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Valparaiso University School of Law

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Valpo lawyers do a lot of things. We recently highlighted the careers of four Valpo lawyers practicing international law in our global village: George Liu ('74), Jack Hiller ('55), Jackie Leimer ('81), and Gordon Hsin ('93). Another issue of the Amicus spelled out the commitment of our graduates to pro bono work with features on Patricia Surovick ('82), Ron Gother ('56), and Don and Kathy Evans ('74). The latest issue of the Amicus featured senior lawyers in Fortune 500 corporations: Allen Andreas ('68) of Archer Daniels Midland; Richard Kippen ('63) of Hiram Walker; Jay Johnson ('71) of Texas Instruments; and Jon Walton ('69) of Allegheny Ludlum.

This issue focuses on the lives of three alumni who serve on the bench: a trial judge, Sheila Moss ('81), and two appellate judges, Robert Rucker ('77), and David Sawyer ('73). Judge Moss sits in the Criminal Division of the Lake County Superior Court. She is the sort of person of whom it might be said that a judge is an official who administers justice in a few words but many sentences, or that she is a person who never ends a sentence with a preposition but often does so with a sentence. Or, as Gilbert and Sullivan said in Trial by Jury: "It seems to me, sir, of such as he, sir, a judge is she, sir, and a good judge too." Read her story. It is fascinating.

So are the stories of two Valpo judges who sit on appellate courts. Judge Rucker is a member of the Indiana Court of Appeals, the intermediate appellate tribunal that decides the vast majority of the Indiana cases that merit further review after trial. Like Bob Rucker, David Sawyer sits on an intermediate appellate court, the Michigan Court of Appeals. It is inevitable that errors will occur in the process of adjudicating claims in the trial courts, and these judges speak of their task of correcting error whenever the error would not be harmless, or would not deny the losing party relief to which he or she is entitled. But appellate judges occasionally err, too; so other appellate judges must correct these mistakes and thus take part in the correction and development of the law.

There is a strong connection between the stories of these judges and our curriculum at Valpo. We have a superlative program in the training of our students to be effective advocates both at the trial and appellate stages of litigation. We use a lot of local lawyers and judges as adjunct professors of law to teach pre-trial and trial skills. And my colleagues who teach legal research and writing — Professors Mark Adams, Michael Straubel, and Ruth Vance ('82) — teach a section of appellate advocacy. In addition, Derrick Carter ('75) and I teach a section in advanced appellate advocacy. Derrick's focus is on criminal cases, and I focus on civil cases involving First Amendment freedoms. Both of us give our students realistic records and rigorous simulation of the actual course of appellate litigation.

We take our students to appellate courts, including the United States Supreme Court. And I am pleased to report that we bring courts here. The United States Court of Appeals for the Seventh Circuit heard an Indiana case in the Stride Courtroom last year. And both the Indiana Court of Appeals and the Indiana Supreme Court have become regular visitors.

Finally, I am pleased to announce that on January 23, 1996, The Hon. Antonin Scalia, Associate Justice of the United States Supreme Court, will preside over the Swygert Moot Court competition, named in honor of Luther Swygert, former Chief Judge of the United States Court of Appeals of the Seventh Circuit. Call us if you want a hot ticket to hear some outstanding oral advocates in front of a very hot bench. I have set aside ten tickets for the first ten alumni to call us. The rest of you can come and hear Justice Scalia deliver a lecture on constitutional interpretation at 4 p.m. in the Chapel of the Resurrection. Looking forward to seeing you this year.

[Signature]
Homecoming 1995

The festive spirit of Mardi Gras welcomed alumni back for Homecoming 1995 on Saturday, September 30. The law school was decked out in purple, green and gold balloons and beads – the colors of New Orleans – and students were on hand to meet and greet returning graduates.

The second annual All-Alumni Luncheon spilled out of Wesemann's student lounge and into the Duesenberg Commons, as more than 120 alumni and friends returned for the Homecoming weekend. The buffet table never ran empty, though, and folks from classes back to the 1940's mingled with recent grads. The Student Bar Association led tours of the building, and other student groups provided alumni with info about current law school organizations and projects.

Mark your calendars now for next year's law school Homecoming, slated for Saturday, October 12, 1996. Join friends old and new back in Valparaiso for a weekend of reminiscing and creating new memories! For more information, call Kristin Jass in the Office of Alumni Relations at 800-262-0656.

Alumni Receptions

Alumni gather in Chicago for ABA Annual Meeting

The Windy City hosted the 1995 ABA Annual Meeting, which meant plenty of VUSL grads were on hand for a special alumni reception this past August. Though the Midwestern heatwave showed no signs of abating at that time, the Sheraton Hotel & Towers provided a welcome break and opportunity for mixing and mingling. More than 60 alumni attended the cocktail reception, catching up with Dean Gaffney, VUSL professors, and classmates from across the country.

Indiana State Bar Annual Meeting attracts alumni and friends

Once again, VUSL alumni traveled down to the French Lick Springs Resort in southern Indiana for the ISBA Annual Meeting. The grand old resort played host to last year's event, and will also host next year's much anticipated 100th anniversary celebration for the Indiana Bar Association. More than 40 alumni and friends gathered this past October to talk shop and catch up on personal accomplishments. V.I.P. guests included Indiana Appeals Court Judge The Honorable Betty Barteau, and past President of the VUSL Alumni Association Magistrate Diane Kavadias Schneider.

Illinois Bar reception at Sheraton Chicago

VUSL alumni braved the holiday crowds and winter temperatures to attend the Illinois State Bar reception this past December at the Chicago Sheraton Hotel & Towers. The highlight of the annual reception was a business card raffle drawing for a number of law school items including a VUSL sweatshirt. Dean Gaffney and Professor James Smoot did the honors for the grand prize drawing, surrounded by alumni from the classes of 1995 back to the 60's.

Society of the Golden Gavel Reunion

This first-ever reunion for folks in the Classes of 1955 and prior ("The Society of the Golden Gavel") was a resounding success! Reunion co-chairs Harold "Pinky" Couillard and Ken Roeh orchestrated a standing room only dinner celebration at The Strongbow Inn on Saturday, September 30.

More than 60 people traveled back to Valparaiso to share stories of law school days and news of the present. The dining room was crowded with friends and colleagues, posing for pictures and laughing over "remember the time" stories. Following dinner, Dean Edward Gaffney greeted the auspicious group, bringing them up to date on current law school programs and special events.
Due to popular demand, this special reunion will be an annual event at the School of Law. Harold and Ken have agreed to chair next year’s party, and they encourage everyone celebrating their 40th law school anniversary (Classes of 1956 and prior) in '96 to come back for what promises to be another rousing party! If you are one of these special graduates, please mark your calendar for Saturday, October 12, 1996 and watch your mailbox for more information.

Class of 1985 - 10th reunion

The Class of ’85 braved an unseasonably early October cold snap to celebrate its 10th Reunion this past fall. Chairs Kristan Zuck Newhouse, Dana Wachs, Jennifer Stocker Farmer, and Mark Van Der Molen organized both lunch and dinner activities for classmates and their families.

Starting with a luncheon picnic at the Glenrose Park in Valparaiso, people donned coats and gloves, smiling and laughing despite the north winds. Professor Bruce Berner, and Deans David Vandercoy and Curt Cichowski flipped burgers and dogs on the grill, which later served as a hand warmer for chilly classmates.

The dinner celebration at Indian Oaks Resort in Chesterton was marked by warmer temperatures and spirits. More than 40 classmates and friends milled about during cocktails, taking pictures and trading business cards. After dinner, Assistant Dean Cichowski thanked everyone for traveling back to Valpo and shared a few recollections about the Class of ’85, the last class to graduate from the overcrowded Wesemann I. Classmates shared updates on their careers, families, and hobbies, and raised a glass to those of you unable to attend the party.

Classes of 1969 & 1970 - 25th reunion

Members of the Classes of 1969 and 1970 celebrated a combined 25th Reunion this past September. Many folks pulled into town early, attending the All-Alumni Luncheon at the School of Law before heading out to the Radisson Hotel in Merrillville for a celebration dinner. Classmates traveled back from Pittsburgh, Louisville, and the surrounding Midwestern states to shake hands and catch up on personal and professional accomplishments.

Dean Edward Gaffney addressed the group gathered for the dinner event, thanking them for their unique contributions to the law school community and to their own communities. The highlight of the evening was an “oral yearbook” presented by class members as they related news of their current endeavors and shared “favorite law school stories” with the group.

Stephen Todd, '69, and Bruce Youngman, '70, co-chaired the special event, and they are already gearing up for their 30th Class Reunion sometime in the year 2000!

Indiana Court of Appeals hears case at Wesemann Hall

Alumnus Robert Rucker visited the law school this past November in his role as a judge for the Indiana Court of Appeals. The Court panel, composed of Chief Justice John Sharpnack, Justice Betty Barteau, and Rucker, heard oral arguments in the case of Starzenski v. City of Elkhart.

The dispute in this case originated when the City of Elkhart cited Starzenski’s property for being in violation of a city ordinance prohibiting the accumulation of large amounts of trash on private property. On several occasions (after City hearings), the City ordered the Starzenskis to clean up their property, both inside and out. The Starzenskis did not comply with these rulings, and eventually the City Building Department entered the Starzenski property to clean it up. The Starzenskis then filed suit against the City of Elkhart. In this appeals case, the Starzenskis raised numerous arguments, including...
whether the City violated their rights by entering their property and removing articles without obtaining a court warrant and without financial compensation for the removed articles.

