

SUMMER 2003

# UTLAW


THE  
MAGAZINE  
OF THE  
UNIVERSITY  
OF TEXAS  
SCHOOL OF  
LAW

## THE LONG ARM OF UT LAW

UT LAW'S STUDENTS  
AND ALUMNI AT WORK  
AROUND THE WORLD

**PLUS**  
The  
Brazilian  
Exchange  
**AND**  
Mark  
Twain's  
Guide for  
Young  
Lawyers

*International  
insolvency expert  
Professor Jay  
Westbrook, '68*



If you  
could build  
the perfect  
financial  
institution,  
what would  
you include?

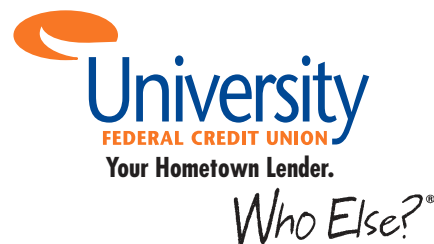
Forget the concrete and steel for now. How about building your perfect financial institution on a solid base of local ownership. Better yet, you'd be one of the owners. You'd have no stockholders to impress. Instead, your financial institution would operate on a not-for-profit basis with the sole purpose of serving the needs of your community and the people who live there. And it would be dedicated to achievement of the financial goals of Main Street, not Wall Street. Friends and people with whom you work would volunteer time to serve on the Board of Directors. Sound impossible? It's already been done. It's called a credit union. More specifically, it's called University Federal Credit Union.

As Austin's largest locally-owned financial institution, UFCU serves more than 95,000 member-owners. If you're not one of them, we invite you to join UFCU, which for 67 years has proudly served the University community and called Austin home.

### Membership at UFCU is open to:

- The Entire University Community
- Austin Chapter, Texas Exes
- Longhorn Foundation Members
- More Than 100 Leading Area Companies

To learn more about a financial institution built for you, call (512) 467-8080, stop by any of our 8 (soon to be 9!) Austin area locations, or visit us online at [ufcu.org](http://ufcu.org).





# SUMMER 2003

*In February the Law School celebrated the birthday of Judge William Wayne Justice, '42, and announced plans for a fundraising drive to establish a public interest endowment in his honor. See page 48.*

## FRONT OF THE BOOK

### 2 VOIR DIRE

### 4 IN CAMERA

### 8 DEAN POWERS

*Now More Than Ever* by Bill Powers

### 10 CALENDAR

### 12 AROUND THE LAW SCHOOL

*Fourth national championship win, faculty honors, and a new Keeper of the Peregrinus*

### 16 FACULTY FOCUS

*Recollections of Legislatures Past*  
by Jack Sampson

### 20 ALUMNI FOCUS

*Mark Twain's Guide for Young Lawyers*  
by Nina Cortell

### 22 FOR THE RECORD

## FEATURES

### THE LONG ARM OF UT LAW

# 34

*How UT Law and its alumni make a difference around the world*  
by John DeFore

### THE BRAZILIAN EXCHANGE

# 44

*New relationships strengthen UT's historic ties to Latin America*

Cover photograph and photograph  
this page by Wyatt McSpadden

## BACK OF THE BOOK

### TOWNES HALL NOTES 47

### NOTEWORTHY 48

*Watt lights up the Oklahoma Supreme Court, Getman talks labor, and a rare addition to the library*

### CLASS NOTES 54

### IN MEMORIAM 62

### CLOSING ARGUMENT 64

*Texas' Uncommon Laws*  
by Corwin W. Johnson

**UTLAW**  
VOLUME 2 • ISSUE 2

*"For someone as distinguished as Judge Sam Johnson, '49, perhaps the rule should have been relaxed."* WILLIAM W. KILGARLIN, '62

# LETTERS

## REMEMBERING FRIENDS

I REALIZE THAT SPACE FOR BIOGRAPHIES of those listed In Memoriam is limited. However, for someone as distinguished as Judge Sam Johnson, '49, perhaps the rule should have been relaxed so that mention could also have been made that he served as a justice of the 14th Court of Civil Appeals, justice of the Supreme Court of Texas, and judge of the United States Fifth Circuit Court of Appeals.

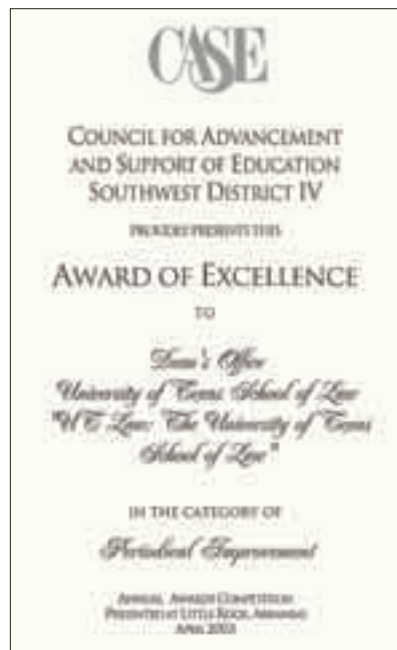
Edna Philips's husband, Tom, '39, was not only a senior partner at Baker Botts but was a president of the State Bar of Texas.

William W. Kilgarlin, '62  
Santa Fe, New Mexico

*Editor's Note:* Thank you for your letter. Material for our In Memoriam section is typically culled from published sources and focuses on work in the legal community. Unfortunately, Judge Johnson's and Mrs. Philips's obituaries did not include such significant information. We're always grateful for assistance from our alumni who gather biographical or obituary information and send it to our editorial office to help us improve this section.

**CORRECTION** Federal district judge Thad Heartfield was identified in "The Beaumont Foundation" (Spring 2003) as a graduate of UT Law. He is a graduate of St. Mary's Law School.

**JUST IN CASE** UT LAW magazine won the silver medal for excellence in periodical improvement at this year's CASE Southwest District IV awards. The district encompasses Mexico and the states of Texas, Arkansas, Louisiana, New Mexico, and Oklahoma. The Council for Advancement and Support of Education (CASE) supports educational professionals in three thousand education institutions in forty-five countries.



**WE WELCOME LETTERS** *The editor reserves the right to determine the suitability of letters for publication and to edit them for accuracy, style, and length. We regret that they cannot be returned. Letters should refer to material published in the magazine and should include the writer's full name, address, and telephone number.*

**Write:** UT LAW Letters  
UT LAW Alumni Magazine  
727 East Dean Keeton Street  
Austin, Texas 78705  
E-mail: [utlawmagazine@mail.law.utexas.edu](mailto:utlawmagazine@mail.law.utexas.edu)  
Fax: (512) 232-1354

## UTLAW UT SCHOOL OF LAW

Dean  
BILL POWERS JR.  
Asst. Dean for Development and Alumni  
NANCY BRAZZIL  
Director of the Alumni Association  
TOM HENNINGER, '92  
Director of External Relations  
FRAN CHAPMAN  
UT Law School Alumni Association President  
MIKE PERRIN, '71  
UT Law School Alumni Association President  
STEPHEN TATUM, '79

## MAGAZINE

Communications Director  
ALLEGRA J. YOUNG  
Communications Strategy Manager  
LAURA CASTRO TROGNITZ, '97  
Class Notes and In Memoriam Editor  
IRMA SANTANA  
Faculty Publications  
MICHAEL WIDENER  
Editor-at-Large  
NICHOLA FORTNEY  
Editorial Assistance  
JAN McINROY  
Creative Direction, Design, and Production  
NANCY McMILLEN  
NANCY McMILLEN DESIGN

## WE WELCOME YOUR LETTERS AT:

UTLAW Letters  
UTLAW Alumni Magazine  
727 East Dean Keeton Street  
Austin, Texas 78705  
E-mail: [utlawmagazine@mail.law.utexas.edu](mailto:utlawmagazine@mail.law.utexas.edu)

## TO ADVERTISE:

DON WEIDEMANN  
ACCOUNT EXECUTIVE  
TEXAS MONTHLY  
CUSTOM PUBLISHING  
Office phone: (512) 320-6915  
Mobile phone: (512) 587-3676  
Fax: (512) 476-9007  
E-mail: [dweidemann@texasmonthly.com](mailto:dweidemann@texasmonthly.com)

## TO CHANGE YOUR CONTACT INFORMATION:

Telephone: (512) 232-1118  
E-mail: [LawAlumni@mail.law.utexas.edu](mailto:LawAlumni@mail.law.utexas.edu)  
Online: <http://www.utexas.edu/law/depts/alumni/form.html>

UTLAW Magazine is published three times a year by The University of Texas Law School Foundation, a nonprofit corporation, 727 E. Dean Keeton St., Austin, Texas 78705.

## Your challenges take on many different forms. So do our solutions.

Our experience with institutional clients has taught us a great deal about the unique challenges you face—beginning with the fact that these challenges don't always fit neatly under the heading of "institutional investments".

So our experienced professionals draw on a seamless array of services and resources to deliver highly effective, custom solutions. Here are just some of the services we provide:

- Custody
- Investment Management
- Enhanced Liquidity Management
- Daily 401(k)

- Retirement Plan Services
- Endowments and Foundations
- Health Care Services
- Performance Measurement
- Securities Lending
- 1031 Exchanges
- Escrow Services
- Controlled Portfolio Liquidation

For more information, contact Marshall Shanklin  
toll free at 866-763-6440.



**Compass Bank**

**Think of Us as the Law Firm  
that's been Focused on Austin's  
Future for 25 Years.**

**FULBRIGHT**  
*& Jaworski L.L.P.*  
Attorneys at Law

*When You Think of the FUTURE,  
Think Fulbright.™*

*Not Certified by the Texas Board of Legal Specialization.*

HOUSTON • NEW YORK • WASHINGTON, D.C. • AUSTIN • DALLAS • LOS ANGELES • MINNEAPOLIS • SAN ANTONIO  
HONG KONG • LONDON • MUNICH

[www.fulbright.com](http://www.fulbright.com) • 512-474-5201



## THE SUNFLOWER CEREMONY

The Sunflower Ceremony celebrated its 103rd year this May as 444 students received sunflowers to honor their graduation. The flower, which “turns to light as a lawyer turns to the light of justice,” was adopted by the Law School in 1900 when law students were inadvertently left out of the University’s commencement discussion regarding appropriate regalia.

PHOTOGRAPH OF PROFESSOR DAVID ROBERTSON  
AT THE 2002 SUNFLOWER CEREMONY  
BY JOEL SALCIDO

IN CAMERA







IN CAMERA





A photograph of a gravel path lined with tall, slender trees, leading to a vineyard. The trees are planted in a row on the left side of the path, and their shadows are cast onto the gravel. To the right of the path is a vineyard with rows of grapevines supported by stakes. The background shows more trees and a clear sky.

## A FRUITFUL PATH

Pursuing different career directions led two vintners to success. Central Texas' Fall Creek Vineyards (pictured here), established in 1975 by Ed Auler, '69, and his wife, Susan, has received more than five hundred international, national, and state awards for its red, white, and Zinfandel wines.

In the Napa Valley, fellow alumnus Charlie Meeker, '67, the former president of Metro-Goldwyn Mayer, and his wife, Molly, established the award-winning Meeker Vineyard nine years later. The vineyard specializes in reds and produces 18,000 cases a year.

PHOTOGRAPH BY GEORGE BRAINARD



# Now More Than Ever

*How the Law School is investing in its core mission during tough times.*

AS I HAVE SAID ON SO MANY OCCASIONS, WE HAVE the best alumni in the country. You support us with your time, your talents, and your treasure. In these uncertain times, we appreciate and need your help more than ever.

These are difficult times for the State. As I write this letter, the 78th Legislature is struggling with the State's budget. Two things are certain. First, there are more needs than revenue. Texas requires funding for K-12 education, for health care and human services, for all of public higher education, and for many, many other services. And, as you surely have read in the newspapers, public revenues are down. Second, State support for the University will be reduced. We don't yet know the magnitude of the reduction. But in planning for next year, we have been asked to reduce our budget here at the Law School by 5 percent, and we have done that. All of this presents significant challenges for the University as a whole, and for our Law School in particular.

