1988

The Amicus: Vol.1, No.3

Valparaiso University School of Law

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LETTER FROM THE EDITOR

This issue marks the end of volume one of the Amicus. Issue number one was produced by Linda Potter, '87 and Gail Peshel. It took them one entire summer. Faced with the task of producing issue two, Linda decided to join the Army. Not having the resources to hire professionals to produce the Amicus, we did the next best thing. We convinced six people, all of whom already had full time administrative/teaching/student loads and none of whom had any experience in magazine production, to join the official Amicus Editorial Board. We have all come to admire Linda's wisdom.

I am amazed at the amount of time it takes to produce one issue of such a modest publication. But it provides a creative outlet that I believe all board members are just beginning to enjoy. Each volume will have three issues. One will be published in September—covering all the summer events; one in January—covering the fall semester; and one in May—covering the spring semester. In addition to the Letter from the Dean, Message from the President, Law School Briefs, and Class Notes sections, each issue will have articles from the faculty and at least one article or “profile” from an alumna/us.

One alumna indicated that when she received the Amicus, she thought it was from some other law school, only to be pleased to find out that it had come from good ol' Valpo. I take that as a compliment. Please take a few moments to send us your opinion of the Amicus. We need to know what you like and dislike; what your favorite sections are; what you would like to see added; what you would like to see deleted, etc. Of course, I encourage each of you to submit a substantive article for publication in the Alumni Profile section, and to faithfully fill out and return the Alumni News and Notes form in the back of every issue so that we may share your good fortune with fellow alumni. I hope you have enjoyed volume one and have come to anxiously await the arrival of each new issue.

Curtis W. Chichowski, '81
Editor in Chief

Cover Photo: DeMotte Hall, the second of four buildings occupied by the School of Law. Those who are paying attention will recall that the cover of the last issue pictured the original law school building. In 1926, one year after the university was purchased by the Lutheran University Association, the law school operation was moved into the then newest building on campus—the Domestic Science Building. Along with the law school, the building housed the Commerce Department and the Teachers' College. For 33 years, the building was known as the Arts-Law Building. In 1959, the centennial year of the University, it was renamed DeMotte Hall in honor of Mark L. DeMotte, founder and first Dean of the School of Law. Currently, DeMotte Hall houses the recently remodeled Speech and Hearing Clinic, classrooms and faculty offices, and the third floor is used as a rehearsal studio for drama students.
RICHARD H. STEVENSON
1929-1988

Professor Richard H. Stevenson, 58, passed away April 8, 1988. Born in Rock Island, Illinois, Professor Stevenson received a B.A. from St. Ambrose College in 1953 and the J.D. from the University of Iowa in 1955. He began his distinguished teaching career at Valparaiso in 1955 and was interrupted from 1958-1959 when he earned the LL.M. from Harvard Law School.

He served the community as a member of the board of directors of the Porter County Cancer Society and the university as a long-time member of the Committee on Academic and Professional Standards.

At the School of Law, Professor Stevenson taught Evidence, Trial Advocacy, Conflict of Law, and Creditor’s Rights. He revolutionized the Trial Ad and Evidence programs and introduced more practical exposure long before it was fashionable. He co-authored with attorney Russell Willis, the *Indiana Trial Lawyer Guide*. He may best be remembered by alumni as the devoted coach of the Mock Trial Team.

The following testimonial was presented by Professor Al Meyer at a special law school memorial service for Professor Stevenson.

"A man of parts." As a cliche, its coinage has been debased but this expression remains the most apt to characterize Richard H. Stevenson. The parts of his character were identifiable—custom made by inner-directed forces not mass-produced by fashion, fad, or fancy. To borrow from Jesse Jackson, "HE WAS...

SOMEBODY." And he was somebody in two different worlds. Picture if you will two images which mark the contrast: the one of a candidate receiving a graduate degree at a Harvard Law School commencement, the other of a person manning a booth at an abortive flea market venture on the outskirts of Valparaiso.

Reared in a working class family and neighborhood in Rock Island, Illinois, his blue collar beginnings begat a lifelong lifestyle. A brush haircut, string ties, black socks, and shoes with heels worn on the outsides heralded his presence. More comfortable in the work clothes of the mechanics, plumbers, and carpenters whose skills he possessed, the tweed jacket and pipe were not for him. Motorcycling, repairing junk cars which ran only under his supervision, golf (on public courses), poker, fishing, playing the piano (he would have flinched at the title "pianist") were all activities at which he excelled. He was also proficient at bridge and martinis but here we move to the other world which he inhabited.

How did the Iowa, Harvard, and Valparaiso University Law Schools intrude into his existence? I don't know, but intrude they did, and countless law students are the better for it. He began his teaching in the mid fifties. Things were simpler then (kids still respected their college deans) and more conducive to his classroom pedagogy. Others may have called it the Socratic method. Richard simply wanted his students to think. Pity the student whose classroom response was limited to what he had read in a hornbook or canned brief. The ensuing dialogue was merciless. Not infrequently, it would culminate with Richard doing his
version of the legendary Harvard professor who offered a student a dime (a long time ago) to call his mother to come and get him and save the money being needlessly spent on law school tuition. Richard's Evidence course began with the topic of "leading questions," a subject penetrated in such depth as to leave no time for coverage of the hearsay rule. Students in his Trial Advocacy courses scheduled to meet for two-hour sessions beginning at 8:00 p.m. were hard pressed to be home by midnight. Oblivious to the clock, he gave of himself unstintingly. Beale's first Restatement of Conflicts may have faded into history at most law schools but it was one of the four required analytical tools as our Richard and his students hammered out the "possibles" in the approach to a choice of law problem. Never mind that it had been discarded and replaced by subsequent doctrinal developments, it was still useful as a device to stimulate thinking.

Mike Swygert, a student from that era and later, Richard's colleague, recently wrote to him as follows: "Your teaching of the legal process (introduction to Law course) to first semester law students in the mid-60's stretched our minds like they had never been stretched before... You persistently raised ethical issues, alerting us to the true scope of our moral and professional responsibilities. You put meaning into Holmes' phrase: 'teaching in the grand manner.' And we were the wiser for it."

What I applauded so much in his dialectical teaching style, I came to not fully appreciate when he used that technique on me during faculty meetings. He would not take yes for an answer. A scholar addressing a recent convocation warned of the pitfall of unrelenting skepticism. Richard came perilously close to that pitfall, stopping only at the brink. More often than not, he and I would be in agreement on the ultimate objective, but he would not be satisfied with any shortcuts along the way. How painful it could be as he insisted upon dissecting each point. He was his own most effective adversary. None of us, and especially the then university attorney, will ever forget Richard's quarrel with the trial strategy in a case brought against us by an academically excluded law student. We were charged with having conspired unlawfully to discriminate against him. Richard demurred to our attorney's smug observation that we could win on a motion for summary judgment. Richard argued that there were issues of fact to be tried and resolved in a trial on the merits.

Richard's teaching style fell on lean years in the post-Vietnam age of student consumerism, an age which a recent author has labelled "The Decline and Fall of Law Teaching." Dick and I blamed the whole thing on Doctor Spock who had encouraged our students' parents to engage in demand feeding. He had little patience with the claims that Socratic techniques dehumanized students, that tension should be avoided in the learning process (like Little Orphan Annie, students should feel good all over) and that teachers should structure material for the students. He became an "unpopular" prof except in the small groups which he supervised in the Trial Advocacy course and Trial and Moot Court Competition. Those students swore by him while some of the others swore at him. As the academic world became less receptive to his style, the "other world," which he had never really left behind, beckoned invitingly. He and his wife, Mary Lou, pursued a dream of theirs by making a down payment on a fishing camp in the Florida Panhandle. He would tend the cabins and boats while she would run the camp store. But it was not to be. The deal fell through and economic circumstances kept him in teaching until he suffered the stroke which caused his medical retirement in 1985.

Despite what had to be a waning satisfaction in the later years from his professional career, Richard never betrayed a downcast attitude toward the school or his students. Cheerful to the end, he epitomized that quality of character which puts the best construction on everything. None of us can remember any incident in which he displayed anger or depression. A ready and willing respondent to anyone's request for assistance, whether a student with a legal problem or a colleague with a plumbing problem, love for his neighbors was for him a way of life. We enthusiastically commend him to that peace which worlds (neither his nor anyone else's) cannot give. I suspect, however, that even as he enters that kingdom, if St. Peter asks "What is the answer?" he will respond: "What is the question?"
LETTER FROM THE DEAN

The recent death of Prof. Stevenson makes this an appropriate time to reflect on his contributions to the School of Law during his lengthy tenure here as a faculty member. In many ways Dick exemplified the values of this School. He was devoted to teaching; it was clearly his priority. I know of few professors who devote as much time and effort to teaching—preparing for classes, developing problems and materials, looking for new ways to present topics, looking for colleagues willing to discuss challenging issues, working evenings with students on mock trial cases, and always seeking ways to improve his courses. Unfortunately, many of us—students and faculty—did not fully appreciate Dick’s efforts. On numerous occasions attorneys, who were critical of Prof. Stevenson as law students, have told me that two or three years after graduating they realized what Dick had done for them in Evidence and Trial Practice. At least in part this resulted from the fact that Dick was “tough” as a teacher. To his credit, he refused to compromise his standards in the classroom in order to be popular.

I can recall discussing a number of difficult professional responsibility/ethical issues with Dick. He was a great source of guidance when it was necessary to check your own analysis of a situation. You could rest assured that Dick’s advice would invariably lead you to a position entirely consistent with the highest level of professional responsibility.

Finally, Dick was genuinely interested in improving the legal profession. He was never too busy to spend time with law students, attorneys, and colleagues on the faculty. He enjoyed helping others, he was kind, and he was very unselfish.

Since he was disabled by a serious stroke in November 1985, Dick has been missed at the law school. We intend to establish an appropriate memorial and the details will be announced as soon as plans have been finalized.

By way of report, as of April 8, 1988, we have received $12,830 in response to my letter of November 1987, soliciting contributions to the annual giving campaign. This represents contributions from 87 of our graduates and 4 company matching gifts. We need to increase both the total contributions and the percentage of our graduates who contribute. It is not too late to participate.

As most of you know, President Schnabel’s term as president of the university will end this summer. Recently the Board of Directors announced that the new president will be Alan F. Harre, who is currently president of Concordia College in St. Paul, Minnesota. Much of the credit for the development of the law school over the past ten years must go to President Schnabel. The most obvious, visible part of this is the new building, but his contributions go far beyond the physical structure. President Schnabel has regularly participated in law school events. He has supported our new programs, expanded our resources, and taken a genuine interest in the School. For this we are grateful and wish President Schnabel the best in the future.

Ivan E. Bodensteiner
Dean

CLASS OF 1982 PRESENTS CLASS GIFT

The law school class of 1982 is pleased to announce the presentation of its class gift to the School of Law. The gift, a painting entitled “Soaring,” has been installed in the front lobby of Wesemann Hall. The artwork is the product of Rosalie Downs Sadenwater, a local artist. Ms. Sadenwater received her formal education at the American Academy of Arts in Chicago. She has acted as President of the Michigan City Art Council and has won numerous awards in a variety of art shows in the northern Indiana area.

Pictured here is Katharine E. Gerken, a representative of the class of 1982, presenting the gift to Dean Ivan Bodensteiner. The entire School of Law Community is very grateful to the members of the class of ’82 for this generous gift.
The Board and Alumni appreciate Jonathan Potter, the former law school. Issues were discussed and acted upon its Beer and Brat Bash for the law school. Jonathan left last fall and has yet to be replaced. Consequently, I thank Donn Wray '81 and John Lee '77 who served admirably as Vice President and Secretary respectively. The Board and Alumni appreciate your voluntary efforts to better the law school.

Speaking for the board, I would like to take this public opportunity to thank Donn Wray '81 and John Lee '77 who served admirably as Vice President and Secretary respectively. The Board and Alumni appreciate your voluntary efforts to better the law school.

MESSAGE FROM THE PRESIDENT

The Valparaiso University School of Law Alumni Association held its Spring meeting on April 15th, prior to its Beer and Brat Bash for the law students. A number of important issues were discussed and acted upon by the board. First, the Board selected its new slate of officers for the 1988-89 academic term. They are:

President — Mary Squyres '82
Vice President — Donald Seberger '80
Secretary — Jack Lawson '61
Treasurer — Edwin T. Brown '51

Speaking for the board, I would like to take this public opportunity to thank Donn Wray '81 and John Lee '77 who served admirably as Vice President and Secretary respectively. The Board and Alumni appreciate your voluntary efforts to better the law school.

