. Bodensteiner taught a continuing legal education program at Indiana University - Indianapolis entitled "Suing and Defending City Hall - Civil Rights Litigation in Indiana." He also participated in the Midwest Environmental Law Caucus (MELC) panel discussion of Environmental Racism.

Professor Seymour Moskowitz recently completed the 1993 annual update to the discovery treatise, Volumes 11-16 of FORMS OF DISCOVERY (Matthew Bender). The update will be released in November 1993. The treatise volumes encompass information gathering in civil, criminal, and administrative proceedings. (See also Prof. Moskowitz's article in this issue.)

In June, Professor Linda S. Whitton conducted a half day seminar for senior citizens in Gary, Indiana, on the subject of advance directives for property management and health care decision making. The program was sponsored by Project Justice and Equality, Inc. Professor Whitton also delivered a presentation on advance health care directives to the Sunrise Kiwanis of Valparaiso, Indiana, in July.

The Legal Clinic, under the direction of Professor David Vandercoy, is in the second year of a three-year Department of Education grant for $62,335.00. This grant covers Legal Services to Battered Women (victims of domestic abuse.)

In May, Professor Paul Brietzke presented a paper, "The 'New' Customary International Law," to a Conference in London, sponsored by the University of London and the Commonwealth Institute: Human Rights Approaches to Environmental Protection in the Commonwealth and Beyond. He also gave a lecture on the legal aspects of the transition to market economies in Eastern Europe to law students at the Europa-Universitat Viadrina. Founded in 1515, this University was moved east in the nineteenth century, into what is now Poland. Re-founded two years ago in Frankfurt on del O'er, on the German side of the Polish border, this University attracts German, Polish, and East European students. Professor Brietzke is the first American to lecture at the new University. He also gave a comparative lecture on American constitutional law, focusing on the "case or controversy" requirement and the political question doctrine, to law students at the University of Munich. His article, "A Sense of Balance" appeared in PRAXIS (Summer 1993).
Professor JoEllen Lind had been busy this summer finishing off a number of scholarly articles. She just completed a piece on the Supreme Court’s fundamental rights doctrine and the ninth amendment called Liberty, Community, and the Ninth Amendment that will appear in volume 54 of the Ohio State Law Journal. In June, she traveled to Smith College in Northampton, Massachusetts, to do original research in its women’s history archives for an article on what the woman’s suffrage movement can tell us about the voting right. She is also sending out a paper on Karl Llewellyn’s jurisprudence and Article 2 of the Uniform Commercial Code.

But, law review articles haven’t been her only focus. Professor Lind attended the Indiana Continuing Legal Education Forum board meeting in June as Dean Gaffney’s designee and wrote a commentary on Ruth Bader Ginsburg’s appointment to the Supreme Court for the Indiana Lawyer (reprinted in this issue). She taught a course on feminism for the philosophy department in the Spring Semester, participated in the University’s “Take Back the Night” activities for undergraduates, and wrote an essay for the Cresset on the controversy over making the university curriculum more diverse. In the winter, she reviewed The Pelican Brief for “Books and Coffee” and attended the Association of American Law Schools annual meeting in San Francisco. Next year she hopes to finish her dissertation on political theory and the law in order to complete her Ph.D. in philosophy.

Gail Peshel, director of Career Services, attended the National Association for Law Placement (NALP) annual conference in Seattle, Washington, in June. She spoke on “What Law Schools Want Law Firms to Know.” At the close of the conference, Ms. Peshel began her term as President of NALP. As President, she will represent NALP and serve with the Executive Director as liaison to the Executive Committee of the Association of American Law Schools and the ABA Section on Legal Education and Admissions to the Bar. The National Association for Law Placement is a nonprofit education organization established in 1971 to meet the needs of the participants in the legal employment process — law schools, legal employers, and law students and graduates — for information, coordination, and standards. The membership includes the ABA-approved schools and approximately 900 legal employers, including national and regional law firms; federal governmental organizations, including the Justice Department; public interest organizations; and international corporations.

Law Librarian Mary Persyn, Technical Services Librarian Naomi Goodman, and Public Services Librarian Tim Watts, presented an all-day clinic on legal research for the librarians of the Allen County Public Library in Fort Wayne, Indiana, on May 14, 1993.

Professor Persyn attended the annual meeting of the American Association of Law Libraries in Boston in July.

Mary Beth Lavezorrizo, Director of Admissions and Student Relations, attended the Law Services and Law School Admissions Council Annual Summer conference in Washington, D.C., during the first week of June. In July, Mary Beth represented the School of Law at the Council of Legal Education Opportunity (CLEO) Summer Institute for Region III at Ohio State University College of Law, interviewing prospective minority law school candidates. In August, Mary Beth also participated in a training workshop at Hampton University for pre-law advisors from Historically Black Colleges and Universities, the Hispanic Association of Colleges and Universities, and colleges where there are significant numbers of Asian-American students represented.
Faculty & Staff Activities


Documents Librarian Sally Holterhoff has been appointed to a two-year term on the Education Committee of the American Association of Law Libraries. Also, she is a member of the Dupont Circle Group, a national group of eighteen librarians who are working on proposals for restructuring the Federal Depository Library Program. She spoke about the work of the Dupont Group at library meetings in Indiana and Ohio in May and June. She also attended the Federal Depository Conference in Washington, D.C., in April. While she was there, she met with several members of the Indiana congressional delegation, including Congressman Peter Visclosky, to discuss library and government information issues as part of Library Legislative Day. Approximately 600 library supporters spent the day visiting their Congressional delegations to urge support for library policy issues and funding.