Meeting our challenges in the short term has required action on a number of fronts, some of them painful. We have put off badly needed renovation projects, such as continuing to refurbish and update some of our classrooms. We have cut back on some alumni events—although I can assure you I will continue to come to your communities to meet with you and seek your advice. We have put off some important, but not mission-critical, events. And, we are reducing our staff. Some, but not all, of these reductions are being accomplished through attrition. But unfortunately, attrition is not enough; we have been forced to eliminate some positions.

As I have made these hard decisions, my guiding principle has been to protect our most important missions: teaching and scholarship. We must continue to attract and retain the best students and faculty, and to sustain the momentum we have generated in the past few years.

That momentum is substantial. Our applications are up again this year by 11 percent. Building on last year's hiring successes, we continue to add star faculty. This year we lured Ronald Mann—a 1985 graduate of our Law School and a nationally-renowned commercial law expert—away from Michigan. We lured Bob Peroni, a nationally-recognized tax expert, away from George Washington, and we enticed Kate Litvak, a young corporate scholar, to join our faculty.

This issue of UTLAW highlights just a sampling of the

exciting things our students and faculty are accomplishing. Kenn Kern, who will be a third-year student in the fall, is currently working on the war crimes trial of former Serbian dictator Slobodan Milosevic. Professor Jay Westbrook continues to work on cutting-edge issues in bankruptcy law. Adam Harbin and Rebecca Jackson just won a national championship in an admiralty moot court competition. And I could go on and on. We have a truly great Law School, and, with your help, an even brighter future.

The long-term challenge we face is very different from the short-term challenge we have just met. But it is no less critical. It is clear that, with State support for the University continuing to diminish, the Law School will increasingly depend on tuition and alumni support. When I arrived at the University in 1977, resident tuition and fees were about \$500 per year. They now exceed \$12,000. Despite this dramatic rise, our tuition is still substantially lower than that of our peer schools, even public law schools such as Michigan (nearly \$28,000) or Virginia (about \$21,000). Further tuition increases are inevitable.

Our challenge is to modulate tuition increases while maintaining—and enhancing—the quality of a UT Law education. We must strive to ensure that a UT education remains accessible to students across the economic spectrum. And we must avoid saddling future generations of students with crushing debt when they graduate.

This is where you come in. Twenty years ago, nearly all of our financial support came from the State. Now, about one-third comes from the State. Another third comes from tuition. The final third—the crucial final third—comes from you, our loyal alumni. Our future will continue to be bright if we here at the Law School manage our budgetary stresses wisely and if you, our loyal supporters, rise to the challenge.

Together, we can keep the UT Law School on top, where it belongs. Now, more than ever, we need your help. Thank you!

Sincerely,



Bill Powers  
Dean



# Reunion 2003 Sponsors



## SILVER SPONSORS

Andrews & Kurth L.L.P.

Baron & Budd L.L.P.

Fulbright & Jaworski, L.L.P.

## BRONZE SPONSORS

Atlas & Hall, L.L.P.

Beck, Redden & Secrest L.L.P

Citizens Ist Bank

King & Spalding

Stephen Tatum

THANKS TO OUR SPONSORS FOR THEIR SUPPORT!



## JULY AND AUGUST

The Center for Public Policy Dispute Resolution is holding a **Negotiation Workshop** on July 23 and an **Advanced Facilitation Training** session on August 8. For more information, call Natalie Gray at (512) 471-3507 or visit the Web site at [www.utexas.edu/law/cppdr](http://www.utexas.edu/law/cppdr).

**Rights Law.** For more information, please contact the Texas International Law Journal at [tlj@mail.law.utexas.edu](mailto:tlj@mail.law.utexas.edu) or at (512) 232-1277.

## SEPTEMBER 8 - 25

Fall 2003 **On-Campus Interviews** (OCI) will be held at the Law School in the new Career Services Office interviewing suites. To participate, go on-line to <http://www.utexas.edu/law/depts/career/> or contact OCI coordinator Andrea Schlafer at [aschlafer@mail.law.utexas.edu](mailto:aschlafer@mail.law.utexas.edu).

## OCTOBER

Texas Law Fellowships (TLF) invites alumni, faculty, staff, students, and the general public to the annual **Fall Auction** in October to raise money to fund fellowships for Law School students who work in summer public interest internships. Bid on items in the live and silent auctions and support TLF's first major fundraiser of the year. For time, location, and ticket information, or to donate an item, contact TLF at [tlf@mail.law.utexas.edu](mailto:tlf@mail.law.utexas.edu). Event details will also be posted on-line at <http://www.utexas.edu/law/orgs/tlf/> in September.

## NOVEMBER 6

The Career Services Office will host its **Sixth Annual Mentor Reception** (cocktails and conversation) at the Shoreline Grill in Austin. For details on the mentorship program, go on-line to <http://www.utexas.edu/law/depts/career/> or contact Kathryn Holt Richardson, '95, at (512) 232-1150.

## NOVEMBER 7

The Institute of Transnational Law and University College London's Institute of Global Law will present **"Patterns of Federalism and Regionalism"** on November 7 in London. American, Australian, British, Canadian, German, and South African scholars and judges will be invited to take part as keynote speakers in what is planned as a one-day event. For more information, please go on-line to <http://www.utexas.edu/law/academics/centers/transnational/>.

## MID-NOVEMBER

The Graduate Portfolio Program in Dispute Resolution will sponsor its second **Fall Symposium** featuring four student research presentations from several academic perspectives. Graduate student presenters represent the following schools: School of Law, College of Communication, College of Engineering, and School of Architecture. For additional information, visit the Web site at [www.utexas.edu/law/cppdr](http://www.utexas.edu/law/cppdr) or contact Natalie Gray at (512) 471-3507.

## THIS FALL

The Law School's Office of Continuing Legal Education plans to host numerous **conferences** this fall. For a complete schedule of events, visit the CLE Web site at [www.utexas.edu/law/cle](http://www.utexas.edu/law/cle) or call the CLE office at (512) 475-6700.



CORBIS

**"SHAKESPEARE AND THE LAW," A NEW EXHIBIT COMING TO THE JAMAIL RESEARCH CENTER IN SEPTEMBER, WILL EXPLORE THEMES OF LAW IN ELIZABETHAN ENGLAND, INCLUDING THE INFAMOUS LINE FROM HENRY VI "LET'S KILL ALL THE LAWYERS."**

## SEPTEMBER 4 - 5

The Texas International Law Journal will present **"The Second UT Symposium on the Globalization of the Judiciary: Key Issues of Economic Law, Business Law, and Human**

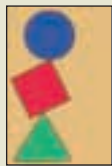
## NOVEMBER 1

UT Law will host its annual **Parents' Day** on November 1. For information, please contact Student Affairs dean Susana Alemán at (512) 232-1313 or by e-mail at [saleman@mail.law.utexas.edu](mailto:saleman@mail.law.utexas.edu).

# The University of Texas School of Law

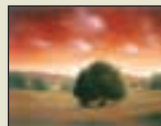
## Office of Continuing Legal Education

### CALENDAR OF UPCOMING CLE EVENTS



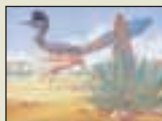
#### **PARTNERSHIPS, LIMITED PARTNERSHIPS AND LIMITED LIABILITY COMPANIES**

July 17 & 18, 2003  
Hyatt Regency Town Lake  
Austin



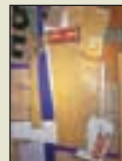
#### **TAXATION CONFERENCE**

October 1-3, 2003  
Doubletree Hotel  
Austin



#### **ADMINISTRATIVE LAW IN TEXAS**

July 31 & August 1, 2003  
Eidman Courtroom, UT School of Law  
Austin



#### **CONFERENCE ON IMMIGRATION AND NATURALIZATION LAW**

October 16 & 17, 2003  
Hyatt Regency Hotel  
San Antonio



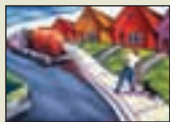
#### **INTERMEDIATE ESTATE PLANNING, GUARDIANSHIP AND ELDER LAW CONFERENCE**

August 14 & 15, 2003  
Moody Gardens Hotel  
Galveston



#### **PARKER C. FIELDER OIL AND GAS TAX CONFERENCE**

October 23 & 24, 2003  
The Adam's Mark Hotel  
Houston



#### **RESIDENTIAL CONSTRUCTION LAW**

September 4 & 5, 2003  
InterContinental Hotel  
Dallas



#### **ADVANCED PATENT LAW INSTITUTE**

October 30 & 31, 2003  
The Four Seasons Hotel  
Austin



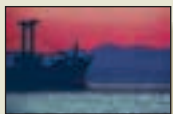
#### **WILLIAM W. GIBSON, JR. MORTGAGE LENDING INSTITUTE**

September 11 & 12, 2003  
Hyatt Regency Town Lake  
Austin  
*and*  
September 18 & 19, 2003  
Omni Houston Hotel  
Houston



#### **PAGE KEETON PRODUCTS LIABILITY AND PERSONAL INJURY LAW CONFERENCE**

October 30 & 31, 2003  
The Four Seasons Hotel  
Austin



#### **ADMIRALTY AND MARITIME LAW CONFERENCE**

September 26, 2003  
InterContinental Hotel  
Houston



#### **GAS AND POWER INSTITUTE**

November 6 & 7, 2003  
InterContinental Hotel  
Houston



See our full schedule, including online courses, at [www.utcle.org](http://www.utcle.org). For additional information, call (512) 475-6700.



# AROUND THE

## Celebrating the Bicentennial of the Louisiana Purchase

**H**ISTORIANS, LAWYERS, and political scientists gathered at the Law School in February to celebrate the bicentennial of the Louisiana Purchase—828,000 square miles of land purchased by the United States

from France—and to discuss its impact on American expansionism.

The speakers included best-selling author H.W. Brands, as well as top historians such as William W. Freehling from the Univer-

sity of Kentucky and UT's William H. Goetzmann.

At the symposium, according to the *Boston Globe*, UT Law's Sanford Levinson "dropped a bombshell." "Constitutionally speaking, the Louisiana Purchase was more important than the landmark 1803 Supreme Court decision *Marbury v. Madison*, which established the courts' right to nullify laws of Congress and is typically one of the first cases read by law students," said Levinson. "The Purchase not only set the stage for further expansion, including the constitutionally controversial annexation of Texas, but also precipitated the dissolution of the Union in 1861."

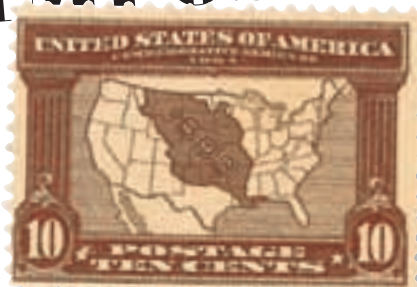
The Lyndon B. Johnson Presidential Library, the Law School, the College of Liberal Arts, and the Department of Government organized the symposium. (See also *For the Record*, page 22.)

*Top to bottom: H. W. Brands of Texas A&M University; Dean Efrén Rivera-Ramos of the University of Puerto Rico Law School; UT's William H. Goetzmann; William W. Freehling of the University of Kentucky; Julian Go of the University of Illinois at Urbana-Champaign; and UT Law's William Forbath.*



MARK RUTKOWSKI (6)

### A BICENTENNIAL SYMPOSIUM:



### THE LOUISIANA PURCHASE AND AMERICAN EXPANSION

THE UNIVERSITY OF TEXAS AT AUSTIN

# LAW SCHOOL

SUMMER 2003

## Reunion Recap

**T**HIS PAST APRIL, ALUMNI gathered to celebrate the 2003 reunion weekend in Austin. Alumni and friends enjoyed a gala honoring all classes, especially those ending in 3 and 8, the dean's barbecue, and the UT-OU baseball game. Faculty members Alex Albright, '80, Philip Bobbitt, John Dzienkowski, '83, Sandy Levinson, and UT's technology expert, June Liebert, spoke to standing-room-only audiences. "We



**Blast from the past: A shot from the 1983 Peregrinus yearbook.**

are blessed with wonderful alumni," said Dean Bill Powers. "Their support is crucial to our accomplishing our mission. Our students, our faculty, and I are

acutely aware of our alumni's support, and we are very grateful. I look forward to reunion each year as one of many opportunities to say thank you."