Second, the Board decided it was time for the University to replace Jonathan Potter, the former Development Director for the law school. Jonathan left last fall and has yet to be replaced. Consequently, I will write the University suggesting that we would like an immediate replacement for Mr. Potter so that his very important work for the law school can continue.

Third, the Board decided to investigate the feasibility of a survey of the Alumni about their image of the school. This information has already been obtained through a survey of applicants to the law school and the current student body. These surveys have provided invaluable assistance to the admissions staff. Similar information from the alumni would enhance the ability of the admissions office to recruit new students. In addition, I will appoint a task force to consider other purposes the survey may serve.

Fourth, the Board unanimously voted in an Amendment to the Bylaws. The Amendment reads as follows:

The purpose of the Association shall be to unify all Valparaiso Alumni for service to the School of Law in the areas of development, public relations, recruitment, placement, the encouragement of academic distinction and in any other way consistent with the needs of the School of Law. The Association shall also identify and advise the School of Law regarding the ways the School of Law can serve the needs of the Alumni and the legal profession.

The purpose of the Amendment is to clarify the goals of the Association. As is apparent from the Amendment, the emphasis of the purpose is on the law students. In light of that emphasis, the Board, and its special Task Force on this issue, implemented some new activities:

1. Alumni Directories were passed out to both 2nd and 3rd year students so that students can easily contact Alumni for placement purposes.
2. The traditional third year luncheon usually held during Law Week was replaced this year with a more casual Beer and Brat Bash held on the last day of Law Week. The Board would like to thank Anne Eggen of the Law School Career Services Office for all her work putting the Bash together. The turnout of both students and Alumni was quite good for our first annual. Next year I suggest that the Alumni identify themselves so that the students know who we are.

Fifth, Dean Bodensteiner will step down as Dean in June, 1989. The Alumni Association, as it has done in the past, would like to participate in the search for a new Dean. Although it will be a challenge to find a replacement for Dean Bodensteiner and his total commitment to the law school, the Alumni Association feels that its input, along with the faculty, the students, and the University, can be invaluable. I will appoint this representative of the Alumni to serve next fall when the Search Committee convenes. Any Alumni, especially those who work or live near the law school, who are interested in participating, please call Gail Peshel at the law school (219/465-7814).

Sixth, the Board voted to fund $5,000 for Volume II of the Amicus for the 1988-89 academic year. Speaking for the alumni, I think I can say that all of us have been quite pleased with both the caliber of the articles and the format of the Amicus. It speaks well of the quality legal thinking going on at the law school and among our Alumni.

Last but not least, I'd like to commend the board for its desire to make this Association more responsive to the needs of the law school. The administration, through the efforts of Deans Bodensteiner and Cichowski, has been most cooperative with suggestions, advice and information on how the Association can better serve the law school. I'd like to offer a special thanks to Gail Peshel, Director of Career Services and Alumni Relations for her ever present guidance and encouragement. I'd like to close by suggesting to the Alumni that they should be proud of the Board, the law school, the faculty, the administration and themselves for all of the efforts made to enhance the reputation of Valparaiso University School of Law.

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

ALUMNI SUPPORT

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

Professor Levinson will be spending three weeks in the Soviet Union in May with a group of women attorneys and judges as part of the Citizen Ambassador Program. The purpose of the trip is to study the Soviet legal system.

Dean Bodensteiner was the moderator for a panel discussion on "The Legal Development of the Fair Housing Act" at an April 21 conference in Chicago celebrating the twentieth anniversary of the passage of the Fair Housing Act. On April 29th he spoke at a Fair Housing Symposium in Merrillville, IN sponsored by the Fair Housing Coordinating Council. His topic was "Fair Housing and the Law."

Professor Geri Yonover presented an overview of recent developments in employment discrimination at the Lawyers Association of Lake and Porter Counties. The *Preview of United States Supreme Court Cases* will publish Professor Yonover's article "Collective Bargaining Agreements and State Tort Law Claims of Retaliatory Discharge: Will Pre-emption Afford State Remedies Only to Non-Union Employees?" in a future issue.

Professor Lawrence Albrecht presented a paper on "The Relationship Between the Church and the Future Post-Apartheid Constitutions of South Africa" at the University of Pittsburgh Post-Apartheid Symposium III in March. He presented a paper on "Human Rights Paradigms" at the *Pace in Terris* Conference held at Calumet College of St. Joseph in April.

Spring semester Professor Albrecht, assisted by third year students Al Keiser and John Whitfield, was Guest Editor of volume 5, no. 2 of *The Journal of Law and Religion* which published the papers presented at the V.U. School of Law Symposium: Perspectives on Post-Apartheid South Africa, held in October 1987. With Winston Nogan, Professor Albrecht authored an article entitled "Judicial Executors and Individual Responsibility Under International Law: The Case of the Sharpeville SIX" published as a Special Issue of the United Nations Centre Against Apartheid, Notes and Documents, April, 1988.

Professor Albrecht was also appointed to the Advisory Committee on Corporate Responsibility for the Evangelical Lutheran Church in America. He also served as a consultant to the Lutheran Peace Fellowship on various investment and policy matters.

Professor Albrecht and Professor Jack Hiller both attended the Sixth Pan-African Conference held at Indiana State University, Terre Haute, April 22-23. They both presented papers at a panel on law and human rights in Africa at the conference. Professor Albrecht's paper was titled "Law and Human Rights in South Africa" and Professor Hiller's paper was a "Case Study of Human Rights in Kenya." Professor Albrecht also participated in the Wisconsin Conference on South Africa sponsored by the Wisconsin Conference of Churches and presented a paper "Economic Divestment and Political Change."

Professor Robert Blomquist's article "Goals, Means and Problems for Modern Tort Law: A Reply to Professor Priest" was published in Volume 22 of the *Valparaiso University Law Review*. Another article, "Beyond the EPA and OTA Reports: Toward a Comprehensive Approach to Hazardous Waste Reduction in America" has been accepted for publication in the journal *Environmental Law*. It will appear as part of a symposium edition on hazardous waste. On April 7, 1988, he presented the research of this article to the law faculty at a faculty symposium.

On April 11 Professor Blomquist spoke on the subject "The Environmental State of the World" at a lecture sponsored by the Midwest Environmental Law Caucus as part of Law Week 1988.

In March Professor Blomquist was appointed a member of the steering committee of the Midwest Waste Minimization Council—a group of members from industry, government and academia from thirteen midwestern states. The sponsoring agency is the Washington, D.C.-based Institute for Local-­Self Reliance, funded in part by a grant from the Joyce Foundation.

During this semester Professor Blomquist has also consulted with the Environmental Action Foundation—a Washington, D.C.-based environmental group—on toxic air pollution problems in the Chicago area. He also contributed material to the *Indiana Resource Guidebook on Pollution* to be published by the Environmental Action Foundation.

Sarah Holterhoff, Documents Librarian, is coordinator for a program on "Creative Approaches to Researching State Legislative History" for the annual meeting of the American Association of Law Libraries in Atlanta in June. She will take over in May as Chair of the Government Documents Round Table of the Indiana Library Association.

Mrs. Holterhoff attended the Spring Meeting of the Depository Library Council in Charleston, S.C. in March. At that time she was asked to serve as Secretary of the Council for the next year.

During the course of the second semester there have been several guest lecturers at the Law School. On February 19 Gregg Phillips, an expert on the cleanup of toxic waste spills, spoke to a meeting of the Midwest Environmental Law Caucus on the problems of toxic waste and its cleanup in Northwest Indiana. On March 24 Jeff Symmes spoke to MELC on "Toxic Whistleblowers"—people who report toxic waste problems to governmental agencies.

On March 3, Patrick Hansen '84, an attorney with the U.S. Attorney's Office in Hammond, talked about the role of the prosecutor in criminal law. Hansen's talk was sponsored by the Association of Trial Lawyers of America (ATLA).

The International Law Society sponsored a symposium at the Law School on March 25 on the topic of international terrorism. The speakers included Professor Albert R. Trost, Chairman of the Political Science Department at VU, and Professor John Williams, a political science professor at Principia College (Illinois) who is an expert on doing research in international law.

Professor Seymour Moskowitz attended the annual Employment Law Institute, produced by Executive Enterprises, Inc., March 3-4, 1988, in Washington, D.C.
Law School Briefs

The following members of the Law School faculty and professional staff attended the annual Association of American Law Schools conference in Miami, FL in January: Dean Ivan Bodensteiner, Assistant Dean Curtis Cichowski, Professors Charles Ehren, Rosalie Levinson, Alfred Meyer, David Myers, Michael Straubel, Ruth Vance, David Vandercoy, and Geri Yonover, Law Librarian Mary Vance, David Vandercoy, and Geri

School

90 - day pre-conference program attended the annual Association of

University, New Orleans, School of

American Law Schools conference in

Placement

Bodensteiner, Assistant Dean Curtis

on special projects with the General

during all or part of the 1988-89 school

at the annual conference of the

Indiana Library Association in French

1988, at the annual conference of the

Indiana Library Association in French

Lick, IN.

On April 14 Dean Bodensteiner, Assistant Dean Curt Cichowski, and Law Librarian Mary Persyn attended the meeting of the Committee on Legal Education and Admissions to the Bar of the Indiana State Bar Association. The Committee met as part of the Spring Conference of the ISBA.

Professors Carol Kaesebier, Rosalie Levinson, David Myers, John Potts, and Richard Stith will be on leave during all or part of the 1988-89 school year. Professor Kaesebier is taking a leave of absence for the year to work on special projects with the General Counsel at the University of Notre Dame. Professor Stith will be spending fall semester on a Fulbright at the University of Valparaiso, Chile. Professor Myers will be spending his spring semester sabatical in Mexico. Professors Levinson (fall semester) and Potts (spring semester) will spend their sabbaticals doing research and working on publications.

Warren D. Bracy, a criminal law practitioner from Detroit, will be a Visiting Professor at VU during the 1988-89 school year. Before entering private practice in Detroit in 1979, Professor Bracy taught at the University of Toledo College of Law (1973-79), at the University of Detroit School of Law (1972-73), and at Loyola University, New Orleans, School of Law (1971-72). Professor Bracy received his B.S. from Loyola University, Chicago, in 1964, an M.A. from Rutgers University in 1966, and a J.D. from Cornell University in 1971. He is a native of Chicago, a member of the Michigan bar, and active in Democratic politics. Professor Bracy is listed in Who's Who in American Politics, Who's Who in Black America, and Who's Who in the Midwest.

Professor Alfred W. Meyer will be visiting China for three weeks this summer on a People to People program. The group is composed of people involved in alternative dispute resolution in the United States. They will visit five Chinese cities and participate in seminars and programs on the alternative dispute resolution methods used in those cities. Professor Meyer teaches a seminar in alternative dispute resolution at the law school.

The law school intramural sports team, the Depraved Hearts, has had a successful year of University competition. The team won the University-wide championships in soccer and swimming, placed second in cross-country, and made the semi-finals in men's and women's volleyball. Second year student Christine Mascal won the women's golf tournament.

Student Bar Association

Officers for 1987-1989

President Tim Murray
Vice-President Kevin Speer
Treasurer Barbara Bolling
Secretary Jocelyn Murphy
ABA/LSD Rep. Steve Cox
3L Faculty Rep. Pete Pogue
Representatives Phil Benson
3L Mark Niermann
Representatives Rebecca Lockard
2L Georgianne Orlich
Representatives Pete Reichert
Kim Tabor

Career Services Report

by Gail Peshel

The Career Services Office recently completed employment statistics for the Class of 1987. Graduates may be interested in learning how the Class fared.

Of the 108 reporting in a class of 118, 96.3% indicated employment in a variety of legal and law-related positions. The great majority of the Class of 1987 reported being in private practice (61.5%).

Seven graduates reported employment in firms of over 100 attorneys. Two more alumni are in firms of 51-100 attorneys. Many other members of the class are in smaller firms in Indiana, Illinois and Michigan, with Chicago, Indianapolis and Grand Rapids the most popular cities. Several members of the Class are in solo practice.

Gail Peshel - Director of Career Services & Alumni Relations

Thirteen graduates chose careers in business. Three are working in the tax department of "Big Eight" accounting firms. Insurance companies employ four graduates, and banking institutions employ two graduates. Dow Chemical Company, A.T. & T. Bell Labs, Preferred Research, Inc. and West Michigan Disposal are other corporations where graduates accepted employment.
Graduates hold judicial clerkships with the United States District Courts in Indiana and Michigan; the Court of Appeals in Indiana; the Kalamazoo Circuit Court; and the Allen County Superior Court.