(left to right: Steve Hayes, University of Notre Dame Documents Librarian; Judy Gaskel, DePaul University Director of Law Library; Sally Holterhoff; Congressman Peter J. Visclosky, 1st District, IN.)

The Benefits of Membership

Become a dues paying member of the VUSL Alumni Association. Benefits include:

- reduced ticket prices for Association events.
- fee waivers for VUSL library cards.
- invitations to special law school events.
- discounts at local merchants for photography and framing.
- reduced air fare on USAir for VUSL events.

The Alumni Association plays an active and critical role in the life of your law school. Become a dues paying member of the organization that is here to serve you.

If you have not already done so, you may become a dues paying member of the alumni association. Just send your dues payment (checks made payable to the VUSL Alumni Association) to:

VUSL Alumni Assoc. Dues
c/o Beth Henning Guria
Wesemann Hall
Valparaiso, IN 46383

(Dues for the 1993-1994 academic year are as follows: waived for the class of 1993; $15 for the classes of 1990, 1991, & 1992; $30 for all others).

 Become a member today!
ISRAELI PATH TO PEACE

The Jewish Law Students Association invited Haim Koren of the Israeli Consulate in Chicago to speak at VUSL. Mr. Koren serves as the Deputy Counsel General for Press and Information of the Consulate General of Israel. His lecture, “A Path to Peace” focused on current developments in the Middle East, including progress made toward peace, as well as the increase of Islamic terrorists.

“MARSHALL PLAN” FOR THE ENVIRONMENT REVIEWED

MELC (Midwest Environmental Law Caucus) invited environmental attorney C. Peter Sorenson, from Eugene, Oregon, to speak on environmental issues faced by the Clinton/Gore transition team. Sorenson also reviewed Vice President Gore’s book, *Earth in the Balance* touching upon the controversial “Marshall Plan” for the environment.

MELC also sponsored a tree planting in memory of Professor Charles Gromley. A planting ceremony was held in April and attended by students, faculty and staff. Norma Gromley was an honored guest. The tree has been planted on the south end of Wesemann Hall, visible from the window of Prof. Gromley’s former office. It has been named the “Gromley Oak.”

LECTURE & CASE ARGUMENT HIGHLIGHTS WORK OF MARTIN LUTHER KING

VUSL observed Martin Luther King, Jr. Day by attending an all University event at the Chapel of the Resurrection. Dr. Manning Marable delivered the keynote address, “The Challenges of Cultural Diversity: Uprooting Racism, Sexism, Anti-Semitism, and Homophobic Oppression.” The School of Law viewed portions of the film series “Eyes on the Prize,” a documentary focusing on the civil rights movement and the work of Dr. King.

VUSL also hosted a re-enactment of the case *NAACP v. American Family Mutual Insurance Co.* The case involved the question of whether “redlining” in the home insurance industry is a form of racial discrimination, violating the Fair Housing Act. Arguing for the NAACP was: Victor Bolden, staff attorney with the National Legal Department for the ACLU, and Matthew Stickel ('93).

*Lawrence G. Albrecht* ('74), *Hall, First & Patterson, Milwaukee, Wisconsin,* and *Jacqueline Gipson* ('93) represented American Family Mutual.

Judges hearing the argument included: The *Honorable Andrew P. Rodovich* ('74), U.S. District Court, Northern District of Indiana; the *Honorable Robert D. Rucker* ('73), Indiana Court of Appeals; and *Professor Linda S. Whitton* ('86).

POLITICAL & CONSTITUTIONAL ASPECTS OF SOVIET (DIS)UNION

Veniamin Chirkin, Deputy Director at the Institute for State and Law in Moscow, spoke on Russian land reform, constitutional change, and current events in the former Soviet Union. Chirkin’s lecture, “Political and Constitutional Aspects of Soviet (Dis)union,” discussed the restructuring of the Russian legal system, noting judges who formerly were elected for a term of five years are now elected for life. Chirkin visited VUSL as part of a nationwide tour of American law schools.
FACULTY DEBATE


BLACK HISTORY MONTH CELEBRATION

In celebration of Black History Month, the Black Law Students Association sponsored the Soul Food Extravaganza. BLSA served a wonderful lunch of catfish, ribs, chicken, candied yams, sweet potato pie, as well as many other delicious items. The luncheon capped the month of activities sponsored by BLSA, which also included traditional world beat music in the atrium.

HOFFMAN LEADS COURT OF APPEALS PANEL VISIT

The Indiana Court of Appeals heard oral arguments in the Stride Courtroom on March 23. Judges Robert H. Staton, William I. Garrard, and George B. Hoffman, Jr. ('51) heard the matters of *Prosser v. Waste Management, Inc.* and *Spicer v. Sebring Homes Corp.*. The Waste Management case involved an appeal of the Warren Circuit Court judgment involving zoning, set back statutes, and permitting issues at the "J-Pit" landfill in Gary, Indiana. The Spicer case focused on an appeal from the Noble Circuit Court, ruling as to whether an employee of the corporation was acting within the scope of his employment when he assaulted the appellant-plaintiff.