## Sixteen "Grand" Chancellors



This spring the Law School installed new members in Chancellors, the school's most prestigious honorary organization. Membership in Chancellors is extended to the sixteen students who have achieved the highest grade-point averages after two years at UT Law. This year's awards went to Grand Chancellor Brendan J. Crimmins; Vice Chancellor Marcus James Brooks; Clerks Kimberley Suzanne Ellars and Adrienne Paige Leder; Keeper of the Peregrinus Poth Andrew McStay; and Chancellors-at-Large Noelle Celeste Berryman, John Lequeux Ewald, Matthew H. Frederick, Tyler P. Gilman, James Wesley Hendrix, Micah John Howe, Jennifer C. O'Hara, Hilary Lovett Preston, Shawn Jonathan Rabin, Michael Anthony Valek, and Brad Thomas Wyly. More than one thousand UT Law students have been installed as members of Chancellors since its founding in 1914.

## PUBLIC INTEREST AWARD WINNERS

The UT Co-Op Public Interest Awards honored ten graduating students this year who have demonstrated their commitment to public service. Layla Aflatooni, Andrea Beleno, Luis Figueroa, Shavondalyn Givens, Eliza Hirst, Christina Mann, Marilee Manning, Katherine Saunders, Erica Schommer, and Shannon Lee Snead will share the \$50,000 award.

"The Law School community commends these students for their dedication to ensuring equal access to justice for all. We're proud to join the Co-Op in recognizing their achievements," said Eden Harrington, director of the Center for Public Interest Law at UT Law.

Dean Bill Powers; George Mitchell, president of the Co-Op; Dr. Larry Faulkner, president of UT-Austin; and Dr. Sheldon Ekland-Olsen, executive vice president and provost, presented the awards to the students in April.



# AROUND THE LAW SCHOOL

## AFFORDABLE HOUSING

Adjunct professor Fred Fuchs and Texas senator Eddie Lucio, whose son is 2L Eduardo Lucio III, were honored in January by the Texas Low Income Housing Information Service with Texas Houser Awards. Lucio authored legislation that brought sweeping housing reforms to Texas' Department of Housing and Community Affairs. Fuchs, a Texas Rural Legal Aid attorney who teaches the Law School's housing law clinic, was recognized for his advocacy of housing rights for the poor in Texas.

## UT Law Faculty Ranked Eighth-Best in Nation

**T**HE UT LAW FACULTY ranks as the eighth-best faculty in the nation, according to a new survey by Professor Brian Leiter.

Leiter surveyed more than 150 leading U.S. law professors to evaluate faculty quality at the nation's sixty-nine top law schools. "There has never before been an evaluation of law faculty quality undertaken by so many distinguished legal

scholars, both junior and senior, and based on such current information about faculty rosters," said Leiter.

He found that *U.S. News* rankings determined on the basis of "academic reputation" noticeably understate actual faculty quality at many schools, including Texas. According to Leiter's findings, UT Law stands with the top five U.S. law schools in four specialty areas—civil

procedure, criminal law and procedure, constitutional law, and law and philosophy—and ranks high in other surveyed fields as well. For complete results, go to <http://www.utexas.edu/law/faculty/bleiter/rankings/>.

**Leiter and the UT Law faculty.**



WYATT MCSPADEN (3)

## Two Alumni at U.S. Supreme Court



*Turtle statuary embedded in the U.S. Supreme Court represents the "slow and deliberate pace of justice."*

Ed Dawson, '01, accepted an offer to clerk for Associate Justice Anthony Kennedy. This fall he will join Aaron Street, '02, at the Court. (See *UTLAW*, Winter 2002.)

In the past ten years, the Law School has placed eleven clerks at the U.S. Supreme Court; it ranks eighth in the nation for such placement.

Dawson served as editor in chief of the *Texas Law Review*. He clerked for Judge Edward Carnes on the 11th Circuit Court of Appeals and now works with Baker Botts, L.L.P., in Houston.

# National Champs

**U**T LAW WON INTERNATIONAL acclaim this spring at competitions in the United States and Austria.

2L Adam Harbin and 3L Rebecca L. Jackson won the national Judge John R. Brown Admiralty Moot Court Competition, as well as the award for best brief. Harbin was named the top oral advocate. This is the second year UT Law has won this competition. Jory Lange and Daniel Knight advanced to quarterfinals. Chris Sapstead, '01, coached.

At the Jessup International Law Moot Court Competition championship in Washington, D.C., the Law School team was recognized as having the second-best brief in the world, and the top brief from a U.S. team. The team finished in thir-

teenth place overall, and was one of the four U.S. teams in the top sixteen (Harvard, Columbia, and Michigan

were the others). UT Law won both the regional championship and the Best Brief award at the University of

Tucson in February. Team members included 3L Debra Bryant and 2Ls Ben Ellison, Loretta Gieske, Tanya Karimi, and Shane Mecham. Mecham was recognized as third-best speaker. Kris Munson, '02, coached the team, and Professors Steven Ratner, Francesco Francioni, and Sarah Cleveland helped moot the students.

At the ABA National Appellate Advocacy Competition in Chicago, UT Law placed second out of 133 teams. 3L Connie Pfeiffer and 2L Gretchen Sween shared the Top Speaker award. At the regional competition in San Francisco, the team, which also included 2Ls Angelica Alfaro, Joy Brennan, Dan Mangis, and Laura Pelanek, shared Best Brief honors with Drake University.

UT Law also claimed the regional championship at the National Mock Trial Competition in February at Baylor. Team members included 3Ls Erin Anderson, Sommer Bender, Elizabeth Green, Craig Moore, and Naomi Porterfield. Jerry Galow, '85, coached the team. Bryan and Bender competed on the national level in late March in Houston.

And in Vienna, at the Vis International Commercial Arbitration Moot, the UT Law team received an honorable mention for the Claimant's brief. (See "The Long Arm of UT Law," page 34.)

**UT lighted the tower to celebrate Adam Harbin and defending champion Rebecca L. Jackson's decisive win in Seattle.**



WYATT MCSPADEN



MARK RUTKOWSKI



# Jack Sampson

## RECOLLECTIONS OF LEGISLATURES PAST

*From a veteran of  
Texas' gender wars.*



draftsman in the reform process for more than a quarter century gave me the opportunity to both witness and experience firsthand how family law and the atmosphere in our Capitol changed for the better. These shifts, which featured more cooperation than conflict across party lines, have earned the Texas Legislature its just accolade as a place where bipartisanship can work.

Return with us now to those thrilling days of yesteryear when the West key number for children born to unmarried parents was not to be found under “I” for “illegitimate children,” or “C” for “children born out-of-wedlock,” but rather under “B” for “bastards.” In 1972 Texas on the subject was easy to summarize: we were the only state that did not provide a statutory paternity suit to determine parentage

and mandate child support. Unwed pregnancy was the sole responsibility of the mother.

In 1973 the U.S. Supreme Court, in *Gomez v. Perez*,<sup>1</sup> determined that it was unconstitutional for Texas to discriminate between legitimate and illegitimate children regarding the father’s duty of support. Our law

**Since 1971, Sampson has been extensively involved in all of Texas’ family law legislation.**

**D**URING THE PAST THIRTY-two years, the Texas Legislature has provided a platform for the gender wars that often rage over important family law issues, such as establishing parental obligations, visitation rights, and spousal maintenance. These issues are heated and tend to pit women’s

groups against men’s groups. The legislature must serve as moderator, referee, and the ultimate decision-maker of the statutory regulation of these issues.

I started hanging around the Texas Legislature in 1971, interested in family law reform. My participation as an amateur (i.e., unpaid) legislative

maintained that the former were entitled to support and the latter were not. During the 1973 session the legislature did not pass a paternity statute that was proposed, and then withdrawn, by the State Bar. It did pass a "voluntary legitimation" chapter. After all, if a man wanted to assume paternity of a child, that should be his right. The mother's consent was encouraged, but not required.<sup>2</sup> In the next session (1975), the legislature enacted a paternity statute, not coincidentally containing a one-year statute of limitations (later held unconstitutional);<sup>3</sup> the disparate treatment of nonmarital children continued through another three sessions.

In 1983 the legislature did a breathtaking 180°, enacting a statute of limitations that expired on the second anniversary on the day the child became an adult, i.e., age twenty. This action marked the beginning of a sea change in the attitude of the legislature with regard to gender politics, one that steadily, albeit slowly, progressed over time.

My recollections here focus on another aspect of the legislative gender wars: spousal maintenance, a.k.a. alimony. As of January 1985 when the session of the 69th Texas Legislature began, alimony in Texas was also easily summarized: Texas was the only state without a statute authorizing court-ordered alimony post-divorce. Texas courts explicitly recognized that provision of alimony was strictly a legislative matter; courts could not and should not develop the remedy at common law. In *Cameron v. Cameron*, the Texas Supreme Court stated: "The policy against permanent alimony is so strong that the Texas Legislature has stated that the duty of support will be honored under the laws of other states except that the rule 'shall not include alimony for a former wife.'"<sup>4</sup> On the other hand, Texas courts would enforce contractual alimony agreed on by the parties to take advantage of a significant federal income tax benefit—funny, that benefit goes to the higher-earning payor,

# PROFESSOR'S CHOICE

**ROBERT J. LEVY**, *Trends in Legislative Regulation of Family Law Doctrine: Millennial Musings*, 33 Fam. L.Q. 543 (1999).

**JOHN J. SAMPSON**, *Bringing the Courts to Heel: Substituting Legislative Policy for Judicial Discretion*, 33 Fam. L.Q. 565 (1999).

**JUNE CARBONE**, *From Partners to Parents: The Second Revolution in Family Law* (Columbia Univ. Press, 2000).

**AMERICAN LAW INSTITUTE**, *Principles of the Law of Family Dissolution: Analysis and Recommendations* (Matthew Bender, 2002).

normally the ex-husband.<sup>5</sup>

Shortly before the 1985 session, I was approached by Judith Guthrie, then a practicing lawyer and former lobbyist, now a U.S. magistrate in Tyler. She requested that I draft an alimony statute on behalf of the Women and the Law Section of the State Bar. After discussing the problem at some length, we decided to charge ahead, with the aim of drafting a bill that had a chance to overcome the long-standing, deep-seated hostility to the very concept. Our strategy was relatively simple:

1. Don't call it alimony; call it "spousal maintenance," the term used by the Uniform Marriage and Divorce Act (UMDA) (not really expecting to fool anybody, of course, but language does matter).

2. Provide that only the most deserving fact situations be entitled to receive maintenance.

3. Strictly limit the amount to be received, thereby eliminating Hollywood-type awards and avoiding Californication of Texas law. For example, Joanne Carson was awarded not only 50 percent of the accumulated wealth acquired by the couple during her marriage to Johnny but alimony to boot. During the pen-

dency of the case, her monthly award included an allowance for cut flowers of \$5,000 (she liked them around the house).

4. Restrict payments to "minimum reasonable needs" and, most importantly, do not require continuation of the style of living maintained during marriage.

5. Finally, include every possible provision designed to answer hostile questions from the back microphone in the House of Representatives. These defense mechanisms included no upward modification—the payor is not an insurer of his ex-spouse, nor should she share in postmarital success. On the other hand, downward modification is allowed if the payor falls on hard times. Palimony, of course, is strictly prohibited, and cohabitation or remarriage ends the obligation.