After arguments, the judges took questions from the audience. Members of the Moot Court Society hosted a reception in the Duesenberg Commons following the proceedings.

Alumni invited to join faculty & VIPs in Cambridge

The School of Law is pleased to open this year's summer law program in England to VUSL alumni. Scaled for July 3 through August 7, 1996, alumni may join Dean Caffney, VUSL faculty, and special guests — former Supreme Court Justice Harry Blackmun and Gerald F. Uelmen, member of the Simpson defense team and former dean of the Santa Clara School of Law — in Cambridge.

Courses this summer are being taught by Professors Laura Gaston Dooley, Richard Hatcher, and Seymour Moskowitz. Professor Dooley will offer a class entitled "Feminism & Law: A Comparative Approach." Professor Hatcher, who will team teach with Gerald Uelmen, will offer the course "Race Relations: A Comparative Study of Legal Approaches." And, Professor Moskowitz will teach on "Comparative Family Law." These courses qualify for CLE credits.

Alumni will be asked to provide their own travel arrangements for this program. The law school will recommend two facilities for lodging while in Cambridge, or alumni are welcome to make their own plans.

Don't miss this wonderful opportunity to visit historic Cambridge and delve into international law. For further information, please call Kristin Jass in the Office of Alumni Relations at 800-262-0656.

Save the Date - 1996 Class Reunions

Mark Your Calendars!

If you are a member of the Class of 1956 or prior, please join us for the 1996 Golden Gavel Reunion, Saturday, Oct. 12, 1996 at The Strongbow Inn. Watch your mailbox for further information.

The Class of 1971 will celebrate its 25th Reunion and the Class of 1986 will celebrate its 10th Reunion in '96! If you're interested in helping plan these special celebrations, please call Kristin Jass in the Office of Alumni Relations at 800-262-0656, opt. 3.

Save the Date! Upcoming special law school events

Tuesday, Jan. 23: Swygert Moot Court Competition
Wesemann Hall & Valparaiso Center for the Arts
Supreme Court Justice Antonin Scalia and Federal Appeals Court Judge Guido Calabresi preside at this annual event.
4 p.m. Public lecture by the Honorable Antonin Scalia,
Chapel of the Resurrection

Feb. 19 - 23: Law Week
Saturday, Feb. 24: Barrister's Ball
The Radisson Hotel, Merrillville

Saturday, Apr. 20: Alumni Association Board of Directors meeting
9 a.m., Wesemann Hall

Friday, May 17: Champagne Reception for new graduates
5 - 7 p.m., The Strongbow Inn, Valparaiso
Sponsored by the VUSL Alumni Association

Sunday, May 19: Commencement
1:30 p.m., Chapel of the Resurrection, Valparaiso
VUSL Alumni Association membership strong in 1995-1996

Take a look at what your Alumni Association has done the past several months: hosting cocktail receptions for alumni in Chicago and Indiana, sponsoring the All-Alumni luncheon during the 1995 Homecoming Weekend, providing the traditional coffee service for students during exams, working with student organizations to provide networking opportunities for students and alumni.

The excitement continues this coming semester with a visit from Supreme Court Justice Antonin Scalia, who will participate in the annual Swygert Moot Court competition this month. The Alumni Association is also planning events in Indianapolis, South Bend and Fort Wayne this spring (watch your mailboxes for further information) and will, of course, host the annual Champagne Reception for new graduates during Commencement Weekend in May. Additionally, the Association, along with the Office of the Dean, invites you to travel to Cambridge, England, to participate in this year’s exciting summer law program. Guest lecturers include former Supreme Court Justice Harry Blackmun, and member of the O.J. Simpson defense team Gerald Uelmen (see page 6 for more information). This is a once in a lifetime opportunity, so consider spending a week or two with us in historic Cambridge for this fascinating program.

And finally, special thanks to this year’s dues paying members of the Alumni Association listed to the right. If you're a card carrying member, I'm sure you’ll agree that the benefits of membership are well worth the low $30 annual fee. It’s not too late to sign up — don’t miss out on another month of terrific events!

I’m looking forward to serving you through the Association,

-David Hollenbeck, ’74
President, VUSL Alumni Association

Jon Abernathy
Susan Adams
Steve Affeldt
William Alinka
David Alfredson
Diana Allen
David Allen
Jack Allen
Larry Allen, Jr.
Richard Altbelli
William Andersen, Jr.
Dale Anderson
Kevin Anderson
G. Allen Andrews, Jr.
M. Catherine Andres
David Appel
David Bahmann
Stephen Bannwarth
Robert Bartelt, Jr.
Louis Bartelt
Jennifer Basart
Robert Beer
Roger Benko
Barry Bergstrom
Richard Berman
William Berndt
Lucia Bertron
William Beu
Elizabeth Bezak
Lloyd Bierer
Quentin Blachly
Don Blackmon
Michael Blaize
A. Dale Bloom
N. Cornell Boggs, III
Barbara Boiling
William Boltz
Jeffrey Bork
Carol Ann Bowman
Bryan Bradley
Mark Bremer
Stacey Brooks
Edwin Brown, Jr.
Ann Brown-Stoltzer
Kenneth Bruce
Sharon Buckler
Ronald Bukema
John Bulma
Otis Burnside
Roger Burnus
David Butterfield
Gary Calhoun
Ronald Campbell
James Canicole
David Capp
Bruce Carr
Andrew Carter
Bernard Carter
Aaron Casady
Patricia Caufield
Keith Cermak
James Chovanec
Scott Christopher
Deborah Chubb
MaryLo Cianciolo
Eric Ciesielski
David Clark
Michael Clark
James Clement
Sally Cloyd
Norman Cobb
Thomas Cockrell
John Colip
Mary Lou Connolly
William Congen
Monica Conrad
Helen Contos
Robert Cook
Gregory Copp
Michael Cork
Kris Costa Sakellari
Harold Couillard
Karen Coulis
James Cowlin
Robert Coyne
Rhonda Craig
Nadine Dahm Klein
Roy Dakich
Gregory Deck
Wayne Dufford
William DeGan
Jon DeGuilio
John DeLaurenti
John Delworth, Jr.
William Demmon, Jr.
Scott Dempsey
Thomas Densford
Debra Desflas
Louis Desenberg
Randi Desu
Robert Digman
James Dimitri
Robert Doelling, Jr.
William Donaldson
Stephanie Doran
James Douglas
Robert Duerr
Richard Duesenberg
Robert Duesenberg
Jeffery Dywan
Edwin Eich, Jr.
Joanne Eldred
Scott Ellis
Kay Engelbrecht
Leane English Cerven
Lowell Ensen
Richard Eynon
Jerome Ezell
Michael Faehnner
Marie Failing
Dominic Farina
Richard Federico
Donald Fellows
Eileen Fitzgerald
Reynolds Floral
M. Elizabeth Flores
John Flynn
F. Jack Foersterling
David Forbes
Katherine Forbes
Melvin Frederick
Eric Frese
Herbert Frese
John Friel
Aris Gallios
Lawrence Gallman
Katherine Gerken
Gary Gilbert
Wendell Godd, II
Anita Gordon
Frank Gray
Terry Gray, Sr.
Debra Grisham
Galen Grote
Thomas Guelsow
Thomas Guest
Ted Habermann
Stan Hafferman
Henry Hagen
Richard Hakanson
Deborah Hale Lucas
Raymond Hall
John Hallacy
Judith Haller
Robert Hamann
Thomas Hamilton
Shere Hampshire
Jennifer Hard
Michael Handlon
Steven Handlon
Daniel Hands
Mark Hardwick
Patrick Harrington
Frank Harris
Mark Harris
Duane Hartman
Gregory Hazan
William Heerman
Chicago alumnae chairs 1995-96 Dean’s Annual Campaign

The Dean’s Annual Campaign (DAG) is being chaired this year by one of its strongest supporters, Sharon King, ’57. King has been a longtime financial partner of the law school, working to enhance Valpo’s national reputation. “We’re delighted to be working more closely with Sharon this year,” said Assistant Dean Curt Cichowski, Director of Development. “I know she shares our commitment to scholarship, integrity, service and community — ideals we have been committed to for nearly 125 years.”

King is a partner at Sidley Austin, an international firm based in Chicago. Currently her work focuses on federal tax matters. Prior to entering private practice, King served as a trial attorney in the U.S. Department of Justice in Washington, D.C., on the Attorney General’s Honor Program. In that capacity, she argued tax cases for the United States in virtually every U.S. Court of Appeals in the country.

A graduate of Mount Holyoke College, King graduated first in her class at VUSL in 1957 and went on to Georgetown University School of Law where she earned an LL.M. in Taxation.

King gives yearly to the law school, primarily through gifts of appreciated stock — a contribution method she recommends to other alumni and friends (see article below). “We’re off to a terrific start with this year’s DAG. If you’ve already made your gift to the law school, my sincere thanks! If not, I’m looking forward to hearing from you,” King said.

“The Dean’s Annual Campaign supports so many important programs, including student scholarships, the legal clinic, faculty research and development, and a host more. I truly believe lawyers have a professional and personal responsibility to serve their communities. Giving to the School of Law is a terrific way to do just that,” King added.