Government positions account for 16.3% of the Class. Some graduates are working in Washington, D.C., with such agencies as the Justice Department; the Environmental Protection Agency; the Commodities Futures Trading Commission; and the E.B.I. Others chose careers with the Judge Advocate General Corps (J.A.G.C.), state level government agencies, and district attorneys' offices.

The remainder of the respondents are in academia or public interest organizations.

The Class is spread over sixteen states and the District of Columbia. Although the majority are in Indiana, Illinois or Michigan, some are as far away as the states of Washington, Wyoming, Texas, Arizona, Maine, Connecticut, Georgia, North Carolina, Florida, and Virginia.

Bar passage rates are also good. The Class average passing percentage is 94.1%. Bar passing percentages from those responding are: Indiana (60/63) or 95.2%; Illinois (19/19) or 100%; Michigan (9/10) or 90%; Wisconsin (1/1) or 100%; Pennsylvania (1/1) or 100%; Connecticut (1/1) or 100%; Missouri (1/1) or 100%; Arizona (1/1) or 100%; North Carolina (1/2) or 50%; and Kentucky (1/1) or 100%.

**JOB FAIRS**

The School of Law combined efforts with other law schools and offered employers the convenience of interviewing, at one location, students from all participating schools. The School of Law coordinated, helped coordinate, or participated in eleven job fairs during this school year. A combined total of 225 law firms, corporations, or agencies interviewed at these job fairs, and numerous students secured jobs via these interviews.

Please call 219/465-7814 if you wish additional information regarding any of the following job fairs scheduled in 1988-89:

- YLS, Indiana Bar Assn. & the four law schools in Indiana, **Indianapolis**—February 24 & 25, 1989.

A public interest job fair including many midwestern schools, a Chicago job fair for first-year law students, and a St. Louis job fair will also be held, but specific dates have not been scheduled.

The School of Law’s on-campus interview program continues to expand. Firms from Chicago, St. Louis, Louisville, Detroit, Grand Rapids, and Kalamazoo have joined firms from Indianapolis and other locations in Indiana interviewing at the School of Law. Other firms solicit applications from students by sending statements of the firm’s hiring needs with copies of their firm resumes. Students are then able to review the information and respond directly to the firms in which they are interested. Hundreds of other firms alert the law school to employment opportunities for students and alumni. These associate and clerking positions are posted on our employment bulletin boards and in our monthly job newsletter.

Our goal is to continue to increase opportunities for students and interested alumni. To all the alumni who help make this possible, please accept our heartfelt thanks.

**FACULTY SEMINAR PROGRAM**

On a regular basis during the school year, the faculty meets on an informal basis, providing an opportunity for the interchange of ideas on contemporary legal issues. These faculty seminars are often used by members of the faculty as a sounding board for new ideas and directions on research. The most recent seminar, led by Professor Robert Blomquist, focused on the trends in environmental law to focus on ways to reduce hazardous waste generation at the source, rather than regulating hazardous waste once it has entered the environment. The basis for the discussion was an article authored by Blomquist entitled “Beyond the EPA and OTA Reports: Toward a Comprehensive Theory and Approach to Hazardous Waste Reduction in America.” The article has been accepted for publication by the Environmental Law Journal. By way of summary, the following is the conclusion from Professor Blomquist’s article.

Congressional concern about mounting health and environmental risks imposed by continued generation of large quantities of hazardous substances in the nation led to the passage of the Hazardous and Solid Waste Amendments of 1984. Along with substantive provisions that expand the universe of hazardous wastes subject to federal regulation, ban land disposal of a number of residuals, establish a hierarchy of preferred waste management options, and create rigid regulatory timetables, Congress mandated serious study, by federal government agencies, of the feasibility and desirability of prescription federal controls on the volume and toxicity of waste.

While the voluminous study reports prepared by the Environmental Protection Agency and the Office of Technology Assessment are commendable for their timely submission, development of detailed baseline information, discussion of provocative non-regulatory government demonstration possibilities, and eclectic consultation with a broad spectrum of views, these studies are, to varying degrees, uninformed, misinformed, illogical, and incomplete. Most importantly, since EPA and OTA looked at hazardous waste reduction policy from a technical and tactical perspective, their studies place emphasis on short-term, non-regulatory approaches for achieving hazardous waste reduction. Matters of long-range strategic significance are not adequately addressed.

Although the OTA and EPA reports are a helpful point of departure, before Congress attempts to move...
the nation from a pollution-control culture to a pollution-prevention society it should go beyond the analysis and recommendations of the OTA and EPA studies by clarifying, linking and reevaluating the ends and means of national hazardous waste policy. While barriers of limited information, regulatory inertia, past governmental ineptness, preoccupation with property rights to the detriment of expansive understanding of environmental externalities, and international inaction stand in the way of a comprehensive theory and approach, a tentative formulation of first principles for an effective and equitable hazardous waste reduction strategy is available. By emphasizing comprehensiveness, multidisciplinary analysis, phased coercion, proportionality, non-proliferation, policy coordination between legalistic and non-legalistic means, and international leadership, the United States Congress would be doing its best "to reduc[e] [and] eliminat[e] as expeditiously as possible [the generation of hazardous waste]...[while] minimiz[ing] the present and future threat to human health and the environment."

SEEGERS LECTURE

by Dennis Lee Goss, '90

The Seegers Lecture Series continued at the School of Law on February 15th and 16th, 1988, with two lectures presented by Quintin Johnstone. Johnstone's lectures were the fifth in the Seegers Lectures Series, an annual event made possible through the generous support of the late Edward A. Seegers, a retired Chicago attorney with close ties to Valparaiso University.

Johnstone is highly distinguished in the legal profession. He holds a J.D. from the University of Chicago, and a J.S.D. from Yale. He practiced law in Chicago early in his career and then joined the federal Office of Price Administration, first in Chicago and then in Washington, D.C. He has had a long and brilliant career in legal academics. He is currently the Justus S. Hotchkiss Professor of Law Emeritus at Yale Law School, and a Visiting Professor of Law at the New York Law School.

Professor Quintin Johnstone

Johnstone presented two lectures on land transfer before capacity audiences in the Wesemann Hall courtroom. On February 15th he talked about the role of service specialists, i.e., lawyers, money lenders, title insurers, and real estate brokers, whose jobs are to facilitate the transfer of realty from seller to buyer. Johnstone mentioned the traditional separation of duties among the service specialists, and then outlined the functional integration that is now occurring among the four groups. He further talked about entry into the lucrative real estate field by companies that have previously distinguished themselves in areas outside the land transfer sphere, companies such as Metropolitan Life (life insurance), Sears (merchandise), General Motors and Ford (auto makers), and Owens Illinois (a products manufacturer).

Johnstone stated that the current land transfer system has worked somewhat adequately, but suffers from significant problems. He pointed to the vulnerability of thrifts, who borrow short-term from their depositors and then lend long-term to builders, thereby riding a squeeze line which can lead to a cash crisis. Johnstone also mentioned such negative factors as high commission rates, the failure of lawyers to be price competitive in the field, and the massive, growing power of large corporations that are entering the land transfer area.

On February 16, in the second of his two lectures, Johnstone offered some personal, admittedly radical, proposals that might improve America's land transfer process. First among his suggestions is stronger government regulatory measures, an idea which would meet with resistance from the nation's highly profitable, land transfer-oriented banks. Second, he proposed a merger of the structurally sound FDIC and the administratively shaky FSLIC. Third, he suggested that law firms establish well-staffed departments or even entire practices built on conveyancing specialization. The use of paralegals and the increase in work volume in the land transfer field would make the venture more attractive to law firms.

Fourth, Johnstone stated that lawyers and brokers could combine their arts into full service brokerage houses. Although this would require changes in the law, the "one-step service" that a lawyer-broker would create would be more convenient for customers, more profitable for the specialists handling the transfers, and would add more efficiency to the system.

Other suggestions offered by Johnstone for improving the land transfer system included increasing competition through strict enforcement of federal antitrust law, more automation and modernization of the administrative aspect of land transfer, and centralizing statewide record keeping, thus eliminating the current local records system.

Johnstone's lectures were well received by his audience. The lectures were televised into the Duesenberg Commons for those who could not obtain seats in the courtroom. A reception was held for Johnstone in the Commons following his first lecture. Both students and faculty engaged him in lively conversation, adding to the success of the Fifth Annual Seegers Lecture.

CO-CURRICULAR COMPETITIONS

Spring semester always brings competitions for the law school co-curricular teams. This year Valparaiso had 4 teams competing in various competitions.

The Jessup International Moot Court team took part in the regional competition held at the University of Cincinnati on February 19 and 20, 1988.
The team finished fourth out of sixteen teams in the competition. The team members were third year students John Whitfield and Leslie Hagen, and second year students Nadine Dahm, Susan Hartman, and Susan Wooley. The regional competition was won by the University of Cincinnati. Professor Michael Straubel is advisor to the Jessup team.

On February 11, third year students Tom Reitz, Carlyle Dalen, Cindy Penn, Perry Browder, Mike McCormick and Ken Savage fought the snow, wind and I-94 to compete in the regional Mock Trial Competition in Minneapolis. Valparaiso entered two teams in the competition. Team B went into the semi-finals on Saturday, February 13, only to be defeated by the William Mitchell Law School. IIT Chicago-Kent College of Law and Loyola University Law School won the regional competition, VU came in sixth. Chicago-Kent won the national competition in Dallas. Adjunct Professor Russell Willis is the team advisor. Professor Ruth Vance and Assistant Dean Curtis Cichowski coached the VU Client Counseling team in the Regional Competition at Notre Dame on February 13, 1988. In the competition, second year students Barbara Bolling and Lisa Wyatt counseled mock clients on a First Amendment—freedom of expression problem. First year student Tony Makin was the team alternate. VU lost in the semi-final round to eventual regional winner IIT Chicago-Kent.

After competitive selection to the VU National Moot Court team, third year students Tom Reitz, Jean Doyle, Carlyle Dalen, and Dave Christiansen, and second year students Mark Niermann and Paul Ritsema, competed in the Chicago regional competition of the Thirty-eighth Annual National Moot Court competition sponsored by the Association of the Bar of the City of New York. The competition took place in the Dirksen Federal Building in Chicago on December 4 and 5, 1987. The VU Moot Court members competed in two teams consisting of a brief writer and two oral advocates. These teams were among twenty-six teams from fourteen Indiana, Illinois and Wisconsin law schools who competed in the regional competition.

This year’s problem was quite timely: it involved a hypothetical individual who had contracted lung cancer from a lifelong habit of smoking cigarettes. This individual sued national tobacco manufacturers based on a strict liability negligence and warranty theory. The problems involved arguments offered before the United States Supreme Court.

All team members distinguished themselves in the competition and represented the School of Law in an excellent manner.

INDIANA COURT OF APPEALS

by Kathy Fox, '88

On March 1, the Indiana Court of Appeals for the Third District (Judges George B. Hoffman, Jr. ’51, Robert H. Staton, and William J. Garrard) heard oral arguments at the VU School of Law.

In the morning, the court heard arguments in the case of State of Indiana, Dept. of Highways v. Welsh Oil, Inc. and Peter Blanco. During reconstruction work several years ago in Crown Point, the Highway Department determined that Welsh’s and Blanco’s signs encroached on the Main Street right-of-way. The State notified the parties to remove their signs; when the parties failed to do so, the State removed the signs in June, 1987.

Welsh and Blanco re-erected their signs. They then filed suit seeking temporary restraining orders and preliminary and permanent injunctions from further activity by the Highway Department. The trial court denied the State’s motion to dismiss and granted the Temporary restraining orders.

The State appealed on the grounds that the trial court lacked subject matter jurisdiction, that the plaintiffs had failed to exhaust their administrative remedies as required by the Administrative Adjudication Act, and that the signs encroached the right-of-way as a matter of law. The plaintiffs argued that the Highway Department’s decision was not administrative, that the trial court had jurisdiction, and that the Highway department erred in deciding an encroachment existed.

In the afternoon the court heard oral arguments on Canfield v. Sandock. Sandock was injured in a pedestrian/automobile accident and subsequently sued Canfield. During discovery, Canfield requested medical records, through a subpoena duces tecum, directly from the doctors who treated Sandock. Sandock filed a motion to quash service of the subpoena and a request for a protective order to prohibit discovery of what it claimed to be privileged materials. The trial court granted the motion and the request and also ordered Canfield to pay Sandock’s attorney fees incurred in litigating the discovery issue.

Canfield appealed on the grounds that Indiana Trial Rule 34(c) allows for direct discovery from third parties, that Indiana case law says plaintiffs waive the physician/patient privilege when they put their medical condition into issue and that the award of attorney fees was an abuse of the trial court’s discretion.