The drafting process went smoothly, but enactment did not, and the substance of the bill did not change much over the next decade. The length and detail of the proposal, however, were extraordinary. Contrast the UMDA provision for maintenance, which takes half a page in the Uniform Laws Annotated and consists of two subsections; one states the two (2) factors to qualify for maintenance, the other states the six (6) factors for determining the amount and duration of payments. Our Texas bill tracked the general principle that provision of alimony is to be on an "only if" basis, rather than "awarded when." The qualifications were, inter alia, a spouse with at least a ten-year marriage who is unable to earn an appropriate income. A ten-year marriage is required for an ex-spouse to claim against a wage earner's Social Security account. Of course, the U.S. Congress pulled that number out of thin air, but because it already existed in a federal statute, it constituted relevant precedent. The time limitation for receipt of maintenance was established at no more than three years, a limitation typically referred to as "rehabilitative alimony." The origi-



nal limitation on the maintenance amount was no more than 20 percent of the obligor's "average gross monthly income," to a maximum of \$1,500 per month. This proposed "cap" remained constant until 1995. To provide additional protection in the most deserving cases, I added an extra feature that never deviated throughout the process: if the maintenance recipient is permanently

tribute financially to the community estate. It is for our mothers, who have been housewives and now in middle age or later find themselves either unable to support themselves in the short term or, sadly, unable to support themselves in the long term." The intended marital couple for application of the bill chose to live their lives in this old-fashioned manner, with one breadwinner and one

One night I sat in the back hallway outside the Speaker's apartment with Judiciary Committee chairman Mike Toomey (now chief of staff for Governor Perry), working over the committee substitute from about 10:30 p.m. or so until almost 2:00 a.m. Further restrictions were placed on the recipient as requirements and factors to qualify for alimony, including proof of

**W** With some confidence that we had created not a monster but a modest, enactable bill, we sallied forth with élan into the 69th Legislature with influential sponsors.

unable to support herself due to "incapacitating physical or mental disability," the order for maintenance payments may be indefinite in duration.

With some confidence that we had created not a monster but a modest, enactable bill, we sallied forth with élan into the 69th Legislature with influential sponsors—the late Bob Bush, then classified as a liberal Democrat, chairman of the relevant House Judiciary Committee, and Senator Kent Caperton, moderate Democrat, chair of the Senate Jurisprudence Committee, then the key family law player in the Senate, now a respected lobbyist.

We conceded that alimony can be abused, as high-profile cases between public figures have so often dramatically demonstrated in the tabloids that we read while in line at the supermarket checkout. But our refutation of "that type" of alimony was simple: under our proposal the claim must be based on the detrimental reliance of the payee, which has resulted in an unfair handicap in future efforts for self-support. The argument was that maintenance as proposed in the bill "is not for our modern wives who work and con-

homemaker. Because the homemaker has lost or has eroded her employment skills, she is entitled by the principle of detrimental reliance to regain some of those skills through training and education. Therefore, a three-year period of rehabilitative alimony is appropriate. In extreme cases when the ex-wife's detrimental reliance is coupled with a permanent incapacity for self-support, the breadwinner should be required to continue maintenance at a "minimum reasonable needs" level indefinitely.

For five sessions, we were halfway successful. In 1985 the Senate passed the bill 23–8, and focus shifted to the House. Our House sponsor lacked the votes to discharge the bill from the Calendar Committee. This was the last vote (voice only) on the subject in the House of Representatives for a decade.

The 1987 session saw another spirited attempt to pass the bill. Several amendments were made in a committee substitute that would have made the bill even more palatable to the back microphone in the House of Representatives. Things looked promising because of a "deal" between the Senate sponsor and the relevant House chairman.

attempts to find honest employment. In my opinion, Chairman Toomey exemplified the new breed of legislators. Without regard for his personal views, he took it as his duty to make the bill more acceptable and achieve consensus, given the fact that the bill had a good chance to pass if it came to a vote. With one exception mentioned *infra*, the version fashioned that night remained basically unchanged until it finally passed four sessions later. However, it turned out that no vote occurred in the House in 1987, although again the Senate passed the bill, by a somewhat wider margin this time.

For the next several sessions, we proponents continued to be confident that a floor vote in the House would herald success. But the sessions flew by without an interruption in the pattern described above: the Senate would pass alimony by overwhelming margins (by 1993 the Senate vote was 28–3); the relevant House committee would vote out the bill, which would then go to the Calendar Committee, where it would languish and die, or, more frustratingly, be placed on the calendar at the end of the session at a point where it would not be reached for a vote.

In 1995 a miracle occurred. By now the veteran sponsors of the companion bills were Representative Senfronia Thompson, liberal Democrat from Houston, lawyer, and chair of a related committee, and Senator Chris Harris, conservative Republican from Arlington, lawyer, longtime member of the relevant committee, and the dominant figure in the Senate regarding family law. Thompson made only one change of significance in the 1995 bill, continuing the 20 percent of gross income but raising the maximum payment from \$1,500 to \$2,500 per month. Otherwise, the bill was pretty much same-old, same-old, tried and true in the Senate and expected not to get a floor vote in the House. Indeed, rumor had it that the bill would die in the first committee in 1995 rather than be referred to the Calendar Committee.

It didn't happen that way. During the debate on a major welfare reform bill, Thompson sought to attach the maintenance bill to the welfare reform bill by amendment. The caption of the welfare bill states: "relating to the eligibility for and provision of services and programs for needy people . . . to assistance in becoming or remaining self-dependent." Before Thompson made her motion, Speaker Pete Laney had allowed several other amendments to the bill, on the basis that they would assist needy people in becoming self-dependent—though some of them were something of a stretch. If the other amendments were germane, so was this one. As I had always predicted, if there was a record vote in the House the bill would pass overwhelmingly. The efforts to draft with an eye to fending off possible criticism from the back microphone finally paid dividends. There was a parade to the back microphone, all right, but a strong majority spoke in support. Indeed, Representative Steve Wolens, liberal Democrat from Dallas, and Representative Fred Hill, conservative Republican from Richardson, stood virtually arm in arm in praise of the amendment.

Passage in the House was not

quite the end of the matter. When the welfare reform bill went to the Senate, the relevant committee deleted the amendment. Senator Chris Harris, the long-term Senate sponsor of spousal maintenance, had been viewed with suspicion by some die-hard supporters as being less than committed to its passage, no doubt because his views on other issues were more conservative than theirs. Shame on those of little faith in honest politicians. Senator Harris restored the alimony provisions to the welfare reform bill by floor amendment, which then was enacted into law. Thankfully, since 1995 the narrow goal of the spousal maintenance bill has been achieved without the sky falling.<sup>6</sup>

So what is to be learned? First, try, try again. Second, a bipartisan system developed in the Texas Legislature since the days of one-party rule. Democrats and Republicans try to strike careful compromises together. And finally, remember why you're doing what you're doing.

Family law reform in Texas is challenging, but the leadership of a succession of dedicated committee chairs and other interested members has made every bump in the road a pleasure to travel. ✍

1. 09 U.S. 535 (1973).

2. See Eugene L. Smith, Parent and Child, 5 TEX. TECH L. REV. 418-23 (1974).

3. See Eugene L. Smith, Parent and Child, 8 TEX. TECH L. REV. 54-79 (1976).

4. 641 S.W.2d 210, 218 (Tex. 1982).

5. *Francis v. Francis*, 412 S.W.2d 29 (Tex. 1967). Alimony is paid by the payor with pre-tax dollars and taxed as income to the payee.

6. In 1999 Texas voters overwhelmingly passed a constitutional amendment to permit wage withholding to collect spousal maintenance. In 2001 statutory implementation of that amendment placed spousal one tier below child support in the priority of withholding. TEX. FAM. CODE § 8.105.

*Sampson, the William Benjamin Wynne Professor in Law, has taught for 33 years at UT Law.*

We are pleased to announce that

**Alice G. Hector**

has joined the Miami office as a  
Shareholder  
in the firm's Litigation Department

Boca Raton • Fort Lauderdale  
Jacksonville • Miami • Orlando • Tampa  
Tallahassee • West Palm Beach

**Akerman Senterfitt**  
ATTORNEYS AT LAW

[www.akerman.com](http://www.akerman.com)



# Nina Cortell

MARK TWAIN'S GUIDE  
FOR YOUNG LAWYERS

(and older lawyers seeking a review).

*The more things change, the more they stay the same.*

**S**AMUEL CLEMENS (AKA MARK Twain) probably did not foresee a world filled with PCs, the Internet, and 400+ person law firms. Still, his wry commentary provides great insight for young lawyers who are searching for the tools that will enable them to achieve their career goals, whether that be partnership in a law firm or a position in government, the judiciary, a university, or elsewhere. As for us older lawyers, it's never too late for a refresher course!

*"The miracle, or the power, that elevates the few is to be found in their industry, application, and perseverance under the prompting of a brave, determined spirit."*<sup>1</sup>

*"It usually takes three weeks to prepare a good impromptu speech."*

There is no substitute for a good work ethic. Preparation is key and in-depth preparation is a differentiator. But it is also important to spend those long hours wisely. Too often hours get lost chasing rabbit trails based either upon a misunderstanding of the assignment or lack of knowledge of the bigger picture. Remedy? Be sure to have a firm understanding of the assignment at the outset, its context, and the timetable. If the assignment is not given in written form, then confirm it in writing, or at least verbally. Also, check in periodically with the person who assigned the project to see if you're on the right track. An additional benefit of continuing dialogue is that the assignment might change



**Professionalism, preparation, and careful attention to details will help a young lawyer succeed.**

based upon your input. Make no mistake, your input, even as a beginning lawyer, can be invaluable, which leads to another important point. Take ownership of the project and exhibit a "can-do" attitude. Perform your task as if your work product were going directly to the client or the court, as that very well might be the case and in any event will assure the highest quality work. Also, be sure to meet

all deadlines, or get an extension.

*"The difference between the right word and the almost right word is the difference between lightning and lightning bug."*

A corollary to hard work is: pay attention to the details. Ensure the accuracy of your citations and case or transaction recitations and, for goodness' sake, avoid misspellings—particularly of your clients' names. Seems

obvious, but such errors are amazingly common-place. It is often said, and it is true, that your client may not appreciate the amazing insights contained in your work, but he or she will readily notice (and be exceedingly aggravated by) a misspelled name.

*"A man never reaches that dizzy height of wisdom when he can no longer be led by the nose."*

Seek mentoring. Find one or more persons whom you want to emulate and adopt them either as "direct" or "indirect" mentors. A "direct mentor" would be a mentor from whom you seek and obtain direct feedback and advice. An "indirect mentor" would be mentor who, although not available for one-on-one counseling, is someone from whom you can learn by example. Also, seek feedback from those with whom you work, whether or not you consider them a mentor. Be a "sponge," soaking up all of the advice and experience that is available to you. Learn the business of law as well as the practice of law. Law school gave you the building blocks; the lawyers with whom you work will teach you how to use those blocks to build a career.

*"It is best to keep your mouth shut and be presumed ignorant than to open it and remove all doubt."*

One of the hardest moments for a young lawyer comes when the client asks a question on the phone expecting an immediate response, and the lawyer on the other end of the call lacks an answer. One friend's wistful cure: a "static button" that would cause immediate static on the phone line, giving the lawyer an excuse to call back "as soon as possible." But since we don't have "static buttons," a substitute solution is required! Hedge. Explain, if you're comfortable, what you think the answer might be, but add that you'll need to check a few sources and get back to the client. Or, just say you'll need to get back. The client will understand. The same advice obtains in other contexts as well. There will be times when the proper answer to a judge or partner is, "I do not know, but I'll check and

## NEXT STEPS

**KIMM ALAYNE WALTON, *What Law School Doesn't Teach You . . . But You Really Need to Know* (Harcourt Legal and Professional Publications, 2000).**

**THANE JOSEF MESSINGER, *The Young Lawyer's Jungle Book: A Survival Guide* (Fine Print Press, 2000).**

**KAREN CLANTON, *Dear Sisters, Dear Daughters: Words of Wisdom from Multicultural Women Attorneys Who've Been There and Done That* (ABA Publishing, 2000).**

get back to you on that point." That's really OK. Your law degree is not a warranty of full knowledge on all topics.