The Real Value of Stocks

can be realized through charitable giving. Using qualified appreciated stocks (QAS) to fund your gift to a charity, such as VUSL, will cost you less and can provide the freedom to make that significantly larger gift you always hoped to give.

Here’s how it costs you less: assume you have decided to make a $1,000 gift to the Dean’s Annual Campaign this year. You have some QAS for which you paid $600 and have a current market value of $1,000, and you want to use this stock to fund your contribution. Instead of selling the stock, gifting the stock to VUSL saves you $12 (assuming a 31% federal tax bracket and excluding any additional state tax savings). The savings is generated by the avoidance of the capital gains tax which is assessed on the sale of the stock. THERE IS NO CAPITAL GAINS TAX ASSESSED ON THE TRANSACTION WHEN YOU GIFT THE STOCK TO VUSL.

Here’s how you can make a significantly larger gift and get a substantially larger charitable deduction: assume you do not want to “spend” more than $1,000 to make your gift. You could use cash, but you have some QAS for which you paid $1,000 and which now has a market value of $2,500. If you contribute the cash, you have made a gift of $1,000 which costs you $1,000 and which generates a federal charitable deduction of $1,000 (a $310 value at the 31% federal bracket). But if you gift the stock, you now have made a gift of $2,500, which generates a charitable deduction of $2,500 (a $775 value at the 31% bracket)! And, your cost of making this substantially larger gift, and generating a more than double charitable deduction, is still $1,000, your cost basis in the stock (of course, you are also making a gift of the appreciation, but, again, you avoid capital gains taxes).

“Qualified Appreciated Stocks are any stocks in a corporation for which market quotations are readily available on an established market and which, if sold, would result in long-term capital gains.

Take full advantage of the value of your stocks and the benefits of charitable giving. For more information about gifting QAS, please contact Curt Cichowski at the School of Law: voice: 1-800-262-0556; fax: 219-465-7872; e-mail: ccichows@wesemann.law.valpo.edu
Anne Penway joined the VUSL staff this past October as the Director of Admissions and Student Relations. Anne received her law degree in 1985 from the Northwestern University School of Law, and her B.A. cum laude from Pomona College in 1981.

In 1988, after practicing in the areas of general business and labor litigation, Anne left private law practice to join the American Library Association (ALA) as Assistant Director of the Office for Intellectual Freedom. At ALA, Anne was responsible for implementing the American Library Association’s intellectual freedom program and for educating library professionals and the public at large about ALA’s First Amendment rights. Anne has appeared in the national media including “Talk of the Nation” on National Public Radio, and in The New York Times as spokesperson on behalf of the freedom to read.

Anne is an experienced stage performer. She is a graduate of the Second City Training Center, has appeared with the ImproOlympic, for several years annually in the Chicago Bar Association Christmas Spirits Show, and can occasionally be heard in empty rooms and hallways keeping her operatic voice in shape.

Michael Bushbaum joined the VUSL library staff this past semester as the Public Services Librarian. Born in Colorado, Mike has spent most of his life west of the Rockies, graduating from the University of Nevada-Reno in 1990. He earned a J.D. with a certificate in environmental and natural resources law from the Northwestern School of Law at Lewis & Clark College in 1993, and went on for a Masters in Librarianship from the University of Washington. Mike adds that he may be one of the only lawyers to have worked as a casino bartender for eleven years prior to attending law school.

He is an avid amateur photographer and has presented shows in Colorado and Nevada. Mike says he is anxious to get out his equipment and start exploring his new Midwestern digs this winter.

The Office of Career Services welcomed another staff member this past December with the addition of Anita Rees as Assistant Director. Anita graduated magna cum laude with a Psychology degree from Bethel College in St. Paul, Minnesota, and earned a masters degree in Human Resource Management/Industrial Relations from the University of Minnesota. Initially she worked as a Language Instructor at Lincoln Christian College and then in the Ombudsman Office at Southern Illinois University. Most recently she served as a customer service representative for the Whirlpool Corporation in LaPorte, Indiana.

Anita says she is looking forward to using her experience in communication, public relations, human resource administration, and student relations in this new position. And, she’s ready to work with VUSL alumni to strengthen the law school’s career programs.

In October, Kimberly Jenkins joined the law school staff as the new Financial Aid Counselor. Kim earned both her Bachelors and Masters degrees from Edinboro University. After graduating with an M.A. in Higher Education Administration, Kim began her career at Michigan State University. From there she went to Wheeling Jesuit College in Wheeling, West Virginia, as the Director of Campus Life. She has held various administrative positions and most recently served as the Director of Community Service Alliances with the Student Services Office at Waynesburg College. Over the years Kim has lived in Ohio, Michigan, New York, and Pennsylvania and now says she is looking forward to calling Indiana home.
**faculty actions**

**Professor Mark Adams** is awaiting publication of "Fear of Foreigners: Nativism and Workplace Language Restrictions" in 74 Oregon Law Review (forthcoming). He was also chosen to be an arbitrator for expedited arbitration cases between NIPSCO (local utilities company) and the United Steel Workers of America.

This past September, **Professor Bruce Berner** presented a CLE seminar entitled, "An Indiana Update on Criminal Law." He also spoke to the ETC campus group on the O.J. Simpson case this past November. Berner is currently serving as Chair and Draftsperson for the City of Valparaiso's Task Force on Signs and the Sign Ordinance.

**Professor Robert Blomquist** presented a paper this past November at the American Law Association's Conference on Agricultural and Environmental Law in Kansas City, Missouri. His article, "To Stir Up Public Interest: Chairman Edmund S. Muskie and the United States Senate Special Subcommittee's Water Pollution Investigations and Legislative Activities, 1963-66, A Case Study in Early Congressional Environmental Policy Development" is forthcoming in 21 Columbia Journal of Environmental Law (1996). A second forthcoming article, "Applying Pesticides: Toward Reconceptualizing Liability to Neighbors for Crop, Livestock and Personal Damages from Agricultural Chemical Drift" will be published in 49 Oklahoma Law Review (1996). In addition, during the past several months, Blomquist has provided consultation regarding environmental policy ideas to Indianapolis Mayor Steven Goldsmith, who is a Republican candidate for Indiana Governor in the upcoming election. Blomquist has also provided advice and policy ideas to Gregory F. Zoeller, GOP candidate for Indiana Attorney General in the upcoming 1996 election.

**Professor Ivan Bodensteiner** published an article entitled, "Consumers Beware: A License to Injure" in 29 Valparaiso University Law Review 1995. He co-authored a text entitled Evidence Cases and Problems second edition 1995. Additionally, the Indiana Civil Liberties Union Journal printed his article entitled, "Affirmative Action The Need for Leadership." As seminar chair for ICLEF, Bodensteiner also presented a CLE program this past December entitled "Keeping Secrets in Litigation: Privilege & Confidentiality."

**Professor Laura Dooley** is back at the law school after having served as a visiting professor at the Washington University School of Law this past summer, and at the University of Missouri at Kansas City this past spring. Her article, "Our Juries, Our Selves: The Power, Perception and Politics of the Civil Jury" was published in Volume 80 of the Cornell Law Review. Dooley was a panelist at the joint session of the Civil Procedure and Alternative Dispute Resolution sections of the Association of American Law Schools, where she presented a feminist analysis on the issue of secrecy and protective orders under the Federal Rules of Civil Procedure. She also served as a panelist in the plenary session of the Indiana Bench-Bar conference on civility in the profession. Dooley was promoted to the rank of full professor this past semester.

**Marcia Gienapp**, Director of the Legal Clinic, reports that 35 student interns worked in Heritage Hall during the fall semester, serving more than 300 clients. This past October, the Clinic participated in a Social Services Fair which informed other local agencies about clinical programs. Gienapp is also happy to announce that Heritage Hall has finally been "wired," connecting the faculty and staff to the Wesemann computer network.

Technical Services Librarian **Naomi Goodman** presented a paper at the sixth annual Asian Pacific Specials, Health, and Law Librarians' Conference in Sydney, Australia, this past August. The paper, which she co-authored with Carole Hinchcliffe of the Ohio State University College of Law Library, was on
"OhioLINK," Ohio’s statewide network of 41 academic libraries and related library services. Goodman also coordinated and moderated a program at the annual meeting of the American Association of Law Libraries in Pittsburgh this past July. She served as a member of the AALL Statistics Committee, which produces a nationwide salary survey of law librarians and library staffers, from 1994-1996.

Professor Richard Hatcher has been involved in a number of national and international activities including his recent appointment to the Steering Committee for President Clinton’s 1996 Presidential Campaign. Additionally, Hatcher was reappointed to the Board of Directors for the Yeager Scholars Program at Marshall University in West Virginia. This program seeks out the “best and brightest” high school students from around the country, offering them four years of independent study in the discipline of their choice and a year abroad. He also sits on the Board for Innovations in Government, a Ford Foundation funded program which gives monetary awards to persons or groups who have creative suggestions for improving government at the local, state or federal level. Hatcher also recently rotated off the Boards of the Alumni Executive Council at Harvard’s Kennedy School, and the Trans Africa Committee, having served as Chairman for each of these groups. This past July, he gave the keynote address at the Conference on Civil and Human Rights in America which was held in Memphis.