TO ADJUDICATE OR MEDIATE: THAT IS THE QUESTION

The Tenth Seegers Lecture Series featured the Louis and Anna Seegers Professor of Law, Alfred W. Meyer ('50). His two part lecture, "To Adjudicate or Mediate: That is the Question," was presented on March 17 & 18. The lectures focused on alternative dispute resolution: specifically, what are its forms and limits as a collaborative process compared to the "traditional" adversarial system. Professor Meyer recently completed a sabbatical at Indiana University School of Law.

FINE POINTS OF FREE TRADE AGREEMENT OUTLINED: A MEXICAN PERSPECTIVE

The Hispanic Law Student Association in conjunction with the Student Bar Association sponsored a lecture on the North American Free Trade Agreement (NAFTA). Professor Jorge A. Vargas of the University of San Diego School of Law outlined the Mexican and American applications of environmental law as well as the benefits of NAFTA from the Mexican perspective. Vargas had previously served as a legal advisor to Mexico’s Secretary of Foreign Relations in addition to Director of International Affairs at the National Science and Technology Council.
EQUAL JUSTICE ALLIANCE GOES HOG WILD

On April 14, over 100 people visited the Duesenberg Commons to visit one very special guest, Lucy the Pig. Lucy was invited to VUSL on behalf of the Equal Justice Alliance, the student organization devoted to public interest law, to help raise money for EJA’s public interest grant program. The participant who had the most money deposited in a jar would kiss the pig. Participants included Dean Edward Gaffney, Dean Bruce Berner, Professors Ivan Bodensteiner, Laura Gaston Dooley, Richard Hatcher, Ruth Vance, Mike Straubel, Sue Collins, and the SBA President, Trino Lopez. It was “snout and snout” between Dean Berner and Professor Dooley until Trino Lopez’s jar was stuffed in the waning moments of the contest. After several unsuccessful attempts, Trino was finally able to give Lucy a kiss. EJA also sponsors several other fund raising events during the year including a fall walk-a-thon, boxer short sales, and bake sales.

VUSL CELEBRATES LAW WEEK 1993

The 1993 Law Week Luncheon speaker was Jay C. Johnson ('71), Vice President, Corporate Staff and General Litigation Counsel, Texas Instruments, Inc. Mr. Johnson is in charge of litigation in the 75 lawyer legal department of Texas Instruments. Additionally, awards for Spring 1992 and Fall 1993 class and semester honors were presented at the Law Week Luncheon. Law Week also brought the annual Law School Musicale to the Duesenberg Commons showcasing both faculty and student talent; and the Roast, a humorous look at law school through the eyes of current students.

Jay Johnson speaks to a packed house at the law day luncheon at the Expo Center.

Brad Moyer ('94) & Scott Lucas ('93) present their rousing rendition of a “Brady Bunch” classic at the Annual Law School Musicale.
PUBLIC SERVICE GRANTS AWARDED TO RECENT VUSL GRADUATES

Taking the lead in progressive legal education, the Valparaiso University School of Law strives to further students' interest in public interest legal work. To that end, the faculty of VUSL voted in 1988 to require students to complete a minimum of 20 hours of legal service on behalf of indigent clients in order to graduate from Valparaiso University. Additionally, the Public Service Grant Program was developed to encourage law students to accept public interest jobs upon graduation. VUSL awards grants in the amount of $6,000 each to third year students who have secured a full-time, law related position with a public service employer. The students commit to work for that employer for a minimum of two years.

The 1993 recipients of the Public Service Grant Program were:

Peter Mills ('93), who will represent indigents in capital punishment cases as a Capital Collateral Representative in Tallahassee, Florida; and,

Koreen Payton ('93), who will serve as an attorney with the United States Securities and Exchange Commission in Chicago, Illinois.

STUDENT CONSORTIUM PROJECT WINS AMERICAN BAR ASSOCIATION AWARD

While considerable progress in protecting and cleaning up the environment has occurred over the past 20 years, many problems continue to linger — most notably risks to low-income and racial minority communities. The U.S. EPA has taken note of certain risks borne by these communities, such as being located near multiple sources of air pollution, waste treatment facilities and landfills.

In recognition of this pervasive problem, a consortium of student groups at VUSL formed the Environmental Racism Project (ERP). The group hopes to focus on health issues, economic analysis, and discriminatory intent and impacts upon low-income and racial minority communities. The group hosted a “Practitioners and Activists Forum” last spring, examining issues and methods in which to address instances of discrimination.