*"Always acknowledge a fault. This will throw those in authority off their guard and give you an opportunity to commit more."*

Better to confess a mistake than not. In most circumstances, mistakes are correctable, and nothing is worse than your supervisor learning about a mistake when it can no longer be cured.

*"Always do right. This will gratify some people and astonish the rest."*

*"Let us so live that when we come to die even the undertaker will be sorry."*

Riddle: Once lost, never regained. What is it? Your reputation. This is something you begin working on the first day of your career and build on every day thereafter. As you begin your career, think about how you want to be regarded 50 years down the road and act accordingly. This will permeate how you interact with other lawyers, clients, courts, and the community at large. It can be your greatest asset as the years progress. As a side benefit, this will allow you to avoid (or at least minimize) fee disputes, sanctions, and client grievance complaints.

*"Clothes make the man [and woman!]. Naked people have little or no influence on society."*

In this era of "casual dress," remember that professional appearance is still important. What that requires will vary depending upon

the situation. Hopefully gone are the days when a federal judge can throw a woman out of the courthouse simply because she is wearing a polka-dotted dress. But there are still boundaries and expectations. Try to be cognizant of those and act accordingly.

*"Don't go around saying the world owes you a living. The world owes you nothing. It was here first."*

No elaboration required!

*"The secret of success is to make your vocation your vacation."*

Last, but certainly not least, have fun! No doubt, a legal career brings with it long hours and big-time pressures, but it also provides wonderful opportunities for exciting, stimulating work and interaction with a broad spectrum of persons and events. The trick is how to take advantage of all that law has to offer without burning out. The answer—seek balance—is far easier to state than achieve. It certainly requires vigilance (i.e., you have to make it happen), and it also requires patience (sometimes your work schedule will be out of kilter, requiring that you defer your personal time). It is often said that a legal career is a "marathon, not a sprint." To make it to the finish line, you must save time for family, friends, and other interests. Sometimes this "other time" will be intertwined with your career (such as when a community service effort dovetails with a business development objective), but sometimes it will not. Either way, this is the fuel that will enrich your life as well as your career.

Good luck—a legal career is a great, rewarding adventure! ✍

1. These quotations, and more, can be found at [www.phnet.fi/public/mamaa1/twain.htm](http://www.phnet.fi/public/mamaa1/twain.htm) and [www.quotationspage.com/quotes/Mark\\_Twain](http://www.quotationspage.com/quotes/Mark_Twain).

*Nina Cortell is a 1976 graduate of The University of Texas School of Law and is a partner in the Appellate Section of Haynes and Boone, L.L.P. She has been a member of the firm's Executive Committee and has chaired the firm's Diversity and Attorney Development Program.*



# FOR THE FACULTY ACTIVITIES AND PUBLISHED WORKS RECORD

## MAJOR LAW SCHOOL EVENTS

DECEMBER 2002 –  
APRIL 15, 2003

**WASHINGTON, D.C., JANUARY** Gerald Torres was recognized as president-elect of the Association of American Law Schools (AALS) at the association's annual meeting Jan. 2–5 in Washington, D.C. His presidency will begin in Jan. 2004. Torres spoke on the topic "Legal Education Engages the World" at the AALS plenary session on Jan. 4. In addition, he was one of the speakers for the program "Learning Theory and Student Evaluation: Throw Out Those Blue Books?" sponsored by the AALS Committee on Curriculum and Research. **Michael Churgin** was named chair of the Standing Committee on Bar Admissions and Lawyer Performance. **William Forbath** was program co-chair for the meeting of the Sections on Constitutional Law and Legal History and spoke on "Judicial Supremacy? The Constitution Outside the Courts." **Julius Getman** served as chair at a meeting of the Industrial Relations Research Association. **Terri LeClerc** was selected chair-elect of the Section on International Exchanges. **Anthony Reese** assumed the office of chair of the Section on Law and Computers and will be the section's program chair for the 2004 meeting. **Louise Weinberg** was the program chair for the Section on Federal Courts and gave a panel talk titled "*Marbury* and Its Critics" at the AALS annual meeting on Jan. 4. Weinberg was elected to serve as chair of the AALS Section on Federal Courts for 2003–04 and was named treasurer of the AALS Admiralty Section for 2003. **Jay Westbrook** presented "Principles of International Insolvency: Legal Response to Global Concerns with

Law Reform Governing General Default of Multinational Enterprises" for the program of the Section on Creditors' and Debtors' Rights. **Ernest Young** was named chair of the Section on Maritime Law on Jan. 5.

**AUSTIN, FEBRUARY** At "A Bicentennial Symposium: The Louisiana Purchase and American Expansion," organized by **Sanford Levinson** and held Feb. 20–22 at the Law School, **Dean Bill Powers** gave welcoming remarks; Levinson gave introductory remarks; **Philip Bobbitt** moderated a panel titled "Where Is the United States (and Who Is Within It)?" that included **Sarah Cleveland** as a discussant; **William Forbath** moderated the panel "The Louisiana Territory and the Civil War"; **Scot Powe** was moderator for the panel "The Imperialist Moment of the 1840s"; and **Gerald Torres** delivered the paper "American Indians and Nation Building" as part of the panel "Indigenous Populations," which included **Stuart Benjamin** as a discussant. **John Dzienkowski** gave the keynote address, "Ethical Issues in Lawyer Equity Investments in Clients," and **Louis Pirkey** presented "Trademark Dilution: An Expanding or Contracting Doctrine?" at the Fourth Annual Intellectual Property Law Symposium, sponsored by the *Texas Intellectual Property Law Journal* on Feb. 28 at the Law School.

**AUSTIN, MARCH** The Law School hosted a new book colloquium celebrating Philip Bobbitt's *The Shield of Achilles* on Mar. 20–22. As part of the celebration, Anne-Marie Slaughter, dean of the Woodrow Wilson School of Public and International Affairs at Princeton, delivered the Sealy Lecture, "A New World Order," in the Kraft-Eidman Courtroom at the Law School on Mar. 20.

## FACULTY NEWS

### ALEX ALBRIGHT

**ACTIVITIES** Albright delivered the opening remarks at the Review of Litigation's symposium "Selected Topics on the Modern Jury" on Mar. 20 at the Law School. ¶ She also presented "Supreme Court Jurisdiction" at the CLE "State Bar of Texas: Practice Before the Texas Supreme Court" on Apr. 4. ¶ In addition, Albright presented the CLE talk "Tech Gadgets: Not Just Toys Anymore" with June Liebert at the Law School Reunion on Apr. 12.

### DAVID ANDERSON

**PUBLICATIONS** *Incitement and Tort Law*, 37 WAKE FOREST L. REV. 957 (2002). **ACTIVITIES** Anderson was visiting senior fellow at the University of Melbourne Law School this spring. ¶ At the Australian National University in Canberra on Mar. 15, he presented "First Amendment Limits on Tort Law." ¶ He presented the same talk at the University of Melbourne on Mar. 26. ¶ He presented the talk "Defamation and Satire" at University College at the University of Melbourne on Apr. 15.

### HANS BAADE

**PUBLICATIONS** *Stare Decisis in Civil-Law Countries: The Last Bastion*, in THEMES IN COMPARATIVE LAW: IN HONOUR OF BERNARD RUDDEN 3 (Peter Birks & Arianna Pretto eds., 2002). ¶ *Testimonios y semblanzas: Hans Baade*, in GUILLERMO FLORIS MARGADANT Y SU MUNDO 211 (Lois Parkinson Zamora ed., 2002). **ACTIVITIES** Baade delivered a paper titled "The Legal Heritage of the Louisiana Purchase" at the Louisiana Purchase Bicentennial Conference on Jan. 24 in New Orleans, sponsored by the Louisiana His-

torical Association and the Historic New Orleans Collection.

## LYNN BAKER

**ACTIVITIES** Baker presented "Sources of Potential Liability for Attorneys in Group Settlements" as part of the third annual "Masters of Trial" seminar sponsored by the Houston Trial Lawyers Association on Nov. 15 in Houston. ¶ In November, Baker was an invited participant in the roundtable discussion "Constitutional Origins, Structure, and Change," held at Rutgers University. The roundtable was part of "Global Dialogue on Federalism in the 21st Century," sponsored by the International Association of Centers for Federal Studies and the Forum of Federations. ¶ Baker has been appointed to the executive committee of the AALS Section on Constitutional Law.

## ANTONIO BENJAMIN

**ACTIVITIES** Benjamin and Daniel Sabsay were panelists for the brown-bag lunch discussion "Fostering Environmental Compliance in South America: Constraints and Opportunities" on Feb. 10 at the World Bank in Washington, D.C. The meeting was sponsored by the International Network of Environmental Compliance and Enforcement, the Government of the Netherlands, and the World Bank Institute.

## STUART BENJAMIN

**PUBLICATIONS** *The Logic of Scarcity: Idle Spectrum as a First Amendment Violation*, 52 DUKE L.J. 1 (2002), available at <http://www.law.duke.edu/journals/dlj/volume52/Benjamin.pdf>.

**ACTIVITIES** See Major Events.

## MITCHELL BERMAN

**ACTIVITIES** Berman was an invited discussant at the "Roundtable on Responsibility in Law and Morality," hosted by the University of Illinois Institute of Law and Philosophy and held at the University of Illinois at Urbana-Champaign in December.

## PHILIP BOBBITT

**PUBLICATIONS** *Youngstown: Pages from the Book of Disquietude*, 19 CONST. COMMENT. 3 (2002). ¶ *The Archbishop Is Right: The Nation-State Is Dying*, TIMES (London), Dec. 27, 2002, at 22. ¶ *Is Regime Change in Iraq Necessary? Philip Bobbitt vs. Robert*

*Skidelsky*, THE PROSPECT, Feb. 2003, at 18 (with Robert Skidelsky). ¶ *Why the US and the UK Are Right to Target Iraq*, TIMES (London), Jan. 10, 2003, at 22. ¶ *Marketing the Future of the State*, THE NEW STATESMAN, Jan. 17, 2003. ¶ *Today's War Is Against Tomorrow's Iraq*, N.Y. TIMES, Mar. 10, 2003, at A19 (op-ed).

**ACTIVITIES** Bobbitt's *The Shield of Achilles: War, Peace, and the Course of History* (2002) provided the point of departure for the first major address by the new Archbishop of Canterbury, Dr. Rowan Williams, on the future of the Church of England, as reported in the Dec. 19 issue of *The Times* (London). ¶ *The Shield of Achilles* was selected by *The Economist*, *The Guardian* (London), James Hoagland of the *Washington Post*, Pankaj Mishra of the *Times Literary Supplement* (London), and Austin-based columnist Molly Ivins as one of the top books of 2002. ¶ *The Guardian* (London) reprinted Sir Michael Howard's foreword to Bobbitt's *The Shield of Achilles* in its Jan. 13 edition. ¶ Bobbitt spoke to an audience of several hundred at "An Evening with Philip Bobbitt" at the LBJ Library on Jan. 21. ¶ In January Bobbitt participated in a half-hour interview about terrorism on the BBC's *Newsnight*. ¶ Bobbitt hosted an online Q&A session with readers of *The Times* (London) on Jan. 22, available at <http://www.thetimes.co.uk>. ¶ Bobbitt participated in a discussion on NPR with Anthony Lewis on whether the war on terrorism is compromising our civil liberties on Mar. 7. ¶ He gave a talk at the Brookings Institution on Mar. 17 on the future of U.S. foreign policy. ¶ Bobbitt and Sir Michael Howard participated in the discussion "Origins of War" at the Library of Congress in Washington, D.C., on Mar. 19. ¶ Also on Mar. 19 at the Library of Congress, Bobbitt awarded Alice Fulton the 2002 Rebekah Johnson Bobbitt National Prize for Poetry for her book *Felt*. ¶ On Mar. 30 Bobbitt participated in "The Utility of Military Forces in the Contemporary World" at the All Souls Foreign Policy Program at Oxford University in England. ¶ Bobbitt was the keynote speaker for the Royal Institute of International Affairs (RIIA) in London, where he spoke at Chatham House on remaking regions on Mar. 31. ¶ He gave a lecture, "International Security in the 21st Century," at the University of Houston on Apr. 2. ¶ Bobbitt also spoke to the Houston Committee on Foreign Affairs on the same topic on Apr. 2. ¶ He spoke at the Austin Rotary Club meeting on Apr. 8. ¶ Also see Major Events.