Sally Holterhoff, Government Documents Librarian, is serving as President of the Chicago Association of Law Libraries. She is the first Indiana law librarian to head this 350-member organization, which is composed of Chicago area firm, academic, court, and corporate law librarians. In July, Holterhoff began a two-year term on the Public Relations Committee of the American Association of Law Libraries. This past November, she was elected Secretary of the Federal Depository Representatives Committee of INDIGO, the Indiana Government Documents Association.

This past September, Professor Rosalie Levinson delivered a "Constitutional Law Update" lecture at the Continuing Legal Education Forum in Indianapolis. She also spoke at this year’s Institute for Law and Pastoral Ministry conference, held annually at Wesemann Hall, on “Current Cases Affecting the Church.”

Professor Joellen Lind’s article on woman suffrage, “Dominance and Democracy: The Legacy of Woman Suffrage for the Voting Right” was published this past spring. This past September, she gave a paper entitled "Voting and Emancipation: An Historical Sketch of the Woman Suffrage Movement” at the University of Missouri-Kansas City. In addition, Lind was named to the Executive Committee of the AALS Section on Civil Procedure and wrote and edited its annual newsletter which includes an update on all developments in civil procedure (the newsletter was distributed this fall to all civil procedure professors). Lind is also chair of the Coif Committee at VUSL.

Professor Seymour Moskowitz completed the annual update of Volumes 11-16 of Discovery Treatise, published by Nathan Bender. He delivered a lecture on “Drug Testing in the Workplace” this past October at Indiana University-Northwest. Moskowitz also served as a panelist this past November at the annual Institute for Law and Pastoral Ministry on "The Church as Employer." He will be traveling to the nation’s capital where he will serve as a visiting distinguished professor at the American University Law School.

Professor David Myers recently received the American Agricultural Law Association’s (AALA) Distinguished Service Award for professional excellence in agricultural law. Myers has been involved with AALA since its creation in 1980. In 1981 he was elected to a three-year term on the Board of Directors for the Association. During that term he led a
Ruth Vance

**faculty actions**

memberships and which increased the roster from 500 to more than 750 members. This past September, he participated in the second Euro-American Agricultural Law Symposium, a joint meeting between the AALA and the Agricultural Law Association of the United Kingdom, in Oxford, England. At the Symposium, Myers delivered a paper on the legacy of Jeffersonian agrarianism.

**Professor Mary Persyn** gave a presentation on Law Library Administration this past July at the American Association of Law Libraries annual meeting in Pittsburgh. She also gave a presentation on Indiana Raffle Law at the fall meeting of the Indiana State Quilt Guild. Persyn has been appointed Chair of the Bylaws Committee of the Indiana Cooperative Library Services Authority, and is a member of the Pricing Task Force of the Private Academic Library Network of Indiana.

Career Services Director **Gail Peshel** was recently quoted in a new publication entitled, "Guerilla Tactics for Getting the Legal Job of Your Dreams...Regardless of Your Grades, Your School or Your Work Experience!" Peshel has also been appointed by ABA Law Practice Management Chair Lowell Rothschild to the "Beyond the Breaking Point" task force.

**Professor Jack Hiller** attended the annual meeting of the American Society of Comparative Law as director of the event. He also participated in its Conference on Equity in the World's Legal Systems.

**Professor John Potts** reports that he has been elected president of the St. Thomas More Lawyers Guild.


**Professor Richard Stith** has been awarded a Fulbright grant to teach law and philosophy in Kiev, Ukraine from January through June 1996. This grant is the fifth Fulbright Stith has been awarded through this prestigious program. In addition, his article "Unconstitutional Constitutional Amendments: The Extraordinary Power of the Supreme Court of Nepal" was printed in Asia Law Review 38 (New Delhi, 1995). Stith also attended the first annual convention of The National Lawyers Association as an Honorary Trustee.

**Professor Ruth Vance** is proud to announce that the VUSL negotiation teams placed first and second at the regional competition held in Lansing, Michigan, this past November. Vance, who coaches the teams, reports that both squads will advance to the national competition to be held at the ABA Mid-year Meeting in Baltimore on February 3-4, 1996. Twenty teams from Indiana, Michigan, Ohio and Canada, representing Ohio State, the University of Michigan, Notre Dame, the University of Louisville, and others, competed against VUSL's representatives. Additionally, Vance chaired a panel discussion on implementing curricular change at the first national conference for directors of legal writing programs which was held in San Diego this past July.

**Professor Linda Whitton** has given a number of presentations recently, including a paper this past September entitled, "Empowerment of the Elderly through Private Legal Documents: The American Legal Experience with Advance Directives" at the International Federation of Aging's Global Conference in Jerusalem. At the annual Institute on Law and Pastoral Ministry, Whitton gave a presentation on "Church Property Issues: Usage, Taxation and Liability." Finally, this past December in Indianapolis, she gave an ICLEF presentation entitled, "Current Issues in Health Care Advance Directives."
This issue of the Amicus features three law school alumni who are part of the judiciary. The compass, illustrating the magazine's cover and this section, points to Northwest as its "true North." Valparaiso University School of Law located in Northwest Indiana became "true North" for these three talented individuals as they began their legal careers.

Judge Robert Rucker sits on Indiana's Court of Appeals for the Fifth District. Judge David Sawyer serves as an Appeals Court judge in Michigan, and Judge Sheila Moss navigates the often chaotic Criminal Court system in Lake County, Indiana.

All three talk candidly of their experiences in front of, and now behind, the bench. They reveal their professional paths from law school to the courtroom, and share their beliefs about the justice system as attorneys and as judges.

Their experiences are as varied as their unique personalities. Yet all three point to VUSL as the foundation for their current success. And they struggle, each day, to interpret and apply the law as integral members of our American justice system.
Rucker's Road:
An Alternate Route From Gary to Indianapolis

The thick, woody scent of tobacco permeates Robert Rucker's office. Pipes are strewn across the top of his desk, trailing over to the credenza behind it. I comment on the surprising aroma as we shake hands. He smiles broadly, creating a dimple, and explains that this habit is all Charlie Gromley's fault. "I was always studying for Professor Gromley's class in the library. I was a cigarette smoker during law school, but it was too messy to have a cigarette in my mouth while I was rustling through papers and taking notes. So I switched to a pipe," Rucker says, chuckling. Apparently the thought of simply quitting didn't occur to Rucker. He adds quickly that of course he wasn't supposed to be smoking in the library at all. But rules or not, the habit took and now Rucker has more pipes than he can count.

Nearly twenty years after Gromley's property and trusts & estate classes, pipe smoking befits the man Rucker has become. Though he is not a large person, he fills any room he enters. His quiet consideration for the law and his place in what he calls "an awe-inspiring system," have led him to a seat on the Indiana Court of Appeals for the Fifth District. His Valparaiso law school diploma hangs on the wall over his desk next to his Court of Appeals certification. It has been a long, interesting journey from a crowded childhood in Gary, Indiana, to the state's second highest court.

Robert Rucker was born the oldest of twelve children and began life in a small, rural Georgia town. "The community was probably half the size of this room," he says, glancing around his downtown Indianapolis office. "Population maybe 300, and that included the cows and chickens." While he was a baby, his parents moved from Georgia to Chicago, and then on to Gary where he spent most of his life.

Even with a dozen children, Rucker says the household was well disciplined. "And the incessant drumbeat while I was growing up was 'you've got to go to school'." As the dutiful first child, Robert made his father, a construction worker, and his mother, a domestic worker, proud by enrolling at Indiana University Northwest after graduation from Gary Roosevelt High School.

Though it had been drilled into his head that college was a necessity, Rucker admits that he had no idea what to study when he enrolled. He began taking sociology classes but was frustrated by the lack of absolutes in the field. He longed for challenges that could be solved with one correct answer.

After floundering for a while longer, Rucker decided that he wanted to go to medical school. "I became absolutely obsessed with
Rucker explains. "He said if I really wanted a challenge I should take five hours of physics, five hours of chemistry and five hours of German. I didn't realize he was kidding, so guess what I signed up for? Well, he was right I was challenged. And actually, I found it exciting because there were formulas, there were absolutes in those subjects. That's exactly what I wanted. I could do an experiment, get an answer and, eureka! There were definites."

By this time Rucker was married and had begun a family. He was taking classes while working, and trying to finish up his undergraduate degree as quickly as possible. "I think it was 1973 or so," Rucker says, leaning back in his black leather chair and looking out his 12th story office window across the tree tops. "It was obvious that I was getting older and had to finish this degree. I had to take organic chemistry that summer to stay on track but the course wasn't being offered anywhere, not even in Chicago. I got so frustrated I started to think about abandoning my whole plan."

That same summer, Rucker had occasion to visit the law offices of Alton L. Gill, an attorney in Gary. Just out of Howard University School of Law, Gill was tremendously enthusiastic about the law and its ability to affect social change. His energy was contagious and Rucker began thinking that perhaps he had stumbled upon a new plan. "That was such an inspirational meeting for me," Rucker says, recalling the happenstance conversation that changed his life. "Attorney Gill encouraged me to go to law school, so I went home, counted up my college credits and figured out that with a few more sociology credits I could get a degree and start law school in 1974." That is precisely what Rucker did.