After the arguments were finished the members of the Court answered questions from the audience as long as the questions did not relate to the cases under consideration. Following the afternoon argument there was a reception in the Duesenberg Commons. The Court’s visit was sponsored by the Women Law Students’ Association (WLSA).

Editor’s note: On April 14 the Court of Appeals reversed and remanded the trial court decision in Canfield v. Sandock.

HOW I SPENT MY SUMMER VACATION

by Barbara Bolling, ’89

When I was asked to write this article and share with you my experiences from last summer, what immediately came to mind was the old essay topic that greets every school child in the fall of the year “How I Spent My Summer Vacation.” Although this topic may seem a little elementary, in essence, the topic comments on the esoteric side of those involved in the educational system.
LAW SCHOOL BRIEFS

Barbara Bolling

To the school child the aspects of summer represent an unstructured adventure just waiting to happen. For the law student the options are more narrowly focused. Summer clerking is the objective of most law students but the possibilities are limited for the lowly first year student. Generally, first year law students, who are not fortunate enough to land the elusive summer clerk position, return to former pre-law employment or take summer classes.

I was fortunate to spend a not so typical summer this past year. I worked as a teaching assistant (T.A.) with the Continuing Legal Education Opportunity Program (CLEO). This opportunity was made possible by the law school. CLEO is a six week federally funded government program which prepares traditionally disadvantaged students for law school in the fall. The Region IV CLEO was held at Ohio State University School of Law in Columbus, Ohio. Thirty-five students, seven T.A.s and four professors participated in the program. Torts, contracts, introductory tax and legal writing were the subjects taught, and the classes were conducted like law school classes.

Most of the emphasis was on legal writing. The students were divided into two legal writing sections and seven T.A. groups. Five students were assigned to each T.A. Individual T.A.s were assigned to a professor to assist all students in a particular substantive area of the law. Each T.A. was responsible for assisting his or her group with their legal writing assignments. In addition to the tutorial duties, T.A.s taught basic legal research skills which included LEXIS and WESTLAW training.

T.A.s met regularly with their students as a group and on an individualized basis. Counseling was a large part of the job. We encountered problems of time management and balancing, of interpersonal relationships and of missing books in the library.

T.A.s and students lived in one dormitory during the six weeks and the director asked that no one leave during the weekend (sort of like summer camp) to impress upon the students how valuable the weekend could be for pulling all the past week's assignment together. T.A.s were not required to attend classes, but we felt that we would not be able to answer questions that students might have later if we did not know what material had been covered by the professor during class. This also gave me an opportunity to solidify principles that I have learned in that oh-so-short first year. Some of the cases that we covered were review and others were new but like watching a movie that you had seen before, you still see something that you missed the previous time around.

CLEO is an excellent and intense program. I only wish that I had known about the program during the summer prior to my first year of law school. But I am especially thankful that I was given an opportunity by Valparaiso to participate in the 1987 CLEO. The experience, the learning and the friends are all memories and I will forever cherish. I hope that this experience has made me a better person, and I hope the experience will make me a better lawyer.

Editor's Note: We are pleased to announce that first year student Jocelyn Murphy will be representing the law school at the Region IV CLEO program at the University of Iowa this summer. The law school is strongly committed to the continuation of the CLEO Program.

LAW SCHOOL ART SHOWS

The Fine Arts committee sponsored four multi-media art exhibits in their 1987-88 season. In September, Rosalind Whitman, a London artist, exhibited her etchings in "View From Sam City." Following the Whitman show, Richard Brauer, the curator of the Valparaiso University Museum Collection assembled first edition prints by various artists as Alice Neal, Alexander Calder and Marcel Katz for an exhibition of Curator's Masterpieces.

In January, Lee Hibbs of Ogden Dunes displayed her photography collection of Indiana Dunes.

In celebration of Black History month the Fine Arts Committee and Black Law Students Association sponsored an exhibit from the DuSable Museum of Chicago, of Varnette Honeywood prints.

The final exhibition of the year was a dual exhibit featuring original Indian pottery by Dee Schult of LaPorte, Indiana and landscape photography by William Allen of Michigan City, Indiana.

STUDENTS RECEIVING JUDICIAL CLERKSHIPS: (front row, left to right): Mark Colon, Fed. Magistrate, Grand Rapids, MI; Lisa Noons, 9th Judicial Circuit, Kalamaoo, MI; Connie Franken, Allen Co. Superior Court, IN; Cindy Rockwell, Fed. District Ct., IN; Ron Hayden, Fed. Dist. Ct., Louisiana; Christine Harris, Fed. District Ct., IN. (Back row, left to right): Leslie Hagen, Michigan Court of Appeals, MI; Cindy Penn, Allen Co. Superior Court, IN; Bruce Kugler, Fed. District Ct., SC;

Not pictured: Ron Frazier, Indiana Court of Appeals; Margaret Robinson, Indiana Court of Appeals; Laurie Sikorski, Allen Co. Superior Court, IN; William Bates, Michigan City Circuit Ct.
A FAREWELL TO THE CLASS OF 1988

Nearly three years ago, the Class of 1988 assembled together for the first time in Neil's Science Center. We were about to embark upon what at the time seemed like an uphill battle that was all too soon to start. This was a battle to which most of us saw no visible end. Professor Berner told us, however, that there was an end and that that end could be reached by all of us. Berner told us that this battle would be difficult, but somewhat eased our "Paper Chase" fears with the following:

At Harvard, they tell the incoming first year law students: Look to your left; look to your right. None of you will ever wear a bow tie as ugly as the one Curt Cichowski is wearing right now.

At Yale, they tell the incoming first year law students: Look to your left; look to your right. Two out of three of you won't be here next year.

At Valparaiso, we tell you:

"Paper Chase.

"THANK YOU " to the fine faculty, staff, and students. As each of us knows, for the last three years we have spent in Valparaiso, we are better people for having done so... A big "THANK YOU" to the administration, faculty, and staff.

And ... As with all endings, there are new beginnings. These new beginnings will take us to all corners of the world. As President of the Student Bar Association and a member of the Class of 1988, I extend to each and every graduate a sincere, "Best Wishes" in all future endeavors. And when our paths meet again, it is a good feeling to know that we will never be strangers. We will all have something in common even if only to say that we were the last class fortunate enough to have Professor Bartelt for First Year Torts.

Good Luck and Best Wishes
Scott Faurote, '88

CONGRATULATIONS TO THE CLASS OF 1988

Thomas James Alevizos
Laurie Lazich Bigsby
Michael Paul Blaize
Georges S. Brasovan
Perry James Browder
Ingrid Ann Campbell
Christina Veronica Checchia
David John Christiansen
William Walter Ciesar, Jr.
Mark John Colon
Shirley Kathleen Comer
Carlyle DuWayne Dunlop
William Calvert Davison
John James deGrasse
Michael Patrick Delfine
Thomas Edward Densford
Robert E. Doelling, Jr.
Susan D. Douglas
Jean Leslie Doyle
Esther Kuehn Droge
James Michael Ebersol
Scott Patrick Faurote
Katherine Ann Fox
Connie Maureen Franken
Ronald William Frazier
Andre Bernard Gammage
Jeffrey Alan Golding
Rebecca Ann Grogg
Jeffrey Francis Gunning
Leslie Ann Hagen
John Adrian Hallacy

Lynn Francine Hammond
Derla Gross Hansen
Christine Harris
Ronald Gregory Hayden
Keith Robert Henry
Priscilla Andrea Herochik
Thomas P. Hyatte
George Allen Keiser
Daniel Welch Kelly
William Maurice Koch, Jr.
David Joseph Kowalczyk
Bruce Alan Kugler
Eve Stephanie Kwasneski
Catherine Ann Lake
Todd Alan Leeth
James Michael Macalik
Susan Mary Matys
Michael Thomas McCormick
Ann M. McGuffin
William Alfred Meister
Judith Ann Menor
Christina J. Miller
Richard Estabrook Mills
Cheryl Lynne Moultrie
Tracy J. Newhouse
Roland Wayne Norris
Paul Kevin Seth O'Connor
Matthew Peter Pappas
Cynthia Marie Penn
Robbie Lee Powelson
Thomas Richard Reitz
Ann Renee Rempe
Mary Jane Rhoades

Margaret Ann Robinson
Cynthia Pachovas Rockwell
Jeffrey Lane Sanford
Kenneth Wilson Savage III
Daniel Andrew Sawocheck
Kimberly Ann Scanlan
S. Michele Schaefer
Michael Bruce Scott
Robert Bradley Scott
Jan Elizabeth Sherman
Laurie Jeanne Sikorski
Theodore George Spyres
James Frederick Stephens
Troy Christopher Swanson
Mary Katherine Thanos
James Nicholas Thiros
Larry Edward Thrall
Tammy Patricia Tideswell
Timothy Lamberts Tromp
Vyta Jonas Urba
Barbara Reiners-Van Tine
Marlynn Eileen Vasquez
Ronald Joseph Vittorini
Brett Lee Warning
Jeffrey David Wehmueler
Warren Philip Wenzloff
John Herbert Whitfield
Kimberly Ann Wilkins
Lisa Lynn Woons
Garth Evans Wootten
Timothy Andrew Zahorsky

CONGRATULATIONS TO THE CLASS OF 1988
LAW WEEK
April 11-16, 1988

by Mary G. Persyn

Law Week is the traditional highlight of the law school year and this year's Law Week celebration was no exception. From the opening lecture on the "Environmental State of the World" on Monday, through the speech by Congresswoman Yvonne Brathwaite Burke at the Law Day luncheon and awards ceremony on Wednesday, to the Barrister's Ball on Saturday, the week was filled with exciting and thought-provoking activities.

Law Week opened on Monday, April 11, with a speech by Professor Robert Blomquist of the VU Law School on the "Environmental State of the World." His speech was sponsored by the Midwest Environmental Law Caucus, and followed the analogy of a yearly physical in which the earth's vital signs reveal the underlying health of the environment. These ten vital signs: forest tree cover, soil erosion and topsoil loss, desertification, ground water quality and quantity, species diversity, climate, sea level, and ozone layer, indicate that the earth is in bad physical shape, and that much needs to be done if succeeding generations are to have decent living conditions.

Tuesday's Law Week speakers both addressed methods of handling legal problems outside of the courtroom. In a speech sponsored by the Christian Legal Society, James Butcher '58, an attorney with Butcher, Ball & Lowry in Kokomo, Indiana, discussed alternative dispute resolution. Mr. Butcher said that anyone who passes the bar exam can go to court, but it takes courage to reconcile differences outside of the courtroom. Legal training emphasizes skills needed in going to court; basically, lawyers are taught to win cases and defeat their opponents. Mr. Butcher stated, however, that a Christian law school and a Christian lawyer should restore broken relations and begin the healing process whenever possible, and litigate as little as possible.

Tuesday's second speaker, Leane English Cerven '83, an attorney with Mayer, Brown & Platt in Chicago, was sponsored by the Women's Law Student Association. Ms. Cerven spoke on negotiation which she defined as trading with another in order to come to an agreement.

One type of negotiation is the adversarial model, where a breakdown of a relationship has occurred or a chance meeting has given rise to a need for compromise. This model should be used for one-shot deals where the parties will never see each other again. Another type of negotiation is the cooperative model, which should be used in on-going relationships (like a bank and a mortgagee). This on-going relationship should be kept in mind during negotiations.

Wednesday of Law Week brought the highlight of the week—the annual Law Day Luncheon and awards ceremony which was held this year at the Porter County Expo Center. The speaker for the luncheon was Yvonne Brathwaite Burke, a partner in the law firm of Jones, Day, Reavis & Pogue, Los Angeles, and a former California Assemblywoman and member of the United States House of Representatives. Ms. Burke is a native of Los Angeles and received her B.A. from the University of California at Los Angeles and her law degree from the University of Southern California School of Law. From 1966 to 1972, Ms. Burke represented the Sixty-third District of California in the California State Assembly. In 1972, after having served as Vice-Chairperson of the Democratic National Convention in Miami Beach, Florida, she was elected to the United States House of Representatives. Her two most famous pieces of legislation were the "Burke Amendment" which ensured equal employment opportunity in the construction of the Trans-Alaskan pipeline, and the Equal Opportunity for Displaced Homemakers Act which provided for federally subsidized employment and training services for persons who had previously worked within the home without compensation, but who have been left, through death of a spouse or a divorce, without adequate economic support. A review of Ms. Burke's talk appears elsewhere on this page.

In addition to Ms. Burke's speech the Law Day Luncheon included the awarding of certificates of achievement to the students who had earned the highest grades in each class over the past year.