## SARAH BUEL

**ACTIVITIES** Buel received the Gary Bellow Public Service Alumni Award from Harvard Law School on Nov. 4 in recognition of her work with victims of domestic violence. ¶ Buel has given keynote addresses at a number of recent conferences, including "Reconciling Child Protection and Domestic Violence Interventions: Promising Court Practices," Nov. 8 at the Virginia Child Protection Conference in Virginia Beach; "Safety and Domestic Violence Policy: Promising Practices for Tribal Interventions," Dec. 9 at the Oklahoma Native American Domestic Violence Conference in Norman;



In January, Buel was the sole presenter to the faculty of the Harvard Medical School at its symposium on domestic violence.

"Trends and Challenges in Domestic Violence Law," Jan. 6 at the California Attorney General's Conference in Sacramento; "Optimizing Accountability for Offenders and Safety for Victims: Promising Court Practices with Family Violence Cases," Jan. 7 for the California Chief Probation Officers Conference in Concord; and "Domestic Violence in Juvenile Courts: Ethical Dilemmas and Promising Practices," Feb. 14 at the State Bar of Texas Juvenile Law Conference in San Antonio. ¶ In January, Buel was the sole presenter to the faculty of the Harvard Medical School at its symposium on domestic violence. She also gave a talk to first-year students at Harvard Medical School, "Ethical Interventions and Liability Implications for Physicians Handling Domestic Violence Cases." ¶ On Feb. 14, Buel was a panelist for the session "Critical Race Theory" at the Rocky Mountain



Black Law Students Association's annual conference at the Law School. ¶ She was one of the recipients of the 2003 Excellence in Public Interest Awards, presented by Texas Law Fellowships at a reception in Austin on Feb. 14.

## JEFFREY CIVINS

**PUBLICATIONS** *MTBE Use in Gasoline Opens Pandora's Box*, TEXAS LAW., Nov. 25, 2002, at 29 (with Christine Fernandez). ¶ *New Federal Brownfields Legislation: Who's Liable Now?*, 65 TEXAS B.J. 982 (2002) (with Bane Phillippi).

## SARAH CLEVELAND

**PUBLICATIONS** *Powers Inherent in Sovereignty: Indians, Aliens, Territories, and the Nineteenth-Century Origins of Plenary Power Over Foreign Relations*, 81 TEXAS L. REV. 1 (2002).

**ACTIVITIES** Cleveland has been appointed to the Legal Advisory Council of the Center for Justice and Accountability, a national NGO that seeks to hold individuals accountable for violations of fundamental international human rights and humanitarian law. ¶ She coauthored an amicus brief to the Inter-American Court of Human Rights regarding



WYATT MCSFADEN

Cleveland's major work on the 19th-century origins of plenary power over foreign relations appeared in the *Texas Law Review*.

the employment rights of migrant workers in the inter-American system under international law. ¶ Cleveland has been appointed to the Afghanistan Transitional Commercial Law Project Working Group, to serve as one of five experts charged with drafting a new transitional labor and employment code for

Afghanistan. The project is jointly sponsored by the Afghan Embassy in Washington, D.C., the Asia Law Initiative of the American Bar Association, and the Center for International Management Education.

¶ Also see Major Events.

## ROBERT DAWSON

**PUBLICATIONS** SAMPSON & TINDALL'S TEXAS FAMILY CODE ANNOTATED, WITH RELATED STATE AND FEDERAL STATUTES (Aug. 2002 ed.) (with John Sampson and Harry L. Tindall). ¶ *Who Gets Certified? An Empirical Study of Discretionary Transfers from Juvenile to Criminal Court*, 16 ST. B. TEX. JUV. L. SECT. REP. 10 (2002).

**ACTIVITIES** Dawson gave two lectures to the 16th Annual State Bar of Texas Juvenile Law Section conference in San Antonio on Feb. 12 (annual case law review) and Feb. 14 (legislative preview). In addition, on Feb. 12, the State Bar of Texas Juvenile Law Council decided to rename the conference the "Professor Robert Dawson Juvenile Law Institute."

## JOHN DZIENKOWSKI

**PUBLICATIONS** *The Decline in Lawyer Independence: Lawyer Equity Investments in Clients*, 81 TEXAS L. REV. 405 (2002) (with Robert Peroni).

**ACTIVITIES** See Major Events.

## KAREN ENGLE

**PUBLICATIONS** *The Rise of the Personal Animosity Presumption in Title VII and the Return of "No Cause" Employment*, 81 TEXAS L. REV. 1177 (2003) (with Chad Derum).

**ACTIVITIES** Engle gave a paper titled "The Construction of Good Aliens and Good Citizens: Legitimizing the War on Terrorism" at the Arizona State University faculty workshop on Dec. 3. ¶ She presented "What Is Right? Feminism, Culture, and the Struggle for International Justice" at the Duke Law School International Law Society and Women's Law Association on Mar. 24. ¶ On Mar. 31, Engle presented "Feminist Perceptions of Culture and Rights in International Law" at the University of Pittsburgh School of Law Faculty Colloquium. ¶ She delivered "The Relationship Between 'Culture' and the Right to Development" at the Conference on Law and Economic Development: Critiques and Beyond, sponsored by Harvard Law School, on Apr. 12.

## LEE FENNELL

**PUBLICATIONS** ¶ *Homes Rule*, 112 YALE L.J. 617 (2002) (reviewing WILLIAM A. FISCHER,

THE HOMEVOTER HYPOTHESIS). ¶ *Death, Taxes, and Cognition*, 81 N.C. L. REV. 567 (2003).

¶ *Unquiet Ghosts: Memory and Determinism in Faulkner*, in WILLIAM FAULKNER: SIX DECADES OF CRITICISM (Linda Wagner-Martin ed., 2002) (reprinted from 31 S. LITERARY J. 35 [1999]).

**ACTIVITIES** Fennell's article *Hard Bargains and Real Steals: Land Use Exactions Revisited*, 86 IOWA L. REV. 1 (2000), was reprinted in 33 LAND USE & ENV'T L. REV. 3 (2002), and was selected for inclusion through a peer-review process that identified it as one of the top five land-use articles appearing the previous year. ¶ Fennell commented on a paper by Edward J. McCaffery and Jonathan Baron at the Behavioral Public Finance Conference held at the University of Southern California Law School on Feb. 7-8. ¶ She presented her article *Death, Taxes, and Cognition*, 81 N.C. L. REV. 567 (2003) at the University of North Carolina School of Law on Feb. 20 as part of the *North Carolina Law Review's* lecture series.

## WILLIAM FORBATH

**ACTIVITIES** On Mar. 11, Forbath gave the Iredell Endowed Lecture in Law and History at the University of Lancaster (England), "Who, the People? European Immigration, Race, and National Identity in Progressive Era America." ¶ He presented the same paper to the Yale Legal History Workshop in New Haven on Apr. 22. ¶ On Apr. 11, he presented a paper titled "Lincoln, the Declaration, and the 'Grisly, Undying Corpse of States' Rights': History, Memory, and Imagination in the Constitution of a Southern Liberal" at a symposium in honor of Charles Black at the Georgetown Law Center in Washington, D.C. ¶ Also see Major Events.

## MARK GERGEN

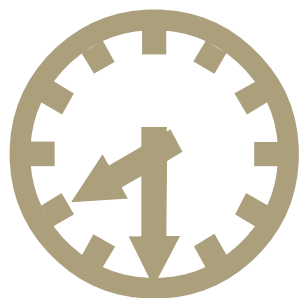
**PUBLICATIONS** *Restitution as a Bridge Over Troubled Contractual Waters*, 71 FORDHAM L. REV. 709 (2002).

## JULIUS GETMAN

**ACTIVITIES** Getman appeared on the KLRU debate "Security vs. Civil Liberties" in February. ¶ Getman presented the paper "Labor and the Law" at "The Future of Organized Labor: Restoring the Balance in a Time of Growing Inequality" conference, held in Washington Apr. 22-24. He also served as conference planner along with Ray Marshall at the LBJ School of Public Affairs to help initiate the Ray Marshall

THE BEST LIST TO BE ON THIS YEAR!

SMALL & MID-SIZE FIRMS



TEXAS

# SMALL & MID-SIZE FIRM DIRECTORY

## FREE LISTING

.....

The UT Law Career Services Office is compiling a directory of Texas-based small and mid-size law firms, including solo practitioners. We invite you to be included in this directory, which will be available to UT Law students and alumni.

Visit our Web site at [www.utexas.edu/law/career](http://www.utexas.edu/law/career) (select "Employers"), and complete a brief survey regarding your practice. There is no charge to be listed. Whether or not you hire law clerks or attorneys on a regular basis, we encourage you to take advantage of this opportunity to publicize your firm.

For more information, please contact Mitchell M.T. Kam, Associate Director for Employer Relations, at 512-232-1162 or [mkam@mail.law.utexas.edu](mailto:mkam@mail.law.utexas.edu).



SOLO PRACTITIONERS

The University of Texas School of Law ~ Career Services Office  
727 East Dean Keeton Street ~ Austin, Texas 78705  
(512) 232-1150, Fax (512) 471-6790 ~ [www.utexas.edu/law/career](http://www.utexas.edu/law/career)





Center. ¶ He helped to establish a new grievance system for UT and served as a member of the University Committee on Academic Freedom and Responsibility.

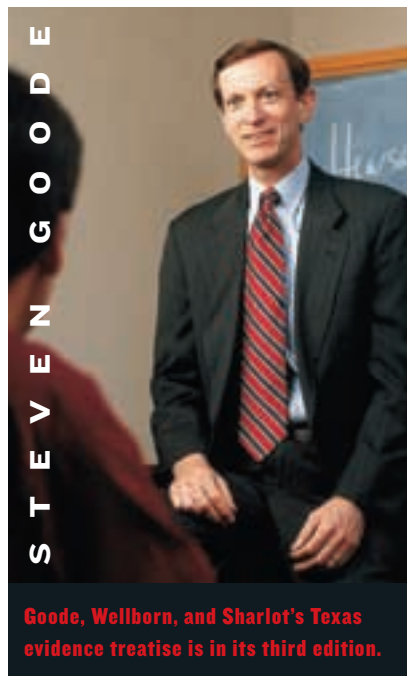
¶ Also see Major Events.

## STEVEN GOODE

**PUBLICATIONS** I&2 TEXAS PRACTICE: GUIDE TO THE TEXAS RULES OF EVIDENCE (3d ed. 2002) (with Guy Wellborn and Michael Sharlot).

¶ 2A TEXAS PRACTICE: COURTROOM HANDBOOK ON TEXAS EVIDENCE (2003 ed.) (with Guy Wellborn and Michael Sharlot). ¶ COURTROOM HANDBOOK ON FEDERAL EVIDENCE (2003 ed.) (with Guy Wellborn).

**ACTIVITIES** Goode presented "Evidence Up-



BOB PATRICK

Goode, Wellborn, and Sharlot's Texas evidence treatise is in its third edition.

date" at the State Bar of Texas 19th Annual Litigation Update Institute on Jan. 10 in Austin. ¶ In February he presented "Children in the Courtroom" at the Texas Center for the Judiciary's winter regional conference in El Paso.