He applied to a number of law schools and selected Valparaiso because he could commute from his Gary home to classes. Rucker discovered very quickly that he had made the right choice in opting for law over medical school. He loved legal studies, particularly the intellectual challenge. The traditional Socratic method satisfied his yen for structure and logic. "Now I realize that law school is one of the rare opportunities young lawyers will ever have to examine our reasons for existing. Once you're practicing, you get bogged down in procedure, and you never have the same opportunities that you had in law school to intellectualize and debate," Rucker says. "Being at Valpo was a tremendous experience for me. Berner, Gromley, Meyer, Hiller — you know, they're the best teachers. I am truly proud to be an alumnus of Valparaiso."

His thirty months at VUSL served him well, and Rucker began working for the East Chicago firm of W. Henry Walker & Associates after graduation in 1977. He had clerked for Walker during his final year at Valparaiso, and Mr. Walker had become a mentor to Rucker. Walker & Associates was a small, neighborhood practice, and Rucker gained experience in a wide variety of areas. He also stayed active in local social and political concerns, even making a bid for state representative his first year after graduation from law school. Though it was an unsuccessful attempt, Rucker says, "it was a great experience for me — a real baptism by fire." And his first foray into the public arena.

After several years with Walker & Associates, Rucker accepted an offer from the Lake County Prosecutor's Office to join their Career Criminal Strike Force. He spent six years at the Prosecutor's office — enjoying every minute of it — before rejoining Walker & Associates. After a half-dozen more years, Mr. Walker died, and Rucker bought the firm and hung out a new shingle: Robert D. Rucker, Attorney at Law. It was during this period that Rucker finally began contemplating a run for the judiciary.

At that time, Indiana was expanding its State Appeals Court from four to five districts. As a result, three new slots were open and there were rumblings that the state was looking for minority candidates for the new district. Rucker explains that he wasn't terribly excited about the idea of applying for a position, but a colleague got him an application and strongly urged him to consider the idea. "There was a tremendous amount of competition for those openings," Rucker says, "and there
had never been an African American on the Indiana Court of Appeals or the state's Supreme Court. I wasn't terribly encouraged that anything would come of my application." But after several rounds of interviewing and background investigation, Rucker found himself on a short list of nine candidates submitted to the Governor of Indiana for consideration. "I was tremendously honored just to be on the list. I knew what the competition was like for the positions, and if nothing further had happened beyond that point it would have been the highlight of my career," he says.

But the phone in Rucker's apartment rang one Saturday afternoon and the Governor was on the other end of the line. He congratulated Rucker and told him that he would be sitting in one of the three seats on the newly formed Fifth District Court of Appeals. Rucker was bowled over.

Five years later, Rucker gives the impression that he is still bowled over. Although his gracious, self-assured manner belies his position, Rucker is genuinely intrigued by the law and the system built around it. He is a modest man who says he is not a scholar, yet obviously thinks a great deal about the law and how it affects individuals and society. And he has never forgotten the lesson he learned long ago from Attorney Gill: that lawyers should be active members of their communities.

"I really do believe that being a judge puts me in a position to affect change in people's lives on a much broader scale than what I could do as an individual lawyer," Rucker says intently. "I realize that what I write has potential to become the law of the state, therefore I might be able to positively affect the lives of scores of people —

Asked what he never expected about sitting on the bench, Rucker folds his hands, leans forward and smiles broadly, saying, "As a lawyer, I was a table-pounder. I thought judges made decisions by flipping coins. They would rule against you, and you knew they were wrong. It didn't make any sense." But after thousands of pages of research, rivers of ink, hundreds of hours spent in debate, Rucker has changed his mind. "My attitude about judges has changed. I have a greater respect for being on this side of the bench. I no longer believe that judges flip coins. Now I see that the process is far more deliberate. And all of this has given me a much greater respect for the system."

That said, Rucker does his best to leave the system behind at least one weekend a month to pursue his other passion: fishing. He and a group of "buddies" (one conjures up images of robed men wearing fishing hats) travel the state, fishing in Indiana's finest lakes. Their prey: bass. "Those poor fish don't stand a chance," Rucker says laughing and shaking his head. "There's enough electronic gear on a bass boat to equip a submarine."

Even with outside distractions, the long hours of work, the immense amounts of reading, and the serious consequences of his decisions take their toll and give pause to this man raised in a poor family full of children. "Sometimes this job is not very easy," he concedes. "When you put on a robe you don't cast off your personal experiences. All your baggage plays into the final decision. You bring all this stuff with you and the best you can do is hope you get it right," Rucker says of the personal and professional philosophy he lives by. "If you approach this job in such a way that there is a certain amount of logic and consistency and rightness, well then, you can sleep at night pretty well."

Though he is content to remain a judge for the time being, Rucker entertains thoughts of going back to law school some day as a professor. "I think I would enjoy teaching and the classroom environment," he says thoughtfully. Perhaps some day Robert Rucker will take his place alongside the best Valpo has to offer, teaching new lawyers what he has learned along the way from Gary to the bench.

By Kristin Jass
CHAOS
IN THE CRIMINAL COURTS
Sheila Moss's office makes you feel as though you should buckle up. Like a bus station during the holidays, a precarious balance has been struck between organization and chaos in the Lake County Courthouse. Employees zip up and down narrow aisles, people stick their heads around corners asking directions to the courtroom, phones ring incessantly, computers beep-beep-beep. Though simply passing through, I suppress a nagging desire to duck or to pull my feet in from the aisles lest I trip one of the bodies whizzing past.

In the midst of all the swirling noise and activity, Sheila Moss sits like an anchor, defying the chaos while cultivating order. It is not an easy task working as a judge in the Criminal Division of the Lake County Court in Crown Point, Indiana.

But Moss believes this job is, in fact, a logical evolution of her years as a prosecutor in Gary, Indiana, where, she adds, things were every bit as out-of-control as they seem to be in her current surroundings. Perhaps the chaos all around serves as the raw fuel Moss needs to deal with the sad, frustrating, and sometimes mind-boggling cases she hears each day on the bench.

On the morning I meet her, Moss sweeps into the room swathed in gold silk. She announces that she is 9 months pregnant and ready to have her baby. I hope she will wait until our conversation is over. Pregnant or not, Moss cuts an imposing figure. She has a startlingly thick, rich, deep voice that fills the room. Her gap-toothed smile often gives way to lush laughter.

Ushering me into her windowless office, I come face to face with a life sized figure of Warf, the combative Klingon of "Star Trek: The Next Generation." Invasion? Moss laughs as my eyes pop open. "I guess he is a surprise," she says, giving Warf the once over, "but I like him, and I watch the show." What next, I wonder?

On second thought, amidst all the goings-on in Moss's office, maybe Warf doesn't seem too terribly out of place. And, I note, his gold uniform matches the decor of Moss's office quite nicely. She grimaces, admitting the harvest palette wasn't her choice, but the county doesn't seem to be in any hurry to designate funds for redecorating.

Who is this person...this bold figure who houses a 6-foot, cut-out of a television character in her chambers, who reports to work in the criminal courts ready at any minute to deliver a child, who ignores the perpetual hurricane blustering outside her office door to concentrate on reading briefs and writing opinions?

To begin with, Moss is the only child of Arkansas born and bred parents who moved north to Gary to raise their daughter. She attended Catholic schools her entire life until college. "By that time, my father was retired, and I wanted to go someplace close to home," Moss says of her college decision. "It was between Notre Dame and Valparaiso, and Valpo gave me a better scholarship deal." So Valpo it was.

When Moss began at VU, she confesses that she didn't know what to major in. "I had no idea what my skills were," she says. "I was looking at nursing initially, but after a few courses, I realized that I was really more interested in my political science classes, much to my father's dismay. He
wanted me to learn technical skills at college. But eventually, I decided that I would probably go to law school, and he was satisfied with that.

How did Moss arrive at the decision to pursue a career in law? "I thought studying the law went hand in hand with things I believed in. I had been interested in social work, too, but came to see it as a band-aid for social problems. I figured if I could work inside the system I could change things up front," Moss explains. She pursued her goal and was admitted to the VU School of Law in the fall of 1978.

Moss’s instincts were on target, and she enjoyed her years in law school. "My favorite teacher was Professor Gromley. I understood his logic, and that made me happy," she says, grinning. "I also really enjoyed Professor Bartelt. He had a dry, British sense of humor that made me laugh. And I remember he loved to throw erasers at people who weren’t paying attention." Was Moss ever showered with chalk dust? She shakes her head no, throwing her head back in laughter.

Erasers aside, Moss graduated from law school in ’81 and went back home to Gary. There she joined the Gary Prosecutor’s Office where she stayed until 1989. During those seven years Moss says she saw enough for a lifetime. She worked in the Prosecutor’s Child Support Division for three of her seven years, going after parents who owed child support. During her final year in that Division, Moss and her colleagues collected $12 million from “dead-beat” parents. "At that time I really felt like we had the cooperation of social work agencies and everything else – the whole nine yards. Everything was coming together."

Despite the long hours, the often wrenching stories of her clients, and the frustration of navigating a sometimes paper-heavy bureaucracy, Moss says she valued her time in the Child Support Division. For her, that job was an ideal melding of her personal social welfare concerns and her professional legal experience. She was able to use her J.D. for exactly what she wanted to do within the legal system to affect social change.