Thursday of Law Week brought a speech by Attorney Don Rice '72, a partner in Rice & Rice, Portage, Indiana, on common mistakes made by new litigators, and also the annual Roast. This year the Roastees were the Third Year Class.

The Law School Roast of the Third Year Class was held on Thursday evening. Approximately 250 people attended the activities, which were dominated by skits, music, dancing, and fun. The group Constructive Criticism won the award for the best skit.

Friday brought the "All Law School Beer & Bratwurst Bonanza" sponsored by the Valparaiso School of Law Alumni Association. The Brat Roast took the place of the third year luncheon traditionally sponsored by the Alumni Association for the graduating students. Because the Brat Roast was

Rudy Kutansky '65, Al Kirkland '74 and Ed Brown '51 at All Law School Beer & Brat Bonanza.

Ed Nielsen, '73, Seegers Professor Al Meyer, '50 and Bob Lee '66 talking with students at Beer and Brat bash.
YVONNE BURKE ADDRESSES LAW DAY LUNCHEON

by Kathy Fox, '88

On April 27, Yvonne Burke was the guest speaker at the annual Law Day Luncheon held at the Porter County Expo Center.

Tremendous changes in the law have occurred over the past few years, Burke said, and young people looking at the profession must wonder where it is headed. The law is a dynamic and growing area right now.

To Burke, the law opened up many opportunities which otherwise would not be available to her. The opportunities for women and minorities in the law have expanded greatly in the past few years. Looking at the alternatives, no other profession pays so much for entry-level positions; lawyers can make as much as movie stars.

The majority of lawyers today are involved in areas other than litigation. Politics is one alternative. An interesting phenomenon is being seen in the 1988 campaigns. And lawyers change jobs frequently; nowadays, nobody sees anything wrong with doing so. Competitiveness has developed among firms to get the best lawyers.

Alternative available to lawyers. Lobbyists educate decisionmakers, and lobbying provides a very exciting opportunity to impact on and advocate legislation; in many cases, lobbying is, in effect, writing legislation.

Campaigns in 1988 will go down in history as the most confusing, even if they are not the most interesting. An important phenomenon is that the industrial states like New York, Pennsylvania and Ohio are having an impact. Most of the time, their lack of enthusiasm is due to their feeling that the choices of candidates are made early and they have no real voice in the elections.

Jesse Jackson is an unexpected force in the Democratic Party this year. About 77% of the blacks are registered to vote this year — a higher percentage than whites for the first time. The rules of electing a President have also changed. Furthermore, the people have a desire to express their views; somehow, the candidates are not facing the issues that the people want to see established, like the market abroad and the farmer's ability to sell his products. People want a manufacturing economy, not a service economy, and everyday people want to have a say in federal policy.

George Bush, a Republican nominee for President, is seen as a good manager; some say the Americans also have an enchantment with the upper class, and Bush is one of the strong upper class candidates. However, Burke said that most people vote on the basis of their pocketbook and not on foreign policy.

Americans still have a long way to go in evaluating women at the top level of politics, Burke said. People will never change anything from the outside, though; they need to actually participate in the system. Only then do we have a democracy that truly represents different views.
AN OVERVIEW AND ASSESSMENT OF FEDERAL PESTICIDE LAWS

by David A. Myers

This article is adapted from a paper that was presented at a meeting of the Association of American Law Schools' Section on Agricultural Law on January 8, 1988, at Miami, Florida. It is based in part on Myers, “Groundwater Issues Emerge as Focus of FIFRA Reform,” 5 Agricultural Law Update __________ (April 1988); and Myers, “Form and Content of American Pollution Law with an Emphasis on Pesticide Regulation,” Proceedings of the Euro-American Agricultural Law Symposium and Third Symposium of C.E.D.R., 4A Agricultural Law Bulletin 24 (George Spring, Ed. 1986); and sources cited therein.

When John Davidson asked me to present an overview and assessment of federal pesticide laws, my first reaction was to reflect a bit on the proper scope of cynicism in American law generally and in legal education particularly. That is, I think, a proper question for anyone engaged in the training of a professional bar. But for me the question is a highly personal one. I have always been concerned with the proper attitudinal environment for teaching, writing and thinking about the law. To be more precise, should one be a cynic, a skeptic, a pessimist, or an optimist when dealing with the transfer of knowledge about legal problems? Does it make any difference? Or is personal opinion or attitude simply irrelevant to the task of training lawyers?

I have to date only tentative theories on these questions. First, I take as given that a goal of legal education is to teach individuals how to become effective social problem solvers. With that focus in mind, I consider it important to refrain from being too cynical because this attitude connotes a certain presupposition of motives and purposes. These presuppositions I fear may lead a problem solver to miss important points.

To test this proposition, I have decided to review federal pesticide controls from different attitudinal mindsets. Following a brief overview of the relevant statutory law and a summary of recent attempts to amend the federal legislation, I will take a look at the law from three vantage points: that of the cynic, the skeptic and the optimist.

I

Pesticide control in American law is largely the responsibility of the federal government. The environmental and regulatory policies set out in the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) are implemented by the Environmental Protection Agency (EPA).

FIFRA is basically a licensing statute. Pesticide manufacturers must submit for registration the product formula, a proposed label, and a description of all test data concerning the product's efficacy and safety. The EPA in turn must approve registration of the pesticide product if, among other requirements, it will perform its intended function without unreasonable adverse effects on the environment.

The phrase "unreasonable adverse effects on the environment" is further defined as "any unreasonable risk to man or the environment, taking into account the economic, social and environmental costs and benefits of the use of the pesticide." Significantly, then, FIFRA allows for reasonable adverse effects on the environment if the use of such unsafe pesticides is sufficiently beneficial.

The Administrator must continually review those pesticides which have been registered and classified in order to assess their performance and effects. Depending upon any new evidence concerning the degree of harm to the environment, the Administrator may change the initial classification of a pesticide, cancel the registration or suspend the use of a pesticide. Indeed, the statute provides a surprising array of procedures for restricting uses of existing pesticides or for banning them from the market altogether.

Two other aspects of federal pesticide regulation should be noted. Under the federal Food, Drug and Cosmetic Act, raw agricultural commodities contaminated with pesticides are deemed adulterated and subject to seizure unless the EPA has issued a tolerance for that pesticide and the residue is within this limit. The Administrator must set these tolerance levels "to the extent necessary to protect the public health." Manufac-

urers begin the process by submitting a petition which must include inter alia the product composition, method of application, health and safety tests, proposed tolerances, and reasonable grounds in support of the petition.

In addition, through its rulemaking authority, the EPA Administrator has promulgated standards designed to protect fieldworkers from unsafe exposure to pesticides. The regulations prohibit direct exposure for all workers not involved in the application of the pesticide. The treated area must be vacated by unprotected workers until sprays have dried or dusts have settled, and specific periods of time before reentry are set for 12 chemicals. Finally, "appropriate and timely warnings" must be given to all workers prior to treatment.

II

How effective is this elaborate regulatory program? The assessments are, at best, mixed. For new products, the licensing approach seems to work rather well. But with the bulk of existing products already in use, the diagnosis is bleak. Even at the accelerated pace of "special reviews" adopted by the Agency, the testing of pesticides already in commercial use remains a formidable, perhaps intimidating, task. In a 1984 study by the National Academy of Science, for example, the institution found that complete and adequate health hazard assessments were possible for only 10% of the pesticides in use at that time. The New York Times reported that as of March, 1986, the EPA has been able to provide assurances of safety for only 37 of the more than 600 active ingredients used currently in 45,000 pesticides. Current estimates are that the EPA will be able to review only 25 active ingredients each year.

These troubling facts raise some difficult questions: Has this federal regulatory scheme become a matter more of form than substance? If so, how should it be changed? As one might expect, opinions differ. The environmentalists have a veritable laundry list of proposals for reforming federal pesticide law. This list includes the establishment of a "federal right to know," requiring pesticide manufacturers to provide more detailed information on the identity and amount of pesticides produced. They would also require complete scientific health and
FACULTY FOCUS

safety testing of all pesticides within a four- or five-year period. The environmental groups propose streamlining EPA review procedures for identified pesticide problems by (1) changing the "unreasonable adverse effects" language of the existing statute to establish a "substantial question of safety" threshold for EPA initiation of cancellation proceedings; (2) enabling the EPA to initiate a special review of a pesticide after considering the pesticide's risks alone; (3) providing standing for citizens to challenge cancellation decisions; and (4) establishing informal cancellation hearings.

Environmentalists would also increase controls on the use and distribution of pesticides. For example, they would require commercial applicators to utilize the best available technology to avoid the drifting of pesticides. They would also authorize the EPA to establish indoor exposure standards for pesticides as well as a worker protection program. In order to deal with the problem of imported food crops, the environmental groups would prohibit the importation of food products with pesticide residues exceeding tolerance levels for cancelled, suspended or voluntarily withdrawn U.S.-produced pesticides. And in order to deal with all of these problem areas, these public interest groups would authorize the EPA to charge pesticide companies a registration fee in order to increase EPA revenues.

About the only area in which the industry groups wholeheartedly agree with these proposals is in the need to have greater resources for implementing the present law. They believe that the existing regulatory scheme can work if given sufficient resources. Increased resources should be put into a registration project, according to the industry view, but further procedural requirements are not necessary.

Specifically, the industry groups would not support creating a "right to know" provision in FIFRA because, they assert, the law already provides for public disclosure of health, safety, and environmental data on pesticides. Similarly, the industry generally opposes legislation designed to streamline the cancellation process because they consider the framework of the existing structure sufficiently flexible to allow for such changes.

Instead, the industry has its own agenda for reform. Industry groups are concerned about the proliferation of pesticide regulations by counties, cities, and states, and they would promote nationwide pesticide residue tolerances set only by the EPA. They are also dissatisfied with existing compensation and licensing arrangements concerning research data. They would propose that such data be granted a 15-year period of exclusive use, which apparently would preclude "piggyback" registrations by other registrants that time period.

Bills introduced in both houses of the 99th Congress would have required that the more than 600 active ingredients still on the market be re-registered within the nine years. Manufacturers would be assessed a fee to defray the cost of re-registration. The proposed legislation also contained a compromise between industry groups and environmentalists on access to registration data by requiring manufacturers to submit summaries which can be made available to the public upon request. In addition, these measures eventually included a comprehensive program to prevent groundwater contamination by pesticides. According to the original sponsors, these bills represented a consensus of the National Agricultural Chemicals Association, representing 92 manufacturing companies, and the Campaign For Pesticide Reform, a coalition of 41 environmental, consumer and labor groups.

But the consensus eventually evaporated. Last year, the House of Representatives passed its version of the proposal, but added an amendment which would preempt state efforts to establish tolerance levels of pesticide residues on food. Environmentalists vowed that this would be the law's undoing. The Senate approved its version of the law, but rejected an amendment preventing states from setting more stringent residue levels. This disagreement was never settled before Congress adjourned. The prospect for passage of similar bills introduced this year is not good, with the possible exception of the provisions concerning groundwater protection.

III

How, then, should one characterize both the current law and the recent efforts to amend it? Specifically, how does this regulatory effort live up to the expectations of those who brought it about? It has been twenty-five years since the publication of Rachel Carson's provocative Silent Spring launched an entire environmental movement. But how do we measure the successes of that movement? Here, I think, attitudes can make a difference.

The cynic, for example, would probably view this regulatory scheme as mere chimera. The federal law presents only an illusion of control, a comfortable focal point for those who need to point to something being done. If not originally, then at least eventually, the law has become the handicraft of the industry groups. This would explain their contentment with the current regulatory structure and their resistance to any significant changes in the law. The public is left with the sensation that something is in fact being done. But the reality is that we have moved little, if at all, toward the safe regulation of agricultural chemicals.

Professor David A. Myers

The impasse indicates that effective regulatory reform of pesticide controls is still more hoped for than realized. Compromises that are the most difficult to attain are the easiest to unravel. But unfortunately for society, as these interest groups continue their deliberations, the nation remains comforted by legislation which appears to be more impressive in its statutory form than it does in practice.
The skeptic might be more generous but still basically critical. We have taken the control over pesticides out from under the aegis of the United States Department of Agriculture and put it within the firm control of an Environmental Protection Agency. Some progress has been made. But the task is an imposing one, and the resources put to it simply do not measure up. Thus, the skeptic might be willing to put the blame on Congress, where ambivalence and tradeoffs have become signature characteristics in the regulation of agricultural chemicals.