The ERP was selected by the Section of Natural Resources, Energy, and Environmental Law of the ABA to receive an award of $2,000. The award was based upon ERP’s project scope submission of selecting a polluted site in Northwest Indiana and exploring nondiscriminatory remedial action plans for the site. ERP also will work with the community residents to build community awareness of both the site and of environmental hazards in their area. The students have selected the H and H Enterprises Site in Gary, Indiana, as the focus of their project. (See related story, “Eyes on the Environment,” in this issue of The Amicus). ERP’s project leader is Adam Decker (3L).
In Search of the Perfect Quote

Laura Gaston Dooley

Being chosen last fall as the faculty advisor to the class of 1993 was one of the greatest honors I have ever received. I began my teaching career at Valparaiso University on the same day as the graduating seniors began law school. I think I will always have indelibly etched in my mind the lay-out of the classrooms and who sat where that first year. But this group made teaching Civil Procedure (which isn’t always as exciting as it sounds) a real joy. So, I’ve been thinking for months now about what I should say at these ceremonies as this special Class leaves our midst and goes out into the world as attorneys. On an occasion like this, one wants to be both wise and witty, astute and amusing, sagacious and savvy. Much like a presenter at the Academy awards, one wants to take advantage of the opportunity to influence people’s consciousness, without coming off like Richard Gere.

Not presuming myself to have the salience to coin that morsel of truth, I set out in search of the perfect quote. First I turned to Woody Allen, who before his current troubles had penned an essay promisingly entitled My Speech to the Graduates, in which he had to say: “It is clear the future holds great opportunities. It also holds pitfalls. The trick will be to avoid the pitfalls, seize the opportunities, and get back home before six o’clock.” Now that’s not bad advice for beginning lawyers, but somehow it lacked the depth of the truth that I wanted to convey here today. So I consulted the writings of Oliver Wendell Holmes, who’s usually good for a quote or two. In a speech he gave on the topic of the law profession, he noted that “Your education begins when what is called your education is over,—when you no longer are stringing together the...’jewels five words long,’ which great men have given their lives to cut from the raw material, but have begun yourselves to work upon the raw materials for results which you do not see, cannot predict, and which may be long in coming.” Again, an inspiring pronouncement, to be sure, but to tell a group as large and as accomplished as the one assembled here, particularly one that has just finished a sixth set of final examinations, that their education is just beginning seemed to me to be somewhat risky, albeit right. So my search went on. I consulted the sages from Kafka to Cardozo, from Marshall to Melville, from Bentham to Brennan.

Ultimately my search led to me to the very source of wisdom (and wit), and I found that thousands of years ago the Psalmist said more beautifully than I could ever hope to the words that I hope will define your pilgrimage in the Law as you leave this place of learning: (Psalms 119: 33-34; 72; 77)

Teach me O Lord, the way of Thy Statutes,
And I shall observe it to the end.
Give me understanding, that I observe Thy law
And keep it with all my heart.
Open my eyes, that I may behold
Wonderful things from Thy law.
The law of Thy mouth is better to me
Than thousands of gold and silver pieces.
May Thy compassion come to me that I may live,
For Thy law is my delight.

My wish for you today, as new graduates of the Valparaiso University School of Law and new bearers of the honorable banner of the Law, is that you will delight in the Law, that you will find the jewels in its raw materials that will ultimately produce wonderful things, and, yes, that you all may be home by six o’clock. Congratulations to all of you.
Driving home from work recently, I was taking great delight in a cassette of songs poking fun at Washington and at particular public figures, until the tape offered up an especially ugly ditty about lawyers and ethics. I have lost my sense of humor about lawyer-bashing over the years, and thus I come today to talk with those of you who are about to join our profession about the good news with respect to lawyers and ethical values in this society.

I want to affirm that our profession plays a constructive and ethical role in America, and I believe that this affirmation can withstand an admission that there are among us individual lawyers whose negative contributions must be subtracted from the sum of our effort. The headlines about malfeasance in public life by lawyers in situations like Watergate or the savings and loan debacle obscure the facts that the lawyers in those situations had plenty of company from other disciplines — accountants, bankers, and various business school graduates. More importantly, I think, scandals like these demonstrate the vitality of the old adage, “[t]he exceptions prove the rule.”

There is, of course, an important sense in which lawyers and judges act as custodians of the ethical or behavioral norms of a culture. Both the common law and statutes represent society’s decisions about what is expected, what is moral, what is acceptable, and what is reasonable. The task of lawyers and judges has been to probe these questions and declare answers in individual situations. We have performed these functions in the English-speaking world at least since the year 1468 when the Chancellor of England declared that, because the law of the man would provide a remedy in the King’s courts for those who suffer a loss because somebody else broke a promise. That declaration was the beginning of the law of contract. Like many of you, I had wrongly assumed that the law of contract started in 1929 when the New Hampshire Supreme Court decided the appeal in *Hawkins v. McGee*, the hairy hand case.

In the first several centuries of courts, laws, and lawyering, both secular and sacred institutions found that the answers to the legal questions presented in court were frequently well informed by religious doctrines. Echoing what the English Chancellor had said in the fifth century, Pope Leo XIII declared in the nineteenth century, “Laws only bind when they are in accordance with right reason, and hence with the eternal law of God.” Even as late as 1951, Justice William O. Douglas would write in *Zorach v. Clauson*, “We are a religious people whose institutions presuppose the existence of a Supreme Being.”

In the last decade of this century, however, public discourse about law only rarely views law in this way. Indeed, there is much about modern jurisdiction which seems contrary to Justice Douglas’ declaration in *Zorach* that one “cannot read into the
Bill of Rights . . . a philosophy of hostility to religion.” The current disputation exchanges across this state and others about whether school boards have the obligation to prohibit individuals from speaking prayers in public school commencements are but one piece of evidence about this exchange in the way America orders its public life.