But if things were, as she puts it, "really coming together" in the Prosecutor’s Office, why contemplate giving it up for a judgeship? For the same reasons Moss got into the legal profession to begin with. She explains, "I applied at the time there were some big controversies over the lack of diversity – both race and gender – on the Lake County bench. After thinking things over, I decided that I could cry and moan all I wanted to about the situation, but unless I was willing to actually do something about it, things wouldn’t change.

"You know, I expected to be a legal aid attorney all my life," Moss says with a smile, "so I guess it was just time for something else. When I was selected, two other women were also chosen for my panel. It’s never happened before, and hasn’t happened since, either." Most likely Warf was never a part of the Lake County Court either, but he is now, and so is Moss.

In the whirling dervish office she calls her home-away-from-home, Moss says there are no typical days. Every day is unique for a criminal court judge. She hears
cases each morning and afternoon. And she has stacks of materials to read before each trial. “I’ve given up my mystery novels,” she sighs. “I have too much legal reading to do. Most of it gets done on the weekends, or after everyone else leaves the office,” Moss says.

Nevertheless, she finds the go-go-go atmosphere challenging and exciting. “This is a rewarding job because you see instantly what happens within the system. Yes, the violence is bothersome, but we have a great many programs that I believe can truly help people.” Moss talks with enthusiasm about after-care and transitional programs for offenders. Her modus operandi is to recommend treatment first, and time served second. “The bottom line is that I can always just send a person to jail,” she says, “so people tend to take their alternatives seriously.

“Frankly, in a way this job is easier than working in the Child Support Division,” Moss says, sitting back in her chair and taking off her glasses. “In the courtroom I’m dealing with adults, whereas in Child Support I had kids all the time. The people I see now have made their own decisions. Working with children I found it very hard to keep my emotions out of situations. It’s easier to keep my professional distance from the bench,” she says.

And Moss likes her courtroom hours. Likes the hours? Moss points out that unlike practitioners who make their living via billed hours, judges work when court is in session— for her about 9 a.m. till 6 p.m. The set schedule allows her to get home to her husband Gilbert, and Gilbert III, age 4.

What, I wonder, has Moss learned from her new courtroom experiences that she hadn’t expected to learn? Her eyes sparkle and she chuckles saying, “Being a judge is a lot different than I thought it would be. It looked easier when I was a prosecutor. You know, I still do my own research on cases. This job is not just about deciding what to do, but backing up decisions with the law.

“I realize how much lawyers have to learn. You can’t stop reading once you’re out of law school,” Moss says. “No one can just know the law — there is too much. You constantly have to look things up, research points, keep abreast of changes and developments in the law,” she says, shaking her head.

Despite the overwhelming volume of “the law,” the daily caseload, and the non-stop office activity, Moss seems to keep her balance. Is Warf her secret weapon? “In a way,” she admits, letting out a deep-throated laugh. “I think you have to have an off-center sense of humor to do this. And I do have a strange sense of humor.” She also believes that her “real world” experience, as she puts it, serves her well every day. “I think it’s important that a judge has practiced law. I think you have to have an idea of what the real world is like to do a good job here” Moss says.

How does she characterize herself as a judge? “I think I’m seen as fair, which I believe is important,” Moss says. Fair as in balanced — balanced in the eye of the storm Moss walks through each day.

By Kristin Jass
After spending several hours in the company of David Sawyer, a person has to wonder if David wasn't misnamed as a child. It seems more likely that he should have been given the name Thomas — as in Tom Sawyer. Like Twain's adventurous literary character, this Sawyer is full of enthusiasm, quick humor, and a likable easiness. But David Sawyer spends his days in a courtroom rather than on the Mississippi River.

Though he has been a lawyer all his professional life, Sawyer's childhood dream of becoming a cop still seems to shape his work ethic. He comes across as one of "the good guys" — a young, energetic former prosecutor who ran for judge in hopes of making the system more responsive...a person who drove cross-country to Alaska during law school just to see the land...a person who traveled across state lines to bring back suspected criminals...a person who convened grand juries to put unsolved homicides to rest...

a regular Tom Sawyer of the justice system.

"I certainly never thought I would be a judge," Sawyer says with an easy smile. Sitting in his sprawling, windowed office which he assures his visitors was designed by the judge before him, Sawyer deals with the day's duties from behind his large wooden desk. "I've never pretended to be a scholar, but I've always enjoyed hands-on work — seeing something that's wrong and fixing it." This attitude is precisely what prompted him to pursue a career in law and to eventually run for the bench.

A Michigan native, Sawyer grew up in the household of a lawyer. During his childhood in Grand Rapids, Sawyer's father worked for one of the city's largest firms. Eventually, three of the Sawyer boys went into legal professions, but to begin with, David wanted to wear a badge. "I wanted to be a policeman," he says, grinning. "Matter of fact, I graduated from the University of Arizona with a B.S. and a major in law enforcement. But during my senior year at Arizona, my father began encouraging me to get a law degree. Eventually I gave in and started
looking around for a good law school close to home."

That good school turned out to be Valparaiso, and Sawyer enrolled in the fall of 1970 as part of the then largest class in the school's history. The Class of '73 was over 100 people — nearly three times the size of the next largest class. Despite the large number of classmates, Sawyer felt at home at VUSL. Matter of fact, compared to his undergraduate experience at the populous U of A, Valparaiso was a relief. "When people ask, I tell them to go to a smaller law school," Sawyer says as a result of his experiences. "By the second class, Professor Gromley had memorized everyone's name. That's the kind of thing I appreciated about Valpo."

After graduation, Sawyer and his wife Elsbeth moved back home to Grand Rapids. He was hired by the Kent County Prosecutor's Office and began what would be a 13-year career there. During those years, Sawyer created a victim's rights unit and a sexual abuse unit. He hired a full-time attorney to deal with juvenile court cases, and computerized the entire office. Sawyer characterizes this impressive flurry of activity as simply "my common sense approach to getting business done." Framed black and white photographs and newspaper clippings housed in his second floor office chronicle the rise of a very young, mustached Sawyer through the ranks at the Prosecutor's Office.

Sawyer managed to feed his penchant for law enforcement with a number of unusual cases. In 1981 he convened a grand jury (which eventually served for one year) to look into a string of unsolved murders in the county. While working on that project Sawyer visited a number of graphic murder scenes which he can now remember only in black and white. But he can recount, in vivid detail, some of the more colorful victories that came out of that project, including the case of Lemont Marshall.

Like an episode of "The Untouchables," Sawyer says he knew Marshall was guilty of murder, but couldn't prove it. So he subpoenaed Marshall to testify before the grand jury, and sure enough, Marshall lied under oath about his involvement in another case. "Well, we got him for perjury, and the judge gave him the maximum — 10 to 15 years. It was just like Capone. They couldn't get him for murder so they settled for income tax evasion. We settled for perjury," Sawyer says with a smile. He adds that Marshall was later convicted of another crime with the use of DNA. It's clear Sawyer relished his time chasing criminals and performing in front of juries.

"I thoroughly enjoyed being a prosecutor," he confirms. "There are only two areas of the law in which you can do exactly what you think is right. One of them is being a prosecutor. In that office, you really have the ability to create the atmosphere of right and wrong in your community. You have to deal with everyone and try to be open-minded." And the other area in which you can do what you think is right? Being a judge, Sawyer says.

However, by 1986, after a decade with the Prosecutor's Office, Sawyer was getting frustrated. The last straw was a ruling by the Michigan Court of Appeals overturning, on a technicality, a case he had tried. "The decision was based on a technicality involving jury instructions. I really felt like I had to make a choice at that point. I just didn't think the court was in touch with everyday issues anymore."

His decision? Run for the bench. He finished first in the primary and in the final election. Bringing his trial experience and his zeal for common sense to the table, Sawyer approaches the job with an appealing blend of pragmatism and sheer energy. His office is filled with books — an entire wall, floor to ceiling, of bound volumes, and another stash in a closet. Volumes fill a double-deck rack next to his desk, and stand in piles around his desk top.

Sawyer's days are filled with paper — reading briefs, writing decisions, reviewing new case law, conducting research — pools and pools of black ink created or digested by Sawyer each day. How does he cope with the reams of paper which are, nevertheless, a vital part of his job?

"You learn that you can't research every single point," he says. "If you spend too much time pondering one case, you'll leave too many others outstanding. You just have to keep reading — and learn to read fast," Sawyer adds with a chuckle.
Why all the paper? Because the judges who serve on the Michigan Court of Appeals heard more than 5,000 cases last year. Ninety-eight percent of those cases stop at the Appeals Court leaving only about 100 which travel to the state's Supreme Court.

Some 45,000 cases into his tenure as judge, Sawyer admits he has begun to think in a new way. "As a judge, you become a generalist," he explains. "When I was a prosecuting attorney I knew where the cutting edge of the criminal law was. But now, I hear so many cases on so many different subjects. I rely heavily on the practitioners who have been in the trenches to present me with the key points."

Sawyer equates his job with watching a taped replay of a football game. As my eyebrows arch in question, he laughs saying, "Sure, being an appeals judge is like watching a replay. When I was an attorney I was down on the field playing the game and the local judges were refereeing it. Now that I sit on the Court of Appeals, I simply watch the tapes. My court can't play the game over. I can't go down on the field to call a different play. In essence, I watch the game on tape to see if any of the calls that were made should be overturned."