What, then, can we say for the optimist? When one weighs the snail’s pace of the record of the EPA in the past against the formidable job of providing a scientific stamp of approval for every active or inert ingredient now in use throughout this and other countries, the challenge for the optimist is easy to understated. But the response, I think, would have to be that one simply cannot look at FIFRA in isolation. One must look as well to developments in toxic tort litigation generally and the willingness of courts to review claims that raise difficult legal issues at the borders of scientific uncertainty. FIFRA has played a part in all of this. It has provided information, minimum standards, risk assessment methodology and the other tools of the modern tort lawyer in search of significant reform. In this context, though it may never be considered a shining success story, the role of the federal government in regulating pesticides for the last quarter of a century has indeed been significant.

But there is here even a more important point. That is, by focusing one’s attention on the backdrop of significant tort reform in American law, one can perhaps get an insight into the real debate behind the efforts to amend FIFRA. By in large every important, controversial aspect of the recent proposals to amend FIFRA portends ramifications beyond the immediate confines of the statute itself. For example, the extensive litigation surrounding the disclosure and use of data submitted with the registration of a new product indicates that companies were concerned with more than just easy entry into the market place by new and aggressive companies. Fighting over information in the context of a federal law suit usually results in even more information being brought to light. Such information can be used as a basis for law suits as well as for administrative remedies. Likewise, the debate over uniform tolerance limitations suggests that the manufacturers are quite concerned about potential liability (and not simply uniformity) in various jurisdictions throughout the country. Indeed, this debate is part of the much larger and pervasively significant question of preemption of state and local governments in environmental controversies.

These are high stakes, and that is perhaps the main reason behind the impasse between the environmentalists and the industry groups on the direction that pesticide controls should take. And yet, this is unfortunately the way the game has been played for the last fifteen years. The law has never lived up to its billing, but the incredible, conflicting pressures exerted by the various public and private interest groups have made effective revision of the law virtually an impossibility. The Reagan Administration has threatened to veto the bill in the past because of its fear that the mandated fees will not be enough to finance the increased federal duties. According to former EPA Pesticides Program Director Steven Schatzow in a recent Legal Times article, the EPA has also been lukewarm on the measures for basically the same reason, and perhaps because the Agency recognizes that it will be sued by the industry or the environmentalists or both no matter which legislation is finally adopted. These factors, coupled with the fact that the coming proposals.

In the final analysis, then, it would seem that the skeptic has the most accurate picture of events at the current time. This is unfortunate because FIFRA is the basic regulatory tool for effective pesticide controls. Most of the other proposals, ambitious though they may be, are simply second-best solutions to a serious national problem. Moreover, even if the current proposals to amend FIFRA are adopted, it is unlikely that the EPA could meet the statutory deadlines. As Mr. Schatzow has noted, existing resources are not sufficient to make independent judgments about the adequacy of industry submissions, and lawsuits are inevitably going to focus on the data required to support chemical re-registration.

This much is certain: At the very least, the formidable information gap on assurances of safety for existing pesticides must be addressed. An adequate information base remains a necessary prerequisite for the development of sound and coherent policies in the regulation of pesticides.

Professor David A. Myers received his B.A. Degree (with highest honors) from Drake University in 1973. After receiving his law degree from the University of Illinois in 1976, he served as law clerk for the Honorable Maurice E. Rawlings of the Iowa Supreme Court. From 1977 to 1980, he was an Assistant Professor of Agricultural Law in the Department of Agricultural Economics at the University of Illinois. In 1980 he joined the faculty of the VU School of Law where he teaches courses in property law.

Professor Myers has been active in the development of the American Agricultural Law Association, a professional organization of lawyers, economists, and public officials that focuses upon the needs of rural America. He has served as a member of the Association’s Board of Directors (1981-84) and as President (1985-86). He is a member of the Iowa and Illinois Bars.

On February 25, 1988, Professor Myers delivered his Inaugural Lecture to celebrate his attaining the rank of full Professor at the Law School. His topic was “Conjectures on a Functional Analysis of Regulatory Taking.” His lecture will appear in a forthcoming issue of the Valparaiso University Law Review.
SOUTH AFRICAN
LIBERATION THEOLOGY:
ONE PATH TO FREEDOM

by Lawrence G. Albrecht ('73)
Visiting Assistant Professor of Law

There are three possible ways in which the church can act towards the state: in the first place it can ask the state whether its actions are legitimate. . . . Secondly, it can aid the victims of state action. The church has an unconditional obligation to the victims of any ordering of society, even if they do not belong to the Christian community . . . The third possibility is not just to bandage the victims under the wheel, but to put a spoke in the wheel itself. Such action would be direct political action, and is only possible and desirable when the church sees the state fail in its function of creating law and order.

Dietrich Bonhoeffer, "The Church and the Jewish Question," 1933.

During his Symposium keynote address, Dean T. Simon Farisani gazed at his audience in Classroom D and asked: "Has Valparaiso University declared war on apartheid?" As a dean and deputy bishop of the Evangelical Lutheran Church in South Africa, he is entitled to challenge our consciousness and seek our allegiance. As a trustee of the ultimate values of the Judeo-Christian tradition, Valparaiso University is required to protect and enrich theological and ethical values. Why, though, must we "declare war" on apartheid?

An Indigenous and Universal
Theology of Liberation

South Africa's future is inexorably linked to the increasingly politicized roles of its Christian Churches. The present population of South Africa includes, very approximately, 25,000,000 Africans, 3,000,000 Coloured, 900,000 Asians and 4,500,000 Whites. The majority of South Africans are active members of Christian Churches and over 80% of all whites claim Church allegiance.

Even a very brief review of Church pronouncements will serve to establish the legitimacy of the non-negotiable demand that apartheid be totally dismantled. In 1957, the South African Catholic Bishop's Conference issued a Statement on Apartheid which declared apartheid to be "fundamentally evil and intrinsically evil."4

In the aftermath of the Sharpeville massacre in 1960, where security forces killed 69 blacks and wounded 186 others engaged in passive resistance against the infamous Pass Laws,2 South African members of the World Council of Church met and issued The Cottesloe Consultation Statement, 1961. Part One proclaimed the Church's duty to oppose social and political injustice. In Part Two, the signers affirmed the equal right of all social groups to participate in South Africa's future and declared that the "spiritual unity" of all Church members must find visible expression in all aspects of community life.6 Attention was also drawn to the disastrous economic, social and cultural effects of migratory labor, the inequitably low wages paid to blacks and other labor issues. Part Three addressed other urgent matters: e.g., instituting due process of law and fair trials, the position of the Asian community and freedom of worship. Open doctrinal differences within participating Afrikaans Reformed Churches on the fundamental question of apartheid, however, foreshadowed future schism.7 In 1968, the South African Council of Churches continued the Cottesloe process and published A Message to the People of South Africa which unequivocally rejected apartheid as a "false gospel."

The Lutheran World Federation, meeting at Dar-es-Salaam in June, 1977, stated that the situation in Southern Africa constitutes a status confessionis, meeting that on the basis of faith and in order to manifest the unity of the Church, Christians must publicly and unequivocally reject the apartheid system. Dean Farisani was an active participant at that meeting.

In 1981, the Alliance of Black Reformed Christians in South Africa declared apartheid a heresy. At the 1982 World Alliance of Reformed Churches meeting in Ottawa, this declaration was affirmed and the memberships of the South African Dutch Reformed Church and its sister Church, the Nederduitsh Hervormde Kerk were suspended until their theological justification for apartheid ends.4 While internal crises within the Reformed Churches continue, their recent focus has been less on attempting to reconstruct theological justification for apartheid than to develop a pragmatic social-political-economic agenda for the continuation of "separate development." These dynamics within Afrikaanderdom were the subject of Professor Gordon Spykman's Symposium address.

With this background in mind, we must examine the concrete reality of status confessionis in South Africa. The rhetorical "declaration of war" against apartheid must become a specific social-political-economic agenda for the transformation of South African society. As a matter of praxis, Christians in South Africa, and here, are called to bear witness and to act.

This earthly struggle is the focus of the influential and controversial book, The Kairos Document, issued in September, 1985. Symposium guest Dr. Bonganjalo Goba participated in the Kairos drafting process along with 151 representatives from more than twenty Churches in South Africa. The Kairos Document, like the 1934 Barman Declaration of the Confessing Church in Germany, authentically and comprehensively engages a fundamental heresy. The preface announces that it is a Christian comment on political issues and on "the situation of death" in South Africa today and an attempt to develop "an alternative biblical and theological model that will in turn lead to forms of activity that will make a real difference" to the future of South Africa.

The Kairos Document condemns the current status of law and order in South Africa as follows:

The State makes use of the concept of law and order to maintain the status quo which it depicts as 'normal.' But this law is unjust and discriminatory laws of apartheid and this order is the organized and institutionalized disorder of oppression.

Something does not become moral and just simply because the State has declared it to be a law and the organization of a society is not a just and right order simply because it has been instituted by the State. We cannot accept any kind of law and any kind of order.
The South African state enforces this law and order through its own theology ("State Theology") which "is simply the theological justification of the status quo with its racism, capitalism and totalitarianism (which) blesses injustice (and) canonizes the will of the powerful." 12

As Dr. Goba stated in his address, a controversial aspect of The Kairos Document is its treatment of the subject of violence in the context of the struggle for liberation. 13 The authors point out that the institutional violence of the South African security forces, which most recently has encompassed the mass detention and torture of children, is never called violence by the State, while physical resistance by township residents, in whatever form or manner, is always called violence. 14 The Kairos Document, however, fails to note that malnutrition, inhuman labor conditions, medical suffering and other pervasive conditions in South Africa, which are curable by the State, are also never called violence.

The Kairos Document summarizes the subject of violence as follows:

There is long and consistent Christian tradition about the use of physical force to defend oneself against aggressors and tyrants. In other words, there are circumstances when physical force may be used. They are very restrictive circumstances, only as the very last resort and only as the lesser of two evils, or, as Bonhoeffer put it, 'the lesser of two guilt.' But it is simply not true to say that every possible use of physical force is violence and that no matter what the circumstances may be it is never permissible. 15

While The Kairos Document does condone the use of physical force in defense of human rights, it does not promote organized armed confrontation. In their "Challenge To Action," the authors set forth, instead, the following concrete agenda for the Church:

In the first place, the Church cannot collaborate with tyranny. It cannot or should not do anything that appears to give legitimacy to a morally illegitimate regime. Secondly, the Church should not only pray for a change of government, it should also mobilize its members in every parish to begin to think and work and plan for a change of government in South Africa. . . . And finally the moral illegitimacy of the apartheid regime means that the Church will have to be involved at times in civil disobedience. A Church that takes its responsibilities seriously in these circumstances will sometimes have to confront and to disobey the State in order to obey God. 16 (Emphasis in original.)

Dean Farisani has stated: "Almighty God says no to the God of Pretoria." 17 He now asks Valparaiso University: Do we? As lawyers, are we willing to concretely support an agenda of "no-saying." If not, what other agenda for freedom do we support? With or without us, the historical inevitability of apartheid's end unfolds. But we have all been summoned to also participate in a new creation.

The Liberation Of The Privileged 18

Attorneys, whatever their theological perspective, have a special ethical obligation to work for justice. Endless opportunities exist for providing supportive legal assistance to the victims of apartheid through organizations such as Amnesty International, the Lawyers' Committee for Civil Rights Under Law – African Project, the International Defense and Aid Fund for Southern Africa and so on. Law students recently organized an Anti-Apartheid group here at Valparaiso University. They deserve our support.

Additionally, we are all challenged to examine the political, economic and social choices we make. How do we evaluate the seven-year record of the Administration's "constructive engagement" policy towards South Africa? 19 During his Symposium address, professor and poet Dennis Brutus read an article from that morning's Gary Post-Tribune concerning the killing of 211 civilians by rebels in the front-line state of Mozambique who are supported by South Africa and by conservative political interests in the U.S. 20 Do we support this form of engagement? Do we, as former Chief of Staff Donald Regan asserted, value diamonds and gold more than the political and economic rights of the South African and Namibian miners?

At home, how do we acknowledge and respond to the reality of apartheid [Afric; "apartness"] in our own society? Each fall at least one black student is discriminated against in seeking housing in Valparaiso—and we respond with a collective hush. Apartheid is with us in the Taylor Homes and other walled-off and segregated housing projects in Chicago, in segregated housing patterns in Indianapolis, in our prisons where we respond to brutality and medically curable suffering with calculated indifference and in our inner-city schools in East Chicago, Milwaukee and Detroit where a life of economic and social apartness is guaranteed at graduation for so many students. What can we learn about apartheid from the homeless seeking to integrate themselves into our urban landscapes by erecting their own (cardboard) shanties?