## LINO GRAGLIA

**PUBLICATIONS** "Right to Be Let Alone" Isn't in the Constitution, WALL ST. J., JAN. 14, 2003 (letter). ¶ Why Race Preferences in Admissions Aren't the Answer, CHRON. HIGHER EDUC., Mar. 7, 2003, at B20. ¶ Give the Decision (on Race Preferences) Back to Congress, AM. ENTERPRISE, Apr.-May 2003, at 27. ¶ Facing Reality on Preferential Admissions, WALL ST. J., Mar. 17, 2003 (letter).

**ACTIVITIES** On Feb. 1 in Columbus, Ohio, Graglia took part in the debate "Civil Liberties and the Fight Against Terrorism."

¶ He also participated in a debate on Feb. 14

on affirmative action at the University of Louisville Law School in Louisville, Kentucky. ¶ Douglas Laycock and Lino Graglia debated affirmative action at the Law School on Feb. 20 (sponsored by the Thurgood Marshall Legal Society), in Welch Hall on Mar. 26 (sponsored by Beta Alpha Rho, the undergraduate pre-law fraternity), on KUT-FM on Mar. 31, and before the Austin Inns of Court on Apr. 15.

## ROBERT HAMILTON

**PUBLICATIONS** FUNDAMENTALS OF MODERN BUSINESS: A LAWYER'S GUIDE, 2003 CUMULATIVE SUPPLEMENT (2003) (with Richard A. Booth).

¶ CASES AND MATERIALS ON CORPORATIONS, INCLUDING PARTNERSHIPS AND LIMITED LIABILITY COMPANIES (with Supplementary Pamphlet and Teacher's Manual included) (8th ed. 2003) (with Jonathan R. Macey and Richard A. Booth).

**ACTIVITIES** Hamilton gave the Seventh Annual Frankel Lecture at the University of Houston Law Center on Nov. 8, titled "The Crisis in Corporate Governance: 2002 Style." ¶ He also gave the Godfrey lecture on the same topic at the University of Maine Law School in October.

## BARBARA HINES

**ACTIVITIES** Hines was interviewed by KERA-FM in Fort Worth on Dec. 6 regarding prosecution of Filipino airport workers in light of immigration developments that are part of the U.S. war on terrorism. ¶ On Dec. 9, Hines was quoted in the *Detroit Free Press* on the lack of constitutional checks on searches at Border Patrol highway checkpoints. ¶ She spoke at the Law School's annual School Law Conference held Feb. 28 in Austin, presenting "Immigration Issues Relating to Schools." ¶ At the Law School's CLE program on Mar. 7 in Richardson, she presented "Immigration Law Fundamentals: A Practical Guide to Removal Procedures and Strategies," on Apr. 4 in Houston, and on Apr. 24 in El Paso.

## HENRY HU

**ACTIVITIES** Hu appeared on the CNBC shows *Business Center* and *Wake-Up Call* and the National Public Radio shows *Marketplace*, *Marketplace Morning Edition*, and *Weekend Edition* with respect to corporate governance, securities regulation, and other Wall Street-related issues. ¶ Hu was quoted extensively on these and other financial and legal matters by national and foreign media,

including the *New York Times*, *Wall Street Journal*, *Washington Post*, *Chicago Tribune*, *Forbes*, *Los Angeles Times*, *San Francisco Chronicle*, *Agence France Presse*, *Asian Wall Street Journal*, *Frankfurter Allgemeine Zeitung* (Frankfurt), *Globe and Mail* (Toronto), *Mercati Finanziari* (Milan), *National Post* (Toronto), *Schweizerische Depeschagentur*, and *Wall Street Journal Europe*.

## SUSAN KLEIN

**ACTIVITIES** With Michael Avery, Klein wrote an amicus brief to the U.S. Supreme Court in support of the respondent in *Chavez v. Martinez*. ¶ She was quoted in the Nov. 26 editions of the *Los Angeles Times* and the *Miami Herald* regarding the practical effect of a ruling for the government in *Martinez v. Oxnard*, which was set for oral argument before the U.S. Supreme Court on Dec. 4. ¶ On Jan. 24 Klein presented "The New Federal Rules" to the Office of the Federal Public Defender, Western District of Texas, in the federal courthouse in Austin. ¶ She presented "Terrorism and Civil Liberties" (with Robert Pittman, U.S. Attorney's Office for the Western District of Texas) to the Robert W. Calvert American Inns of Court on Feb. 18 at the Headliners Club.

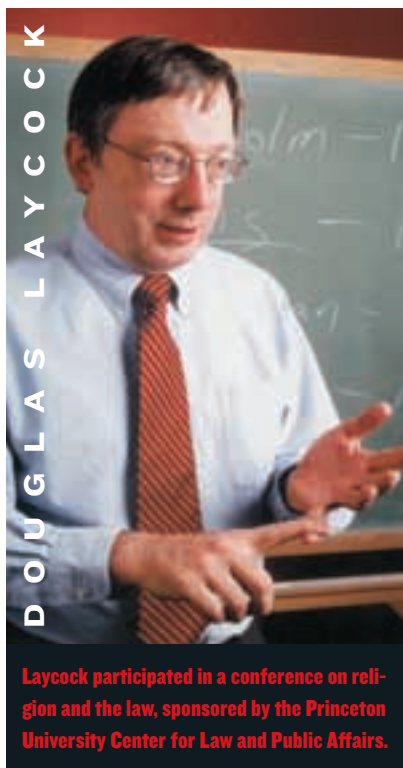
## KIMBERLEE KOVACH

**PUBLICATIONS** MEDIATION IN A NUTSHELL (St. Paul: Thomson/West, 2003).

**ACTIVITIES** In January, Kovach presented "Teaching Law in ADR Courses" and "ADR Clinics: Supervision and Evaluation" as part of the "Workshop on Dispute Resolution: Raising the Bar and Enlarging the Canon" at the annual meeting of the Association of American Law Schools in Washington, D.C. ¶ On Feb. 14, Kovach presented "The Role of Government: Building the Infrastructure for Our Nation's Businesses" at the Women in Business Leadership Conference sponsored by the McCombs School of Business. ¶ On Mar. 21, she participated in the panel presentation "Fairness in Mediation and Arbitration: What Role (If Any) for the Neutral?" at the Fifth Annual ABA Section of Dispute Resolution in San Antonio. ¶ On Mar. 22, Kovach presented "The Use of Film Clips to Teach Dispute Resolution Theory and Skills" at the Legal Educators Colloquium, sponsored by the ABA Section of Dispute Resolution and the AALS ADR Section. ¶ On Apr. 4, she presented "Mediator's Privilege" at the Travis County Bench and Bar.

DOUGLAS LAYCOCK

WYATT MCSPADEN



Laycock participated in a conference on religion and the law, sponsored by the Princeton University Center for Law and Public Affairs.

## DOUGLAS LAYCOCK

**PUBLICATIONS** *Introduction: International Litigation Symposium Honoring the Distinguished Career of Professor Russell J. Weintraub*, 38 TEX. INT'L L.J. 1 (2003).

**ACTIVITIES** Laycock wrote an amicus brief to the U.S. Supreme Court on behalf of the American Law Deans Association in *Grutter v. Bollinger*, the University of Michigan affirmative action case. ¶ On Feb. 28, he participated in a conference on religion and the law, sponsored by the Princeton University Center for Law and Public Affairs. ¶ On Mar. 8, Laycock gave the annual constitutional law lecture at Southwest Texas State University, presenting "The Supreme Court and Religious Liberty." He spoke on the same topic on Nov. 15 to the De Tocqueville Society at UT-Austin. ¶ On Mar. 27, Laycock presented "Religious Expression at State Universities" to the Christian Faculty Network at UT-Austin. ¶ On Apr. 2, he gave the Dermot S. McGlinchey Lecture on Federal Litigation at the Tulane University Law School, "New Developments in Federal Injunctions: Judge Tjoflat's Remarkable Proposal to Abolish Injunctions Against Unlawful Conduct." ¶ Laycock presented "The Status of Religious Conscience in American Constitutional Law" at the conference "Diverse Visions in American Health Care" at the Catholic University of America on Apr. 3. ¶ On Apr. 4, he spoke at the con-

ference "The Impact of Clergy Sexual Misconduct Litigation on Religious Liberty" at Boston College Law School. ¶ With Lino Graglia, Laycock debated affirmative action at the Law School on Feb. 20 (sponsored by the Thurgood Marshall Legal Society), in Welch Hall on Mar. 26 (sponsored by Beta Alpha Rho, the undergraduate pre-law fraternity), on KUT-FM on Mar. 31, and before the Austin Inns of Court on Apr. 15.

## TERRI LECLERCQ

**PUBLICATIONS** *Examining Other Professional Prose*, MICH. B.J., Dec. 2002, at 42 (excerpted from EXPERT LEGAL WRITING [1995]).

¶ *The Federal Judiciary Center's Model Plain Language Class Action Notices: A New Tool for Practitioners and the Judiciary*, 4 BUREAU OF NAT'L AFF. 182 (2003).

**ACTIVITIES** LeClercq's contribution to model class notices was mentioned in the Feb. 11 issue of *BNA Law Week* and the Feb. 14 issue of *Class Action Litigation Report*. ¶ Her plain-language revisions of three class-action notices have been published on the Federal Judicial Center's Web site, available at <http://www.fjc.gov>, as illustrations for proposed revisions of the federal court rules for class-action cases. ¶ Also see Major Events.

## LEANDRA LEDERMAN

**PUBLICATIONS** *What Has the Fifth Circuit Dunn?*, 22 A.B.A. SEC. TAX'N NEWS Q. 9 (2002). ¶ *FEDERAL TAX PRACTICE AND PROCEDURE* (Leandra Lederman ed., 2003). ¶ *Tax Returns and Elections*, in *FEDERAL TAX PRACTICE AND PROCEDURE* (Leandra Lederman ed., 2003). ¶ *Examinations*, in *FEDERAL TAX PRACTICE AND PROCEDURE* (Leandra Lederman ed., 2003).

**ACTIVITIES** Lederman presented "Tax Compliance and the Reformed IRS" to both the UT Faculty Colloquium on Jan. 31 and the Austin Tax Study Group on Apr. 15. ¶ Lederman presented "The Interplay Between Enforcement and Norms in Tax Compliance" at the Kansas Law Review symposium "Tax Compliance: Should Congress Reform the 1998 IRS Reform Act?" on Mar. 6 at the University of Kansas School of Law.

## BRIAN LEITER

**PUBLICATIONS** *Prospects and Problems for the Social Epistemology of Evidence Law*, 29 PHIL. TOPICS 319 (2001).

**ACTIVITIES** Leiter's *Nietzsche on Morality* (2002) was reviewed at *Notre Dame Philo-*

*sophical Reviews* (Jan. 2, 2003), available at <http://ndpr.icaap.org/content/archives/2003/1/reginster-leiter.html>. ¶ On Dec. 15, Leiter was quoted in an article in the Week in Review section of the *New York Times* on some of the philosophical and evidential conundrums connected to the Bush administration's demand that Iraq "prove a negative," namely, that it has no weapons of mass destruction. ¶ He spoke to the Houston Rotary Club on Feb. 27 about the textbook selection process in Texas public schools. ¶ He presented the paper "Beyond the Hart/Dworkin Debate: The Methodology Problem in Jurisprudence" on Apr. 11 to the conference "Law's Moral Foundations: Has It Any?" at Notre Dame Law School, sponsored by the *American Journal of Jurisprudence*, which will publish the conference papers.

## SANFORD LEVINSON

**PUBLICATIONS** *The Warren Court Has Left the Building: Some Comments on Contemporary Discussions of Equality*, 2002 U. CHI. LEGAL F. 119.

**ACTIVITIES** Levinson's presentation at the recent symposium "The Louisiana Purchase and American Expansion" was quoted in Christopher Shea's weekly *Critical Faculties* column in the *Boston Globe* on Mar. 9. ¶ Also see Major Events.