What about his personal goal of bringing a dose of reality to that Court? He nods his head saying, "I think things have changed in the ten years since I was first elected. Our job isn't to create the law, but to interpret it. I still believe that if we interpret the law in a way that is devoid of realism — if people feel the law is not right or not fair — then the law goes into the gutter. That said, we're bound by the constitution which means we have to protect the rights of individuals which may not always mean that we make popular decisions."

But Sawyer is not now, nor has he ever been, afraid to make decisions. He relishes the enormous challenge of wearing a judge's robe. And like his counterpart in Mark Twain's famous tales of adventure, David Sawyer is enjoying the escapades along the way immensely.

By Kristin Jass
1995 stride scholars

Conversations with VUSL’s best and brightest

The Stride Scholarships were established by Herbert Stride, ’57, and his wife Dolores, in 1993. In endowing this special scholarship program, the Strides intended to bring students “whose credentials forecast extraordinary promise for a professional career” to the VU School of Law. This year’s Stride Scholars, Ruth Martin, Bob Muten, and Anthony Pearson, bring impressive academic achievements as well as unique personal experiences to the Class of 1998 and to the VUSL alumni population.

Anthony Pearson’s silver-tipped, snakeskin boots say Texas, but Tony will tell you otherwise. In fact, the Lone Star state is about as far away as you can get from his home.

Raised in Columbia Heights, Minnesota, Tony is an easy-going Northerner with that distinctive regional accent Minnesotans share with their Cannuck neighbors across the border. Though he probably wore snow boots more often than cowboy boots growing up, Tony stuck around for college, attending the University of Minnesota in Minneapolis. He was originally interested in math, but eventually found himself in communications. “I started with math and edged into economics, but found both those subjects to be too theoretical,” Tony explains. “Along the way I took a required speech class focusing on the theories of communication. I had never taken a speech class that blended theory and practice — I got hooked.”

Organizational Communication is the study of how communication works within structured groups. Tony decided it would be a pragmatic major he could use in a variety of ways, perhaps even as a lawyer. “I’m not sure I ever said to myself ‘you need to go to law school’ but my dad had suggested I think about it, and he continued to nudge me in that direction.”

In the meantime, the summer before Tony’s freshman year at U of M, he got a job at a small electronics firm working as an assembler. After his sophomore year, a technical writing position opened up at the company, and although he was young, he applied and got the job. He began working on an international standards project which, coupled with his classroom experience in organizational communication, led him back to the law.

“I began to realize that a lot of small companies don’t necessarily know how to navigate the complicated communication systems that are necessary for success,” Tony says. “I saw myself as a facilitator while I was working at that company. In the same way, I think lawyers have a great opportunity to facilitate business. Ultimately, I’d like to get involved in that area as well as preventive lawyering.” Despite his demanding schedule, Tony graduated early from college and went to work full-time for the firm while scouting around for law schools.

Tony chose Valparaiso after being selected as a 1995 Stride Scholar. He says he’s leaning toward corporate law as a career option, though someday he would like to get back into academia as a teacher. “But right now, as a struggling student, it’s hard to imagine that,” he says, laughing.

Outside of school, Tony stays busy hosting a morning talk show on the University’s campus station,
WVUR. While radio is a new venture for Tony, entertainment is not. He has braved several stand-up comedy contests "but I've never won, so I'm not sure what that says," he admits with a smile.

While his silver-tipped boots may not get any more wear in Valparaiso than they did in Minneapolis, Tony is looking forward to the challenges of the next two years and is already making plans for where those boots will take him next.

Ruth Martini story is one of both hope and pain. She chose to go back to school as a result of a floundering marriage which, she said, led her to the realization that she needed a college degree to support herself and her children. Likewise, Ruth chose to pursue a legal career because of her own difficult divorce. In spite of these trying circumstances, she is an upbeat, energetic person with a mission: working as a lawyer to make the legal system fair, compassionate, and responsive.

Ruth is a small, but clearly determined woman. Dressed in a peony-colored, cableknit sweater, jeans, and tennis shoes, she passes easily among her younger classmates. But Ruth has, as she puts it, done a lot of living, which she thinks will make her a better lawyer.

Most of Ruth's career previous to law school was spent as a full-time mother to four children. In addition, she helped her then spouse run a family business, "But I woke up one morn-

ing and said, 'Gee, I'm bored.' I believed that I had more to give, and I made a decision to go back to school to get a 2-year certificate from Purdue North Central." When she started college, Ruth told herself she would simply get an associates degree in marketing to help with the family business. "But once I got started, I didn't want to quit," she says, smiling.

Ruth enjoyed the challenge and discovered that good grades came easily. She studied hard, ending up with a 4-year degree in liberal studies from PNC. About halfway through her schooling, her already-frayed marriage unravelled further, and Ruth found herself in the middle of a messy divorce.

"Honestly, my divorce pushed me into law," she says. "My lawyer was very good, but he had not been divorced himself, and I didn't believe that he could truly understand what I was going through. My driving force in law school is my belief that I have both the intelligence and the experience to help other women and children," Ruth says of her new-found passion.

Now she finds herself living in an old farmhouse with her children (including Rich who is pictured above). Her back yard houses a pond and a vegetable garden that steals her time during the summer months. She's reflective about how far she has come and positive about where she is going. "You know, by the time a lot of people are my age, they feel let down by the system. But I don't think we can afford to have that happen or the desperation will swallow us up," she says. Ruth believes it is part of her professional calling to offer people hopeful legal options.

Though her primary interest is family law, Ruth says she can see herself working as a general practitioner. It all depends on how her own life path, as well as her children's,
the Amicus

1995 stride scholars

progresses between now and graduation in '98. "My life experience has taken me down this route, but now I think it's time for me to give something back. I believe this is where I need to be."

By the time Robert Muten graduates from VUSL, he will have spent a decade of his life in the classroom. "I try not to think about that too much," he says, laughing. "I did go back and forth about the decision to go to law school, but I figured I had better keep going, or maybe I wouldn't do it at all."

How did he spend ten years at college? Four years of undergraduate work, coupled with a Master's Degree from the University of Wisconsin, Milwaukee, followed by the pursuit of a J.D. from Valparaiso. While he didn't initially relish the prospect of three more years of coursework, Bob says if the rest of his time at Valpo goes by as quickly as his first semester did, it won't be a problem.

Matter of fact, Bob now finds himself searching for additional studying and test-taking time. This summer, he would like to take the CPA exam, the crowning jewel of his MS in Tax. "It's going to be tight, though," he says, shaking his head. "I would like to get a legal job this summer too, so I'm not sure how I'm going to fit this all in."

The time crunch Bob is currently wrestling with comes as a result of an early interest in numbers. After four years at St. Norbert College in Wisconsin, Bob earned a double degree in accounting and political science, a foreshadowing of his future pursuits. But after undergrad, he sailed past law school and applied instead to graduate school at UW-Milwaukee. He was accepted and spent three years studying tax law and accounting procedures, and teaching other students.

Bob enjoyed the program, especially the work as a teaching assistant. "Because I was part of the masters program for three years, I got to see some students really develop," he explains. "I might teach them in an intro accounting class, then two years later see them really catching on and enjoying their studies. That experience made the whole three years worthwhile."

But with a masters in tax, why not go into accounting? Bob says he always wanted to be in a position to give something to a community, and he believes working with the law will enable him to do just that. "To a certain extent, I felt that in accounting the things I was doing were of value to my client, but not always to a great number of other people. I really value my accounting skills, but have always wanted to do something that would help more people in more situations."

The call of a small firm is beckoning Bob, maybe even in a small town, he says (right now he is not interested in specializing in tax law, perhaps the more predictable route). And down the road, he would like to return to the classroom. "One day I would like to go back to teaching," he says. But for the present time, Bob is happy to stay on the other side of the podium.

"I don't regret taking the extra time and pursuing tax before coming to law school," he says, thoughtfully. "I think about things differently now, and I think I take my studies more seriously." Perhaps in another decade, Bob's life will come back full circle -- back to the academy he has so often called home.
The Tabor Auditorium was overflowing with alumni, students, faculty and staff this past November, as the Honorable Guido Calabresi presented the 10th annual Monsanto Lecture on Tort Reform. Delivering a speech simply entitled, "What's New in Torts?" Calabresi charmed the audience with his interesting reminiscences and gentle sense of humor. Yes, tort reform can be an entertaining topic as Calabresi proved.

The small, grey bearded man, whose speech still carries a slight Italian accent, brought the audience up to date on current tort reform activities in the U.S. and abroad. Describing the current activities surrounding tort reform in the U.S. Congress as "sound and fury," he noted that while these hearings are quite dramatic, they are the least interesting thing happening in this sphere of legal thinking.

Rather, he pointed to the current change in thinking regarding torts and compensation. Calabresi said, for instance, that 30 years ago courts dealt with torts in an "all or nothing" manner either fully compensating the plaintiff if a case was proven, or giving the plaintiff nothing if the doctrines of contributory negligence or assumption of risk applied. Today, however, Calabresi sees more courts "splitting" compensation awards, that is, granting partial damage amounts (rather than nothing at all) depending on how responsible the defendant is for the plaintiff's injuries. He noted that this is a particularly interesting trend given the fact that it seems to be neither pro-defendant nor pro-plaintiff and appears to have little effect on insurance rates.

The usual 20-minute question and answer session following his presentation spilled over into the reception in the Duesenberg Commons where Calabresi found himself surrounded three-deep in an ever shifting ring of students wanting to hear more of his opinions and observations.