Increasing our own consciousness enables us to more fully realize the boundless opportunities for "declaring war" on apartheid. By working for justice and the promotion of human rights, attorneys can realize the inherent link between the coming freedom in South Africa and our own personal liberation.

Editor's note: Regretfully, space limitations precluded the inclusion of the footnotes. However, you may obtain a copy of the footnotes by writing directly to the Editor.
ALUMNI IN FOCUS

CONGRATULATIONS,
YOU’VE BEEN DRAFTED!

by Curtis W. Cichowski ’81

Eugene E. Parker received an undergraduate degree in Business Management from Purdue University in 1978 and the Juris Doctor degree from Valparaiso in 1982. He is a member of the Fort Wayne law firm of Burt, Blee, Hawk & Sutton. He is admitted to practice in the State of Indiana and the United States District Court for the Northern District of Indiana. With regard to his sports law practice, he is a member of the Sports Lawyers Association and is registered with the National Football League Players’ Association as a player agent. This profile is based on conversations with Mr. Parker and from the following supplemental sources: G. Schubert, R. Smith & J. Trentadue, Sports Law (1986); P. Hochberg & M. Blackman, Representing Professional Athletes and Teams 1986 (1986); R. Berry & G. Wong, Law and Business of the Sports Industries (1986); L. Remick & D. Eisen, “The Personal Manager in the Entertainment and Sports Industries,” 3 Entertainment & Sports Law Journal 57-86 (1986), L. Elmore, “The Agent’s Role in Professional Sports: An Athlete’s Perspective,” 31 Boston Bar Journal, July 1987, at 6-8.

In the last twenty years, professional team franchises have turned sports into a very profitable industry. In the not too distant past, an athlete seeking a position with a professional team could easily represent himself in what was a relatively simple matter of contract between a team and player. Now, however, an athlete is faced with complicated contractual negotiations involving large sums of money as compensation, bonuses, incentives, injury protection, free agency, arbitration, collective bargaining, and publicity rights. Players have been quick to recognize that they need professional assistance, not only in negotiating a contract, but in managing their financial affairs as well.

In fact, the first thing any athlete who intends on entering the professional sports ranks needs to do is obtain the services of a professional sports agent. Since the duties of a successful agent require an ability to carefully plan and negotiate on behalf of the player, as well as an understanding of all the legalities of drafting an agreement, many players rely on an attorney to act as an agent. So many attorneys have become actively involved in the practice of “sports law” that there is now the Sports Lawyer Association, as well as an ABAA Committee on the Entertainment and Sports Industries. Law schools, including Valparaiso, have also recognized the specialty and have begun to offer courses on such subjects. Yet, a successful attorney-sports agent must have a thorough understanding not only of sports law, but of the life of an athlete as well.

Eugene E. Parker, ’82, epitomizes the successful attorney-sports agent. During his undergraduate years at Purdue University, Eugene received a number of honors for his skill as a basketball player. He was team captain, Most Valuable Player, and a member of the All Big Ten Team. He was drafted by the San Antonio Spurs Professional Basketball Team in 1978, but opted to play in the Athletes in Action Program, a sports ministry. The Athletes in Action team Eugene played with was selected to represent the United States in the World Championships held in Manila, the Philippines. He came to the School of Law in 1979. During his tenure as a law student, Eugene was an Assistant Coach for the Valparaiso University Basketball team, which gave him a chance to experience the sport from the other side of the bench.

After law school graduation, Eugene joined the Fort Wayne law firm of Burt, Blee, Hawk & Sutton. He quickly became involved in sports law. He has already assisted, as personal attorney and advisor: Joe Barry Carroll (basketball—Golden State Warriors); Roosevelt Barnes (football—Detroit Lions); Rod Woodson (football—Pittsburgh Steelers); Michael Brooks (football—Denver Broncos); Wendell Davis (drafted by the Chicago Bears football team); Gary Richards (drafted by the Green Bay Packers football team); Heisman Trophy winner Tim Brown (drafted by the L.A. Raiders football team); and Matt Kinzer (baseball—St. Louis Cardinals).

According to Eugene, there are a number of different services and roles that an agent can play for any one athlete. “There are five categories of service that each player needs to be aware of: general management, financial management, marketing, public relations and career management.” Often, one or more of these services needs to be provided by individuals other than the attorney-agent. According to Parker, the type and extent of services provided depends entirely on the needs, situation and desires of the individual player. For example, Tim Brown’s brother handles all the business affairs, while Eugene is primarily involved in the contract negotiation. The key is to realize what can be done by the agent and what needs to be done by some other professional to best meet the needs of the player. “Often, there are family members or friends that can provide one or more of these services.”

Much of the business of being a sports agent has been regulated and formalized. Both the National Football League Players Association (NFLPA) and the National Basketball Players Association (NBPA) have standard player contracts. In addition, many states (California, Texas, Oklahoma, New York) and organizations (NFLPA, NBA, NCAA) have agent certification/registration requirements.

“Although you must use the standard player contract, there are several additions that can be made, as long as you do not breach the basic elements of the standard form.” Most of the standard contracts leave room for supplementing items such as the term or length of the contract, renewal provisions, signing bonuses, base salary, incentives and bonus provisions. Clauses dealing with incentive bonuses and injury protection are the most common additions, according to Parker.
In preparing for the contract negotiation, an agent must develop a complete understanding of the value of the player's services, the needs of the player and the needs of the club. You must carefully assess your player's history of success, his potential for success in the professional league, compare contracts of similarly situated athletes, and study the trends in players' incomes. There are a number of sources for this information, including the players' associations. It is important to remember that the professional life for any athlete is relatively short. You must make sure that your player obtains the best contract available that adequately covers all aspects of his professional career during the term of the contract entered into. Once the contract is made, there is little room for negotiation. If you make a two-year contract, and the player turns into a real star in the first year, you do not have much chance of changing the contract terms for the second year of play.

The problem with the standard player contracts and the draft system, according to Parker, is what is referred to as "slotting." Often, players' contracts, at least in terms of compensation, are set into 'slots'. For example, the player drafted first in the first round gets the best contract, the second player gets the second best contract, etc. ... Although slotting protects players who are represented by less effective agents (that is, they are guaranteed a minimum contract relative to their draft), the practice encourages mediocrity. Except for quarterbacks, slotting fails to take into account the specific talents of the athlete and his value to the club. There should be more of a free market approach." Eugene indicated that he has been successful in fighting the slotting practice so far, but most of the opportunity to do so is in the top three rounds of the draft.

One need not be an attorney to be an agent. In fact, there is some thought that being an attorney-agent may have some detriments, especially when it comes to the solicitation of players. There are a number of unscrupulous agents who are very aggressive when it comes to getting athletes to sign agency contracts with little to no regard for the welfare of the athlete. The agent certification and registration requirements were created in response to the practices of such agents. However, each attorney-agent is bound by the code of ethics or rules of professional responsibility adopted by the jurisdiction in which he practices. Relevant to the role of the agent, these codes or rules cover advertising and solicitation, conflicts of interest, fees, the preservation of client funds and property, and the unauthorized practice of law.

Eugene considers the fact that he is an attorney to be an advantage. "The fact that you are a lawyer carries more weight in the eyes of the athlete; it is a clear indication that you have, at the very least, a base level of competency to perform the functions of agent." He also does not feel that the restrictions with regard to solicitation have hampered his practice. "I began in this practice by simply giving advice to friends, and it has grown from there. Referrals, in this business, are critical." In short, the ethical standards of the legal profession are incentives for the well-informed athlete to choose an agent who is an attorney.

Representing the athlete in negotiations with the club is only one part of the duties of an attorney-agent. Parker sees his role more as a personal advisor/manager for his athlete clients. His goal with each player is to develop a "comprehensive situation that allows the athlete to be successful in his sports life, in his business life, and in his personal life as well." Many of the athletes entering the professional ranks immediately after college are rather young and inexperienced, especially when it comes to handling large sums of money and the life of a professional athlete. Eugene considers it important to make sure that the athlete develops a stable home life and looks beyond the few short years of professional sports.

"In one simple sense, the business of sports law is nothing more than representing an individual who has a small business—a business based on providing a special skill that has been developed to an extraordinary level. The athlete is in the service industry." On the other hand, "each athlete is totally unique, and you must take the time to fully understand the special needs, abilities, desires, and goals of each individual player you represent." No two players share the exact same situation. "There are different ways to achieve the goals of every player, depending in large part on the player himself, his family and his friends." You cannot treat a player as a commodity.

When Eugene first expressed an interest in practicing sports law, he was told that it would be too difficult. "Hearing that, I was inspired to enter the sports practice and become the best sports lawyer-agent I could be. I would never tell anyone who came to me with the same dream to forget it. If someone came to me with a desire to enter this type of practice I would offer encouragement, along with clear explanations of the amount of time, the challenges, and the costs of doing so." This practice takes an inordinate amount of time to develop and to maintain.

It is obvious that Eugene Parker enjoys the practice of sports law. What is most refreshing is that his enjoyment comes not from the monetary rewards, but from simply helping fellow athletes make the most of the special opportunities offered to them as a result of their extraordinary skills.

**LAW REVIEW BOARD FOR 1988-89 SELECTED**

Congratulations to the following students who have been named as the Editorial Board of the Valparaiso University Law Review for the upcoming 1988-89 academic year:

**Editor in Chief:** Jayme Walker

**Executive Editor of Publication:** John Daerr

**Executive Managing Editor:** Bonde Johnson

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- Mike McVickar

**Executive Editor:** Julie Zandstra

**Note Editors:**
- Pete Pouge
- Vicki Rau
- Dan Rustman
- Brad Soos
1952
Bryce Billings of Valparaiso, IN, was appointed a Superior Court Judge on January 1, 1988.

1955
Alan B. Holmes is a partner in the Medford, OR, firm of Holmes & Galpein, P.C.

Robert J. Stroebel of Frankenmuth, MI, announced a change in his firm name to Stroebel, Meyer & Jaffke, P.C.

1957
Robert A. Cox of Wheaton, IL, presides over the Divorce Court in DuPage County, IL.

1958
Donald R. Holtman has moved to Farmington, CT.

1962
Charles Rau is Vice President, Taxes for MCI Communications in Washington, D.C. Chuck and his wife, Beckie, celebrated their 25th anniversary in December 1987.

Gale W. Saint, a partner with the Bloomington, IL, firm of Saint, Barlen & Ambrose, is the author of the “Social Security for Farmers in Retirement” chapter for the 1987 edition of Advising Farmers. Saint is a fellow of the Life Management Institute and a chartered life underwriter.

1966
On February 1, 1988, Fredrich H. Thomforde, Jr. opened his own law offices in Knoxville, TN. He will also be Of Counsel to the law firm of Stone & Hinds, P.C.

1969
Peter M. Glick is a Deputy District Attorney for Los Angeles County. He is also a CPA. His wife, Lynne, is a homemaker and community volunteer. They have two daughters, Heather 12½ and Elizabeth 7.

1971
J. Peter Ault was elected Associate Judge in the 10th Judicial Circuit and was sworn in December 1, 1987. He taught business law at Illinois Central College from 1972-77 and, in addition to his other work, has practiced general law since moving to Pekin in 1972. He was president of the Tazewell County Bar Association from 1984-85 and unsuccessfully attempted to swim the English Channel in 1984. Peter lives with his wife, Tomi, and two children in Pekin, IL.

1972
Tom Jaffke, after 12 years with Frankenmuth Michigan Bank and Trust and a brief stint with New Century Bank, has joined the Frankenmuth law firm of Stroebel and Meyer, now known as Stroebel, Meyer & Jaffke. Its senior member is Bob Stroebel, ’55.

1973
John L. Kelly, Jr. moved to Merrillville, IN.

1974
Since November, 1985, John F. Hoehner has been the chief of the criminal division of the U.S. Attorney's Office, Hammond, IN. Just recently, he was named First Assistant to the U.S. Attorney James Richmond.

Randolph W. King, Jr. is an Assistant Counsel for the Department of the Navy in Washington, D.C.

George and Susan Liu are partners in the Minneapolis-based firm of Dorsey & Whitney. George and Susan practice in Hong Kong.

George W. Tinkham has opened law offices in Springfield, IL.

1975
Joanne Jones has been appointed manager of the Valparaiso Chicago Title Insurance Company office. Joanne will be responsible for Chicago Title’s Porter County operations.

1976
Marti K. Hoover is working in McLean, VA, at the Center for Excellence in Education.

William G. Hussman, Jr. has been named U.S. Magistrate for the Southern District of Indiana.

John W. Nassen became a partner of Vial, Hamilton, Koch & Knox in Dallas, TX, on January 18, 1988.