The loss of sacred underpinnings in public legal and policy discourse is a considerable story by itself. More pertinent to my point today is that in a society where law and policy debate proceeds primarily on secular grounds, the role of lawyers as mediators and theorists becomes regrettably but undeniably more central. If the constitution is only a secular document which the Senate Judiciary Committee expounds as having no meaningful connection to the law of Nature, then the pronouncements of lawyers and judges as secular officers are even more important to the task of building a decent, safe, and prosperous society.

I propose that amongst the historic professions lawyers still have a good and decent claim on the conscience of their fellow citizens as leaders towards a better society. Lawyers prosecute purveyors of violence, they pursue claims on promises wrongly broken, they lead the fight for a cleaner environment and a safer workplace, and they seek out and combat racial discrimination. Ours is a profession where women have had more progress than in any other which comes readily to mind, whether it be corporations, colleges, or capitol domes. It is a profession which imposes on itself a quite remarkable code of personal and professional conduct, a code far more comprehensive than the rules shaped for most other working professions. We undertake these obligations at every point in our careers — as law students, law teachers, law practitioners, and law givers. We do all this, and, yes, we frequently manage to find a way to get paid for it, there being no requirement that noble work be always free.

And speaking of free, ours is a profession whose members routinely step forward in thousands of cities and towns to assume the burden of leadership when some problem needs solving. Lawyers organize charities, lead fund drives, and coach little league and soccer. In short, they contribute much of themselves to just about every civic good in every community.

They do all this partly because it is the history and practice of our profession and partly because law school attracts students who believe that helping others is a part of life. You will find that those same people when they become lawyers are generally pretty good company, people who understand that lawyering is both a way to make a living and a way to make a difference. You have worked hard to gain entrance into this circle, and your families have sacrificed to bring you to this clan who calls themselves “officers of the court.” I tell you that you have made the right decision, and that we are glad to have you.

*RandaII T. Shepard has been a member of the Indiana Supreme Court since 1985 and Chief Justice since 1987. He graduated from Princeton University (B.A. cum laude) and received his Juris Doctor from Yale University Law School.
The Faculty & Staff of Valparaiso University School of Law congratulate the graduates of the class of 1993.
Best wishes for a happy and successful future.

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Daniel John Buksa, B.A.
*Saint Leo College*

Glenn Elwyn Champion, Jr., B.S.
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Joel Robert Lopez, B.S.  
*Eastern Illinois University*
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<tr>
<th>Name</th>
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<td>Trinidad Lopez, Jr., B.A.</td>
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Christopher William Yugo, B.S.
Indiana University

* Cum Laude
♦ Magna Cum Laude
♦ Summa Cum Laude
1951
Judge William Conover has announced his retirement from the Indiana 4th District Court of Appeals effective December 31, 1993. Judge Conover, a life-long resident of Valparaiso, practiced law in Porter County for 30 years before being appointed to the Court of Appeals 12 years ago by then Gov. Robert D. Orr. Judge Conover will seek Senior Judge status and has agreed to act in the future as a mediator/arbitrator in selected matters.

Don W. Wyneken has retired from his firm Blume, Wyneken, Connelly, Jordan & Stucky in Fort Wayne, Indiana, and the firm has changed its name to Blume, Connelly, Jordan, Stucky & Ulmer.

1970
Gordon E. Gouveia has been board certified by the American Bankruptcy Board of Certification. Gordon is currently with the firm of Gouveia & Miller of Merrillville, Indiana. He also earned certification as a Business Bankruptcy Specialist from the Commercial Law League of America's Academy of Commercial and Bankruptcy Law Specialists.

1972
Thomas Kent Guelzow has been appointed to the Board of Regents of Augsburg College, Wisconsin. He also presented "Homeowners’s Policies — Insurance Coverage Questions/Insurance Coverage Issues" at the Wisconsin State Bar Continuing Legal Education Seminars in Madison and Milwaukee during April 1993. This CLE was also videotaped for presentation at other sites.

Karen L. Hughes is now a partner in the Merrillville, Indiana firm of Lucas, Holcomb & Medrea.

In November 1992, Robert M. Keenan, Jr. was retained for a third six-year term as Circuit Judge of Wabash County, in Mt. Carmel, Illinois. He was first elected to the position in November 1980.

1973
John P. Bullman has joined the Volunteer Lawyers Program of Fort Wayne. The program represents the poor in Adams, Allen, DeKalb, Huntington, Steuben, Wells, and Whitley counties.

Jerry W. Miller has formed a partnership with Richard E. Federico ('73) in Hagerstown, Indiana. The firm is known as Miller & Federico.

1974
James Jorgensen has been elected a director by the Porter County Building Trades Corp. James is an attorney with the firm of Hoeppner, Wagner & Evans in Valparaiso, Indiana. He is also a member of the Board of Directors for the Greater Valparaiso Chamber of Commerce, Inc.

1975
Richard E. Federico has formed a Hagerstown, Indiana law practice, Miller & Federico, with Jerry W. Miller ('73).

1977
Associated Universities, Inc. (AUI) has named Leland Willis Vice President of Environment, Safety & Health. In his new post, Leland will be in charge of environmental, safety, and
health issues at Brookhaven National Laboratory in New York and the National Radio Astronomy Observatory in West Virginia.