Calabresi was appointed a United States Circuit Judge by President Clinton in September 1994. Prior to his appointment, he was Dean of the Yale Law School from 1985 to 1994. He continues to serve as a member of the faculty of the Yale Law School, where he began teaching in 1959. Calabresi has been awarded numerous honorary degrees from universities in the United States and abroad, and is the author of four books and over 70 articles on the law and related subjects.

The annual Monsanto Lectureship is underwritten by a generous grant from the Monsanto Fund, and was originally organized by Richard Duesenberg, VUSL '53, recently retired Vice President, Secretary and General Counsel to the Monsanto Company.
1952

Gerald Deiter moved to the sunshine state this past November. He traded in Fort Wayne winters for sunshine and warm breezes in Hobe Sound, Florida.

Don Wyneken reports that he retired fully from his Fort Wayne legal practice in 1992. He says that although he misses his former partners, he does not miss the long hours or pressures of private practice!

1961

Colorado State University professor Terry Lantry, was recently elected President of The National Conference on Public Employee Retirement Systems. NCERS serves as a lobbying and professional group for about 450 public pension funds and 100 private sector groups. As president, Lantry will be a public spokesperson for the NCERS members, which represent about 5 million retirees and $800 billion in collective assets.

1971

James Roegge was recently named a "Leading Attorney" by his peers as the result of a statewide survey of lawyers conducted by the publisher of Guidebooks to Law & Leading Attorneys. Jim is a partner in the Minneapolis firm of Meagher & Geer where he represents clients in professional malpractice defense matters.

At a surprise 50th birthday party for George Walsh last summer, classmate Barry Bergstrom won the prize for "longest distance traveled," coming all the way from Lansing, Illinois, to White Plains, New York. In professional news, The Chemed Corporation recently named George to its Board of Directors. Mr. Walsh is a partner in the Manhattan firm of Gould & Wilkie, heading up its Real Estate section.

1975

Mark Bremer was recently elected Chairman of the firm's Management Committee for his firm — Kohn, Shands, Elbert, Gianoulakis & Giljum. He specializes in employment discrimination cases for the St. Louis firm. Mark also continues to serve on the law school's Board of Visitors.

1976

John Horeled has been appointed Vice Chair of the General Practice Section Council, and Secretary of the newly formed Elder Law Section Council of the Indiana State Bar. This past summer, he served as an ISBA representative to the American Bar Association Leadership Summit, "Meeting the Needs of Solo and Small Firm Lawyers."

1978

A birth announcement comes from Art Boos and his wife Rose, who welcomed their second child, Brian, in October 1994. Proud big brother Kevin is 7 years old and in first grade. Art is a partner with the Dallas firm of Arter, Hadden, Johnson & Bromberg.

Paul Lauber is a partner in the Edwardsville, Illinois, firm of Raney & Lauber where he concentrates in business and real estate transactions, estate planning, and commercial law. He and his wife, Lynn, have two children: Andrew, 13, and Rachel, 10.

James F. Ralls Jr. succeeded Mayor Emanuel Cleaver as President of the Kansas City Board of Police Commissioners. Ralls is a lawyer at Feldhausen & Ralls. He has been in private practice since January 1980 when he left a position with the Jackson County Juvenile Court.

1980

Marsha Schatz Volk was recently elected to the Indiana State Bar Association Board of Governors. Marsha is a partner with the LaPorte firm of Newby, Lewis, Kaminski & Jones.

1983

Daniel Avila published an article entitled "Medical Treatment Rights of Older

1984

Leeanna Kirkwood has become a judge of the Alexandria City Court.

Kevin Parker is currently serving as the Effingham County State’s Attorney in Effingham, Illinois. He and his wife Tracy have two children: Meghan, 9, and Delaney, 8 months.

1985

Debra Grisham has been appointed City Attorney of Carmel, Indiana. Debra, a Carmel resident, currently serves as staff attorney for Duke Realty Services Limited Partnership. She has also served as staff counsel for Associated Insurance Cos. and as senior attorney for Mayflower Transit. Deb has also worked as assistant corporation counsel for the city of Indianapolis, initially representing the Parks Department and then serving as the primary attorney representing the city and county on all labor and personnel matters.

1986

Phillip Houk announces that his daughter Victoria Kathryn, was born this past September. He also has a son, A.J., who is two years old. In July, Phil was named Magistrate for the Civil Division of the Allen Superior Court in Fort Wayne, Indiana.

1988

William Ciesar was elected judge for the City of Whiting Municipal Court and began his new duties on Jan. 1, 1996. First elected at age 20, Bill remains the youngest person ever elected to city-wide office in the City of Whiting. Bill ascends to the bench after serving as a Councilman-at-Large in Whiting for 16 years.

1990

A birth announcement comes from Brent Inabnit and his wife, who are expecting their second child in February. Baby number two will join two-year old daughter Katie.

1991

Michael King will be traveling in Cuba (through March 1996) to research a book on the events during 1959 in that country.

James Zieba recently joined the staff of the Indiana Chamber of Commerce in Indianapolis.

1992

Christy Beznoska Chapman has joined the law department of The First National Bank of Chicago where she practices in the bankruptcy and workout section. She was formerly associated with Mayer, Brown & Platt in Chicago.

The Valparaiso firm of Costas & Norman has become Costas, Norman & Boesch, welcoming its newest partner, Terry Boesch last September. Terry reports that he is handling employment discrimination and harassment law, worker’s compensation, and personal injury cases.

John Hintz has joined the firm of Glassen, Rheod, McLean, Campbell & Bergamini in Lansing, Michigan. He says he has a diverse caseload though he does a great deal of debt collection work, and is hoping to help with subrogation claims.

Assistant Regional Counsel with the U.S. Environmental Protection Agency in the Windy City.

1989

Paul Ritsma recently joined the Grand Rapids firm of Bigler, Berry, Johnston, Sztykiel & Hunt and is practicing in Holland, Michigan. He reports that his practice is mainly focused on commercial and tort litigation. On a personal note, he and his wife Krista have two children, Hannah, age 3, and Nathaniel, age 2.
in the Dow Corning bankruptcy case.

The firm of Reilly, Graham, McAndrews & Cunabaugh is pleased to announce that Denise Murphy Kuzniecowski joined their staff this past July. Previously, Denise served as an Assistant State’s Attorney in McHenry County, Illinois.

**Kris Costa-Sakelaris** announces two special events. First, the birth of daughter Bernadette Katherine in October 1995. Second, a promotion to partner in the Hammond, Indiana, firm of Costa-Sakelaris & Guydan.

**Mary Schwartz** has accepted a position as Associate Director of the Sonia Shankman Orthogenic School at the University of Chicago. The school functions as a residential treatment center for severely disturbed children.

1993

James Dimitri joined the Indiana Attorney General’s Office last May as a Deputy Attorney General in the Criminal Division. He represents the State of Indiana in state criminal appellate cases and federal habeas corpus cases. Previously, James served as Staff Counsel for the Indiana Department of Corrections from July 1994 until May 1995.

Ed Harney and Jody Bremmer, ’95, announced their engagement this past August. Ed is an Associate at the Indianapolis firm of Hume Smith Geddes Green & Simmons where he specializes in litigation.

A birth announcement comes from Janine Hooley, who welcomed her third child, Catherine, in November 1994. Catherine joins Christine, 8, and John, 3, at home. Janine opened her private law office in October 1993 and added a program development consulting service in 1994, serving contractors such as the Michigan City Chamber of Commerce, the Kingswood Hospital, and the LaPorte County Step Ahead Council.

Amy McColly joined the Indianapolis firm of Bennett & Sheff last April. Previously, Amy had been associated with Rowe & Hamilton in Indy.

1994

Stacey Brooks has become the Chief Deputy Prosecutor for the Pulaski County Prosecutor’s Office in Winamac, Indiana. She also reports her engagement to Michael Mrak, Valparaiso University’s Men’s Soccer Coach, with the wedding scheduled for May 1996.

Jennifer Hyde and Edward Martin were married last September. Jennifer, a graduate of Valparaiso University, is an industrial sales representative for Perfection Servo in Addison, Illinois. Ed is an attorney with David Gethers Law Practice.

Lisa Meyer has joined the firm of Sidley & Austin as an associate. She will be starting as a litigation associate in the firm’s Chicago office.

Christopher Petersen has hung out a shingle as a solo practitioner in Elkhart, Indiana. Prior to opening his own practice, Chris was employed at the firm of King & Meyer in Gary.

Ronald Rothstein recently joined the Washington, D.C., law firm of Steptoe & Johnson. Previously he had done intellectual property work for Cushman Darby & Cushman in the nation’s capital.

1995

Jody Bremmer announced her engagement to Edward Harney, ’93, this past August. Jody works for the Indiana Department of Environmental Management in the Office of Legal Counsel in Indianapolis.

Jennifer Herman has accepted a position as a Chicago-based Account Manager with Interim Legal Personnel. She will operate under the Interim Attorneys name. In this position, Jennifer will be responsible for developing and servicing Interim’s Chicago metropolitan area contract attorney business. Previously she was with Hernand & Partners in Chicago.
Alumni News

Please send your professional or personal news to
the Amicus for the summer 1996 class actions section.
Photos (black and white or color) are always welcome.

name:
address:
home phone:
firm name:
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