Dawn E. Wellman recently became a partner of Brand & Allen in Greenfield, IN.

1979
Dierdre Burgman is practicing law in New York with the Wall Street firm, Cahill, Gordon & Reindel. Recently, she presented testimony on pending legislation in hearings before a Joint Committee of the New York State Assembly on behalf of the New York County Lawyer's Association.

Raleigh E. Jones and his wife, Laurie, had a daughter, Kirsten Meredith, on August 24, 1987. They also have two sons, Warren, 4, and Garrett, 3. Raleigh is a labor mediator and arbitrator for the Wisconsin Employment Relations Commission in Madison, WI.

1987
Charles W. McKinnon accepted a position with Zenith Electronics Corporation in Glenview, IL.

James W. Myers, III has resigned December 31, 1986 from Leonard M. Ring & Associates to open his own law practice in Crown Point, IN. Jim and his wife, Barbara, had their first child, James Woodrow Myers, IV on June 27, 1987.
Major David Sweigart

Major David V. Sweigart has been appointed the new commander of the 110th Resources Management Squadron at Battle Creek, MI, Air National Guard Base.

M. Scott Wolfram is a partner with Lohrmann, Parker & Wolfram in Walla Walla, WA. Scott and his wife, Laurie McCall Wolfram, announce the birth of their fourth child, Benjamin Seth, on April 14, 1987. Their other children are Kristopher, 7½, Joshua, 6, and Stephanie 2½.

1980

Nicholas Bazan is a partner with the firm of Wettman, Wettman & Bazan in Houston, TX.

Julie Blackburn has joined the Tax Division of the Quaker Oats Company in Chicago, IL.

Barbara Bucholtz has relocated in Tulsa, OK.

1981

William M. Demmon, Jr., and wife, Jill, have recently moved to Monterey, CA. Besides spending all their spare time working on their house, they are kept busy by their two girls, Kara, 7, and Katie, 4.

Sheila Marie Moss opened her own practice in Gary, IN. Sheila married Attorney Gilbert King, Jr. on August 29, 1987. Sheila is also currently employed as a deputy prosecutor in Gary, IN.

1982

Daniel C. Banina has been appointed the Chief Deputy Prosecuting Attorney for Miami County, IN. He and his wife, Helene, reside in Peru, IN, with their first child, Samuel, born August 3, 1986.

Rudolph Beese and wife Shelly, announce the birth of their son, Clayton, on August 23, 1987. Rudy is a partner in the Kansas City law firm of Wallace, Saunders, Austin, Brown & Enochs.

Marta Bukata is the Director of the Domestic Violence Program of the South Chicago Legal Clinic and received a $10,000 award for the program from the Chicago Bar Foundation.

Roger Burrus is a partner in Burrus & Burrus, Zionsville, IN. Roger and his wife, Marie Danielle, have a son, Andrew Paul, born March 10, 1986.

David Cerven has been named a partner in Burke, Murphy, Costanza & Cuppy in Merrillville, IN.

Mark Dennis Cladis is Vice-President of ProSport management, Inc. and represents professional athletes. His fiancée, Debbie Panega, is a National Accounts Manager for Household Financial Services. Their wedding is in May, 1988. Afterwards, they will reside in Chicago Heights, IL.

Katharine E. Gerken has become a partner in the Valparaiso law firm of Huppner, Wagner & Evans.

Robert James McCune, Jr. has joined the Department of Legal Affairs in Lakeland, FL.

Michael P. Schoenbohm announced the formation of the law firm Schoenbohm & Schoenbohm, Appleton, WI. The firm concentrates its practice in bankruptcy. Michael formerly was associated with Frederick E. Froehlich, ’47.

1983

Jon C. Abernathy is an attorney for Goodin & Kraege in Indianapolis, IN. Jon and wife, Lee, announce the birth of their daughter, Caroline Nance, on May 12, 1987.

Leane English Cerven has become the Senior Attorney for the First National Bank of Chicago, IL.

Michael P. Clark has relocated to Walnut Creek, CA, where he is associated with Hinton & Alpert.

R. Bradley Koeppen has joined the firm of Clifford, Claudon, Alexa & Koeppen in Valparaiso, IN.

Patricia Morris Sarkisian has been promoted to Financial Services Officer in the trust department of Gainer Bank in Valparaiso, IN. Trish and Jim Sarkisian, ’83, were married in March, 1988 and reside in Valparaiso.

1984


Tim J. Cain is a partner in Eberhard & Cain, P.C. in LaGrange, IN.

Brian J. Clark is an associate in the Elkhart, IN, office of Barnes & Thornburg.

Jayne Davis Dewire has moved to Franklin, WI, and has associated with Borgelt, Powell, Peterson & Frauen in Milwaukee.

Tula Kavadias has opened a firm in East Chicago, IN.

Kevin Parker has recently associated with Taylor, Wolff, Burke & Eder, P.C. in Effingham, IL.

John T. Savee is an Assistant City Attorney for the City of Milwaukee, IN.

1985

David W. Belconis has relocated to Iverniss, IL, and is a partner at Fleria & Belconis.

Eartha Taylor-Boone was admitted to the Texas State bar in December, 1987 and has accepted a position at Stevens, Rollé & Madden Law Firm in Dallas, TX.

Charles D. Emery returned to Indiana and has associated with the Merrillville, IN, firm of Walker, Fleming, Corbin & Greenbaum.

Russell E. Lewis has been practicing law in Rockford, MI, in the firm Lewis & Vos, P.C.

Christopher McQuillin became a Porter County, IN, Deputy Prosecutor in May 1987. Also, he is an associate with Ronald P. Nelson, Attorney at Law.

James H. Milstone recently became an associate with Thorne, Grodnik & Ransel in Mishawaka, IN.
On January 4, 1988, Frank J. Parise was appointed Criminal Court Commissioner in Kenosha County, WI. Frank married Cheryl Rannick on October 31, 1987.

Douglas B. Stebbens is an associate with Eichhorn, Eichhorn & Link in Hammond, IN. John Pangere and John Zervos are attorneys in Merrillville, IN.

Richard Read Fox and K. Lee Cotner are partners in the firm they opened in New Albany, IN.

Brian Gensel has opened his own law office in Schererville, IN.


Sam Hasler has opened his own law office in Anderson, IN.

Douglas Henderson is an associate with a law firm in Kenosha, WI.

Julie A. Hughes is an associate at Worth Law Office in Rushville, IN.

Jeff James is a Deputy Prosecutor for LaGrange County, IN, in addition to having his own law practice.

Debra Jenkins is an attorney with Georgia Legal Services in Valdosta, GA.

Jennifer Jewell is an associate attorney with O'Connor & Tushla in Cassopolis, MI.

Karen Lorraine Johnson is clerking for the Chief Judge of the Indiana Court of Appeals, Wesley W. Ratliff, Jr., '50, in Indianapolis, IN.

Richard Jones is with a finance consulting firm in Indianapolis, IN.

Robin Klopfenstein is an associate with a law firm in South Bend, IN.

Steven Kovachevich is an associate with a law firm in Merrillville, IN.

Ron Kupriers has been promoted from Traffic Division to Assistant State's Attorney, Misdemeanor Division in Waukegan, IL.

Margaret Murphy reported for active duty in the U.S. Army JAGC in March 1988. She will be in Charlottesville, VA, until October, and then will be stationed in Europe.

In January, 1988, Phillip A. Norman became an associate with Burke, Murphy, Costanza & Cuppy in Merrillville, IN.

Roland Norris has associated with Irving Weiner, P.C., in Southfield, MI. Captain Linda Potter is serving in the Army JAGC at Fort Stewart, GA.

B. Scott Skillman is working in Indianapolis as an associate with Dann, Pecar, Newman, Talesnick & Kleinman.

Melinda Thompson is an associate with Kendall, Wood, Coleman & Kessinger in Danville, IN.

### IN MEMORIAM

1926
Charles W. Hughes, Fair Oaks, PA.

1940
Frederick G. Max died suddenly of a heart attack on November 16, 1987.

1951
Leon Joseph Humbert, Lafayette, IN.

1965
John Sebastian Diaz, a 37-year resident of Portage, IN. He was a self-employed attorney, operating his Portage firm of J. Sebastian Diaz P.C. since 1966.

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**VALPARAISO UNIVERSITY SCHOOL OF LAW/ICLEF CONTINUING LEGAL EDUCATION CALENDAR**

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<tr>
<th>Date</th>
<th>Seminar Topic</th>
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IN MEMORIAM

JUDGE LUTHER M. SWYGERT

Judge Luther M. Swygert, 83, senior member of the U.S. Court of Appeals in Chicago and a 45-year veteran of the federal bench died March 16, 1988.

Judge Swygert, a long time friend of Valparaiso University School of Law, was appointed the First Distinguished Jurist-in-Residence at Valparaiso for the fall of 1984. He conducted several seminars and lectures for law students and faculty. He also served on the Law School's Board of Visitors and was awarded an honorary doctorate from Valparaiso University in 1964.

A graduate of the University of Notre Dame, Judge Swygert was admitted to the Indiana Bar in 1927 and began his law practice in Michigan City, Indiana. He was appointed deputy prosecuting attorney for Lake County, Indiana in 1931, and an assistant U.S. attorney for the Northern District of Indiana in 1934.

In 1943, President Franklin D. Roosevelt appointed Judge Swygert to the U.S. District Court for the Northern District of Indiana, where he served until 1961, when he was appointed to the 7th Circuit Court of Appeals by President John F. Kennedy. He had been on senior status since 1977.

His son, Michael I. Swygert, is a 1967 graduate of the School of Law. He served as assistant dean at Valparaiso before beginning a teaching career at Stetson University College of Law in St. Petersburg, Florida.

The Luther M. Swygert Memorial Fund for a moot court award has been established at Valparaiso by Mrs. Swygert and son, Michael. Contact the Office of the Dean for further information.

EDWARD A. SEEGERS

On February 15, 1988, the University and School of Law lost a long-time friend and supporter. Mr. Edward A. Seegers, 100, a retired Chicago attorney passed away in Arlington Heights, Illinois.

A University of Chicago School of Law graduate and charter member of the Lutheran Bar Association, Mr. Seegers made significant contributions to Valparaiso University for facilities and scholarships. In 1954 he began a fund for the School of Law which enabled the School to establish the University's first fully-endowed chair. In 1981 the Seegers Distinguished Professor of Law was established in honor of Mr. Seeger's parents, Louis and Anna Seegers. Professor Emeritus Louis F. Bartelt, Jr. was appointed as the Louis and Anna Seegers Professor in 1981 and held that position until he retired in 1986. On April 17, 1988, Professor Alfred W. Meyer was installed as the second Louis and Anna Seegers Professor of Law.


Mr. Seegers was a member of the Illinois Bar and American Judicature Society. He was awarded the Lumen Christi medal by Valparaiso University in 1964 and was made an honorary alumnus in 1977.

COLONEL ERWIN A. JONES

Colonel Erwin A. Jones, Professor Emeritus, died on March 30, 1988. Colonel Jones was a distinguished member of the faculty of the School of Law from 1958-1973. He taught courses in contracts, admiralty, legislation, insurance, family law, criminal law and criminal procedure.

Colonel Erwin A. Jones

He received the A.B. in 1926 and J.D. in 1928 from the University of Nebraska. As a member of the Nebraska Bar, he served as a prosecuting attorney until 1941 when he entered the U.S. Army. After the war, he served as the Assistant Attorney General of Nebraska and in 1947 served as Staff Judge Advocate-U.S. Army. He retired from the Army in 1958 to begin his teaching career at Valparaiso.

Colonel Jones was a member of the Nebraska and Virginia Bars and the U.S. Court of Military Appeals. He was also a member of the American Judicature Society, associate member of the National Council of Juvenile Court Judges, and Delta Theta Phi fraternity.

After retiring from the law faculty, Colonel Jones practiced law in Virginia Beach, Virginia.
Law Review

The Valparaiso University Law Review is entering its 23rd year of publication. During this year we hope to enlist the support of many alumni who have not yet had the opportunity to subscribe. Your support can be given by participating in one of our patron programs or simply by subscribing to the Review.

Our sincere thanks,
The Editorial Board

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*NOTE: Subscriptions and Contributions to the Review are tax deductible to most members of the legal profession. Life Patrons receive a subscription for life to the Review while other patrons receive an annual subscription.

Alumni News and Change of Address

Please note recent changes in your home and/or work address, employment, professional activities, or personal life which you would like to share.

Name __________________________ Class ______
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News ____________________________________________________________

Return to: Gail Peshel, School of Law, Valparaiso University, Valparaiso, IN 46383.
The Amicus
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