1978

Christopher B. Hunt has been elected a Fellow in the American College of Trust and Estate Counsel (ACTEC). Christopher is a partner with the Minneapolis, Minnesota firm of Messerli & Kramer. ACTEC provides an educational forum for attorneys skilled and experienced in the preparation of wills and trusts, estate planning, probate procedures, and administration of trusts and estates of decedents through seminars, publications, and annual meetings. Christopher is one of 63 attorneys from Minnesota who are currently members of ACTEC.

1979

Indiana Governor Evan Bayh has appointed Willie Harris to the State Lottery Commission and he has been asked to serve as that panel’s chairman. Willie is a partner with the Gary, Indiana firm of Graddick and Harris and has previously served on the state’s Worker’s Compensation Board. He is the first Lake County representative to serve on the Lottery Commission.

The Indiana Trial Lawyers Association has elected Thomas F. Macke to its board of directors. Thomas is an attorney with the Valparaiso, Indiana firm of Blachly, Tabor, Bozik & Hartman.

Teresa Kerley McNeely is currently working for Ernst & Young in Vienna, Va. She was married on September 26, 1992 to Daniel McNeely.

1981

Paul R. Chael has been elected vice president of the Porter County Bar Association for 1993. Previously, Paul served as that organization’s secretary.

1982

David Cerven and his wife, Leane English Cerven (’83), are pleased to announce the birth of their daughter, Marelleann, on May 4, 1993. She joins brother Bennet, age 4.

Mark A. Dabrowski has formed Raquet, Dabrowski & Huston, in Kokomo, Indiana, with Charles R. Hutson and Steven K. Raquet (’83)

Trina Glusenkamp Gould has joined the Fort Wayne firm of Helmke, Beams, Boyer & Wagner.

Roland Meisner announces his marriage to Susan Schecter on September 6, 1992 in Colorado Springs. Roland is an Assistant Attorney General for the state of Texas in the Child Support Litigation Division, Dallas Interstate Unit in Dallas, Texas. Susan is a Captain in the U.S. Army and is working at the Army-Air Force Exchange Service Headquarters in Dallas as a public relations officer.

1983

Jack M. Hires, Assistant Professor in the Valparaiso University College of Business, has been included in the seventh edition of Who’s Who in American Law.

The Grandville, Michigan firm of Visser & Bolthouse announces that Steven J. Holwerda has joined the firm specializing in business litigation and personal injury. Steven formerly was with the Newton, Iowa firm of Selby, Updegraaf, Smith & Holwerda.

Joy Phillips is the District Public Defender for Baltimore City, Maryland. She heads an office of eighty attorneys.

Seven K. Raquet, Mark A. Dabrowski (’82) and Charles R. Hutson has formed Raquet, Dabrowski & Hutson in Kokomo, Indiana.

Douglas E. Ulmer has joined the firm of Blume, Connelly, Jordan, Stucky & Ulmer in Fort
Wayne, Indiana. The firm was previously known as Blume, Wyneken, Connelly, Jordan & Stucky.

1984
Gary Calhoun is a new Circuit Court Judge in the Kosciusko Circuit Court in Warsaw, Indiana.

Brian Hurley is vice chair of the Economic Development Division of the Greater Valparaiso Chamber of Commerce, Inc. Brian is a partner in the Valparaiso firm of Douglas, Alexa, Koeppen & Hurley.

Thomas Massey and his wife, Joanne, are pleased to announce the birth of their daughter, Rachel Kathryn, on July 5, 1992. Tom was also selected as Faculty Chairman for the Indiana Continuing Legal Education Foundation’s six-hour Divorce Law Seminar held October 22nd in Evansville, Indiana.

The firm of Rubinstein & Perry announces that Kathleen M. McCain has become a partner in their Los Angeles office.

C. Jeffrey Thut has become a partner with the firm of Hall, Roach, Johnston, Fisher & Bollman in Waukegan, Illinois. Jeffrey concentrates in the areas of personal injury and construction related litigation.

Rudy Zromkoski is chair of the Greater Valparaiso Chamber of Commerce’s Infrastructure Committee. Rudy is an attorney with Blachly, Tabor, Bozik & Hartman in Valparaiso, Indiana.

1985
Thomas J. Jarzyniecki, Jr. has become a partner in the Indianapolis office of Kightlinger & Gray.

Jennifer J. Stocker has been chosen as the Colorado Lawyer of the Year by the Colorado Young Lawyer’s Division. She also served as chair for the Young Lawyer’s Division. Jennifer and her husband announced the birth of their second son, Charlie, who joins older brother Tyler, 2.

1986
Gregory B. Boldue has become a partner with the firm of Hinshaw & Culbertson. Gregory is a member of the firm’s litigation group in its Chicago office.

The United States Trademark Association (USTA) has appointed Deborah Schavey Ruff to the Education Committee. As a committee member, Deborah will encourage development of trademark courses at colleges and law schools, and assist with the development of educational programs and matters regarding trademark law for universities, business organizations and associations. Deborah is a partner with Keck, Mahin & Cate in Chicago.

Mark W. Rutherford was recently elected secretary of the board of directors of the Police Athletic League of Indianapolis, Indiana. Mark is an attorney with the firm of Bamberger & Feibleman in Indianapolis. The Police Athletic League is a nonprofit organization that seeks to promote and foster the well-being of the youth of Indianapolis through athletic and after-school tutoring programs.

1987
Jeanne E. Longsworth has been elected president of the board of directors of the Fort Wayne Estate Planning Council.


Stephen D. Vernia has become a partner with the firm of Greco Pera Bishop & Vernia in Merrillville, Indiana.

1988
The Indiana Bar Foundation inducted Michael P. Blaize as a fellow at its annual dinner meeting May 1, 1993. Fellow is a membership category signifying professional honor and distinction. Nineteen
lawyers statewide were elected to the honor of fellow in 1993. Fellows support educational and charitable projects advancing the administration of justice. Michael is an attorney at Hoeppner, Wagner & Evans in Valparaiso, Indiana.

Lynn Hammond and Margaret A. Robinson announce the opening of their new firm, Hammond & Robinson in Merrillville, Indiana.

James M. Macalka has opened his own practice in LaPorte, Indiana.

1989
The Federal Bar News & Journal featured Jeffrey S. Kinsler's co-authored article “Protecting High Ranking Corporate Officials from Unnecessary and Harassing Depositions” in its June 1993 issue. Jeff is currently pursuing his LL.M. at Yale University.

Mary Beth Lavezzorio has become Director for Admissions and Student Relations at Valparaiso University School of Law. She will direct, manage, and evaluate the admissions, financial aid, and student services programs at the School of Law. Mary Beth was previously Director of Admissions at VUSL.

1990
Samuel W. Jarjour has joined the firm of Snow & Sauertieg in Fort Wayne, Indiana as an associate.

The Lake County (Indiana) Prosecutor's Office has appointed Thomas P. Stefaniak, Jr. as supervisor of the Drug Unit.

1991
Blume, Connelly, Jordan, Stucky & Ulmer of Fort Wayne, Indiana announces that John C. Drier has joined the firm as an associate.

Matthew Krueger announced his marriage to Shari Ludwig, on April 17, 1993. Matthew is associated with the Law Office of Peter F. Ferracuti in Ottawa, Illinois.

Paul M. Landskroener is now serving as an Assistant Attorney General for the state of Minnesota. He represents the Department of Human Services, the largest state agency in Minnesota.

Paul Pasche has become an associate with the Chicago firm of Bernard Nevoral & Associates, Ltd.

Bonita Schaaf has been appointed to direct the Client Specific Planning Program for the Prisoner and Community Together Institute of Justice in Valparaiso, Indiana.

Charles Timmerwilke has joined the firm of William J. Cacciatore in Rockford, Illinois.

Timothy M. Williams has recently opened his own practice in Manistee, Michigan. He was married October 17, 1992 to Cameo Ann. Timothy and Cameo are also the proud parents of a baby girl, Casandra Marie.

1992
The Indiana State Bar Assoc. Litigation Section and the Indiana Defense Lawyers Association has awarded Kim L. Anderson a scholarship to attend the 14th Annual Trial Advocacy Skills workshop. Kim is associated with the firm of Charles J. Nightingale in Valparaiso, Indiana.

Dolores R. Aylesworth and Sammie L. Maletta announce the formation of the new firm Aylesworth & Maletta, P.C. in Portage, Indiana. Dolores was also appointed to a part time public defender's position by Porter County Chief Public Defender, James V. Tsoutsouris ('67).

Kimberly (Baker) Timmerwilke has become an associate with the firm of Conde, Stoner & Killoren in Rockford, Illinois.

R. Tracy Crump has joined the South Bend, Indiana office of Baker & Daniels as an associate.
Kimberly S. Downham has opened a general practice of law in Muncie, Indiana.

Richard J. Lobbes has opened his own practice in Hudsonville, Michigan.

Michael C. Moellering has joined the Fort Wayne, Indiana firm of Burt, Blee, Dixon & Sutton as an associate.

Christopher A. Ward has become an associate with the firm of Burt, Blee, Dixon & Sutton in Fort Wayne, Indiana.

1993

Kevin Anderson is an associate with the Kalamazoo, Michigan firm of Benefiel, Farrer & Glista.

Stephen Bannwart has become associated with the firm of Galvin, Stalmack & Kirschner in Hammond, Indiana.

Crystal Sharp Bauer is working at the firm of James, James & Manning in Dyer, Indiana as an associate.

Ann Michelle Brown-Stohler is associated with the Bluffton, Indiana firm of Edris, Brown, Johnson & Feeback.

Gretchen Cepek has joined Querry & Harrow, Ltd. as an associate. The firm is located in Chicago, Illinois.

Janet Davis Hocker has become associated with the firm of Ronald J. Hocker, Attorney at Law, in Indianapolis, Indiana.

Stephanie Doran has joined the firm of Charles H. Scruggs in Kokomo, Indiana.

Rachelle Evans is working for Magistrate Judge Andrew P. Rodovich in Hammond, Indiana.

William Fawley is an associate with the Refior Law Office in Warsaw, Indiana.

David Jones is associated with the LaPorte, Indiana firm of Newby, Lewis, Kaminski & Jones.

Mark Kassel is an associate with the firm of Foley & Lardner in Milwaukee, Wisconsin.

Trinidad Lopez, Jr. has joined the firm of Fonda & Garrad in Santa Monica, California as an associate.

Kent Mahnesmith is working at Dumas & Moriarity in Rensselaer, Indiana as an associate.

Patrick M. Mayette has become associated with the Law Offices of Wilfred J. Mayette in Mishawaka, Indiana.

Amy McColly is Deputy Prosecutor for Howard County in Kokomo, Indiana.

Peter Mills is a representative attorney for Capital Collateral in Tallahassee, Florida.

Carol Montavon is an attorney with the Legal Services Program of Northern Indiana, Inc. in South Bend, Indiana.

Koreen Payton has accepted a position with the Securities and Exchange Commission in Chicago, Illinois.

Bryan Perrero is a clerk for the U.S. District Court for the Northern District of Indiana in Fort Wayne, Indiana.

Nancy Pirkey is an associate with the Milwaukee, Wisconsin firm of Davis & Kuelthau, S.C., specializing in labor law.

Victor (Tory) Prasco has joined the firm of Spangler, Jennings & Dougherty in Merrillville, Indiana.

Michael Rappa has become associated with the firm of Spangler & Johnson in Merrillville, Indiana.

Peter Dale Rhoades is working at the Holland, Michigan firm of Voss, Michaels & Lee.

Matthew Roberts is an associate at Sidley & Austin in Chicago, Illinois.

Ross Roloff has become associated with the firm of Parrillo, Weiss & O'Halloran in Chicago, Illinois.
Douglas Rooks is clerking for Judge Carsiglia of the 48th Judicial Circuit of Michigan in Allegan, Michigan.

Deborah Schmitt is a clerk for the Hon. George B. Hoffman of the Indiana Court of Appeals in Indianapolis, Indiana.

James Shinaver is an associate in the Indianapolis, Indiana firm of Nelson & Frankenberger.

Jarett Smith is an associate with the Law Offices of Jerome R. Smith in Rauling, Pennsylvania.

Richard Stalbrink is working for Joseph R. Densford in Leonardtown, Maryland as an associate.

W. Todd Woelfer has joined the South Bend, Indiana firm of May, Oberfell & Lorber as an associate.

Rob Wortelboer is an associate with the firm of Bob, Spicer, Ciotoli, Bocchino, Weidner, DeBevoise & LaClainche, P.A. in Jacksonville, Florida.

Randy Wyllie is an associate with the firm of Wieser & Sterba in Highland, Indiana.

School of Law Welcomes the Class of 1996

At Orientation, 1993, the School of Law welcomed approximately 185 students to the Class of 1996 on August 20, 1993. In a year when law school applications saw an 8% decline, Valparaiso maintained a strong applicant pool. Students from the Class of 1996 come from twenty-eight states with 38% listing Indiana as their home. Over eighty colleges and universities are represented with close to forty different majors. While the majority of the students are recent college graduates, the average age is 26; women comprise 44% of the class and minorities represent close to 10%.

The Admissions Office is ready to take on another fall recruiting season with representatives visiting colleges and universities around the country. The Admissions office will also hold two fall open houses for prospective law students at the School of Law: Monday, September 20th and Thursday, November 4th. If you know of someone interested in law school, please have them contact the Law School Admissions Office.

In Memoriam

The entire Valparaiso University School of Law Community extends its sympathy to the families and friends of the following deceased alumni:

- Benjamin O. Lawrence '12
- William J. Jensen '42
- Frederick E. Froehlich '47
- Ralph M. Koehne '49
- John H. McKenna '54
- Philip E. Tracy '67
- Elias L. Bazini '73
- Susan Hemminger '83
- Scott Hoover '91
The AMICUS invites and encourages Alumni to write to the School of Law with news of interest for publication in the Class Actions section of the magazine. Items such as a change in address or career; status within your firm; births; marriages; membership, selection or appointment to positions within professional organizations/associations are a few examples of the types of information we like to receive and publish. Copies of articles and photographs are welcome.

AMICUS News & Notes Editor
Valparaiso University School of Law
Wesemann Hall
Valparaiso University
Valparaiso, IN 46383-6493

Valparaiso University School of Law
Alumni Calendar

October
28  Alumni Association Reception -- Indiana State Bar Association
    Annual Meeting, Indianapolis Radisson (Keystone)
29  U.S. Court of Appeals for the Seventh Circuit
    Oral Arguments, Stride Courtroom, VUSL

November
4   Monsanto Lecture -- The Honorable Hans A. Linde
    Oregon Supreme Court

December
10  Alumni Association Reception -- Illinois State Bar Association
    Mid Year Meeting, Chicago Sheraton Hotel & Towers

January
17  VUSL Commemoration, Martin Luther King, Jr. Day

February
15-19 VUSL Law Week

May
15  VUSL Commencement

Summer -- Class of 1984 Tenth Year Reunion

Contacts: Patrick Hansen, Brian Hurley, Michael Philippi, and Tom Massey

For more information, please call:
219.465.7849
Alumni News

Name: ___________________________ J.D. Year: ____
Home ___________________________
Address: ___________________________

Telephone: Home: (____) __________ Business: (____) __________
Firm Name: _______________________
Firm Address: _______________________

News or Comments: (Attach additional sheets, if needed, or copies of articles. Photos are welcome!)

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VUSL Alumni Association . . .
The Benefits of Membership