## RONALD MANN

**ACTIVITIES** Mann presented a talk at the University of Washington Law School on Feb. 3 concerning his research, "The Role of IP Protection in Financing Software Innovation." ¶ He was quoted on developments in Japanese credit-card markets by Tony O'Brien in *Japanese Get a Yen for Credit* in the Feb. 2003 issue of *Cards International*. ¶ Mann was quoted on his reasons for coming to UT Law in the Feb. 28 issue of the *Chronicle of Higher Education*. ¶ On Mar. 10, Mann was quoted on Austin's KUT-FM on the legal repercussions of the hacking of Social Security numbers from UT databases.

## BASIL MARKESINIS

**PUBLICATIONS** *Foreign Law Inspiring National Law: Lessons from Greatorex v. Greatorex*, 61 CAMBRIDGE L.J. 386 (2002). ¶ *Scholarship, Reputation of Scholarship, and Legacy: Provocative Reflections from a Comparatist's Point of View* (University College Dublin Faculty of Law, 2003).

**ACTIVITIES** The president of the Federal



The president of the Federal Republic of Germany, Johannes Rau, conferred upon Markesinis the Knight Commander of the Order of Merit with Star.



BASIL MARKESINIS

Republic of Germany, Johannes Rau, conferred upon Markesinis the Knight Commander of the Order of Merit with Star for services to "Comparative Law, German Law, and Anglo-German Relations."

## THOMAS MCGARITY

**PUBLICATIONS** *Professor Sunstein's Fuzzy Math*, 90 GEO. L.J. 2341 (2002).

**ACTIVITIES** On Mar. 30, McGarity presented the paper "Regulating Pesticides Through Contract and Other Voluntary Arrangements: The Implications of the Starlink Fiasco" at a symposium at the Marshall-Wythe Law School of William and Mary University.

## ROY MERSKY

**ACTIVITIES** Mersky was appointed to the executive committee of the Texas Supreme Court Historical Society. ¶ Mersky was appointed by UT president Larry Faulkner to serve on the search committee for the post of vice provost for libraries at UT-Austin. ¶ He was named a "mover and shaker" by *Library Journal*, the oldest independent national library publication.

## LINDA MULLENIX

**PUBLICATIONS** *Class Actions: Apocalypse Forever: Revisiting the Adequacy of the Agent Orange Settlement, Twenty-Five Years Later*, 2002-03 PREVIEW U.S. SUP. CT. CAS. 274 (Feb. 21, 2003). ¶ *Complex Litigation: Class Actions II*, NAT'L L.J., B7 (Jan. 13, 2003). ¶ *The September 11th Victim Compensation Fund: Fund Approaches to Resolving Mass Tort Litigation*, 9 CONN. INS. L.J. 121 (2002-03) (with Kristen B. Stewart).

**ACTIVITIES** Mullenix presented "Developments in the Procedural Means for Resolving Mass Tort Litigation in the United States, 1975-2003" at the "Conference on Liability for Acts of Terrorism," sponsored

jointly by the European Centre of Tort and Insurance Law (ECTIL) and Munich Re Group in Munich in February. ¶ She attended the 30th Anniversary Program for the Supreme Court Judicial Fellows Program at the United States Supreme Court on Jan. 20-21. She was a Judicial Fellow from 1989 to 1990.

## NEIL NETANEL

**PUBLICATIONS** THE COMMODIFICATION OF INFORMATION (Niva Elkin-Koren & Neil Netanel eds., 2002). ¶ *Introduction: The Commodification of Information*, in THE COMMODIFICATION OF INFORMATION (Niva Elkin-Koren & Neil Netanel eds., 2002) (with Niva Elkin-Koren). ¶ *The Commercial Mass Media's Continuing Fourth Estate Role*, in THE COMMODIFICATION OF INFORMATION (Niva Elkin-Koren & Neil Netanel eds., 2002).

**ACTIVITIES** Netanel was a Distinguished Visitor at the University of Toronto Faculty of Law for two weeks in January. ¶ He also gave the keynote address at the University of Toronto "Conference on Governance and Governments in Cyberspace" on Jan. 24. ¶ Netanel presented an overview of copyright law and the first amendment at the conference "Freedom of Expression and Copyright," sponsored by the Queen Mary, University of London Department of Law and held in London on Mar. 21. ¶ Netanel presented his paper "Impose a Noncommercial Use Levy to Allow Free P2P File-Sharing" before a Stanford Law School faculty workshop on Apr. 9.

## ROBERT PERONI

**PUBLICATIONS** *The Decline in Lawyer Independence: Lawyer Equity Investments in Clients*, 81 TEXAS L. REV. 405 (2002) (with John Dzienkowski). ¶ "What's Source Got to Do with It?" *Source Rules and U.S. International*

*Taxation*, 56 TAX L. REV. 81 (2002) (with Stephen Shay and J. Clifton Fleming, Jr.).

**ACTIVITIES** During the 2002-03 academic year, Peroni served as the J. Landis Martin Visiting Professor of Law and Business at Northwestern University in Chicago. ¶ In Dec., he served as a co-chair of the 15th Annual Institute on Current Issues in International Taxation, cosponsored by George Washington University and the Internal Revenue Service, held in Washington, D.C. ¶ He and John Dzienkowski served as co-chairs of the planning committee for the Eighth Biannual Parker Fielder Oil and Gas Tax Conference, cosponsored by the University of Texas and the Internal Revenue Service, to be held in Houston in October. ¶ Peroni presented the paper "Reform and Simplification of the Foreign Tax Credit Rules" at New York University School of Law's "Seminar for the Government" in February. He also presented the same paper in February as a work in progress at the University of Miami School of Law's Graduate Tax Program. ¶ In April, he presented the paper "The Chaotic State of Tax Policy in 2003" as part of the 10th Annual McGeorge School of Law's Distinguished Speaker Series. He also presented the same paper in April as a work in progress at the University of San Diego School of Law.

## SCOT POWE

**PUBLICATIONS** THE WARREN COURT AND AMERICAN POLITICS (2000), reviewed at 18 CONST. COMMENT. 661 (2001).

**ACTIVITIES** See Major Events.

## WILLIAM POWERS

**PUBLICATIONS** CASES AND MATERIALS IN PRODUCTS LIABILITY (3d ed. 2002) (with Fischer, Green, and Sanders).

**ACTIVITIES** Powers was appointed by President Faulkner as lead liaison for the Subcommittee on Graduate and Professional School Education of the Commission of I25. ¶ He was also a member of the ad hoc Consultative Committee to Advise the Provost Concerning the Selection of a Vice Provost and Dean of Graduate Studies. ¶ Powers was a member of the Colleges Task Force Committee. ¶ He was also named a life fellow of the American Bar Foundation. ¶ On Jan. 13, Powers participated in the St. Gallen MBL-HSG program in Zurich, Switzerland. ¶ He hosted the Excellence in Diversity Weekend welcome reception on Jan. 17 at the Law School. ¶ Powers visited South Texas schools and delivered a presentation

# UT LAW SUNFLOWER SOCIETY

Graduation signals a passing of the torch, and now, as alumni, it is your turn to continue the legacy of alumni support for our law school. As a member of the UT Law Sunflower Society you pledge to support The University of Texas School of Law over the next three years.

FIRST YEAR\* \$100

SECOND YEAR \$200

THIRD YEAR \$300

## MEMBERSHIP BENEFITS:

- Annual dinner hosted by the Dean
- Personalized, commemorative brick at the Law School
- Certificate of Membership

*For more information on the Sunflower Society, and other ways to contribute to the Law School's Annual Fund, please call the Law Alumni Association Office at (512) 232-1118, or send an email to [lawalumni@mail.law.utexas.edu](mailto:lawalumni@mail.law.utexas.edu)*

*\*First year pledge is due by August of the year following graduation.*

LAW ALUMNI ASSOCIATION PRESIDENT MIKE PERRIN, '71 (RIGHT), AND DEAN BILL POWERS (LEFT) PRESENT MILAM NEWBY, '03, WITH THE FIRST CERTIFICATE OF MEMBERSHIP IN THE SUNFLOWER SOCIETY.





at Texas A&M International (Laredo), Texas A&M University-Kingsville, and Texas A&M University-Corpus Christi on Jan. 23. ¶ He delivered a speech with Sherron Watkins at the Business Ethics Conference at the

mativ action case. ¶ He gave two talks at Indiana University in February: "The Tension Between Individual and Institutional Academic Freedom" at a forum sponsored by the Kinsey Institute and the Indiana Univer-

Feb. 4. ¶ He was interviewed for the *Voice of America* story "Dictators in Exile: Will Saddam Join the Club?" broadcast on Feb. 11. ¶ On Feb. 17, he was quoted in the *National Law Journal* on the recent International Court of Justice order to the U.S. to stay the execution of three Mexicans on state death rows. ¶ Ratner's 1992 article in *Foreign Policy* titled "Saving Failed States" was quoted in a Feb. 23 *New York Times* article on the feasibility of building democracy in failed states. ¶ He was interviewed on New York City's WWRL-AM on Feb. 27 concerning the international law on assassination of foreign leaders and terrorists. ¶ Ratner testified on Mar. 4 before the Texas House of Representatives Committee on Criminal Justice in favor of a group of bills that would raise the minimum age for eligibility for the death penalty from 17 to 18.

## ALAN RAU

**PUBLICATIONS** "Arbitrability" and *Judicial Review: A Brief Rejoinder*, 1 J. AM. ARB. 159 (2002).

**ACTIVITIES** Rau was appointed as a member of the panel of mediators of the Court of Arbitration for Sport in Lausanne, Switzerland. ¶ He presented the paper "Separability" at the International Commercial Arbitration Symposium on Mar. 14-15 at Vanderbilt University Law School.

## ANTHONY REESE

**ACTIVITIES** Reese gave the talk "Copyright and Archives: The Unpublished Public Domain," concerning the implications of the Sonny Bono Copyright Term Extension Act for libraries and archives at UT's Harry Ransom Humanities Research Center on Feb. 5. ¶ On Mar. 1, Reese gave the paper "Legal Incentives for Adopting Digital Rights Management Systems" at the conference "The Law and Technology of Digital Rights Management," sponsored by the Berkeley Center for Law and Technology and the Samuelson Law, Technology, and Public Policy Clinic at Boalt Hall. ¶ He lectured on intellectual property law for the New Technology Assessment Academy of the McCombs MBA Texas Plus program on Mar. 17. ¶ On Mar. 20, Reese presented a paper on the first-sale doctrine in the era of digital networks to Professor Margaret Jane Radin's High Technology Property and Contract Seminar at Stanford Law School. ¶ Also see Major Events.

**Powers was appointed by President Faulkner as lead liaison for the Subcommittee on Graduate and Professional School Education of the Commission of 125.**

**WILLIAM POWERS**



Austin Convention Center "Lessons from Enron," on Feb. 8. ¶ On Feb. 20, he delivered a speech on Enron to the TACTAS Appellate Group, Houston. ¶ Powers attended the Mr. South Texas luncheon honoring Dr. Francisco Cigarroa and Dr. Ricardo Cigarroa in Laredo on Feb. 22. ¶ He gave the welcoming remarks at the TIPLJ symposium at the Law School on Feb. 28. ¶ Powers spoke before the Travis County Bar Executive Committee in Austin on Mar. 24. ¶ He also delivered a speech to the Austin College President's Advisory Council in Irving on the same day. ¶ On Mar. 28, he was the UT delegate at the inauguration of Rev. Theodore Wardlaw as president of Austin Presbyterian Theological Seminary. ¶ Powers gave a speech at the Texas General Counsel Group business session on Mar. 29 in Austin. ¶ On Apr. 4 he delivered the welcome at Law School Prospective Students' Day. ¶ He also delivered the welcome at the ten-year anniversary celebration of the CPPDR at the Law School on Apr. 8. ¶ On Apr. 10, Powers hosted the National Bar Association Mid-Year Conference reception. ¶ Also see Major Events.

## DAVID RABBAN

**PUBLICATIONS** *Gerald Gunther: Generous Mentor*, 55 STAN. L. REV. 669 (2002) (tribute to Professor Gerald Gunther).

**ACTIVITIES** Rabban, acting as general counsel of the American Association of University Professors, helped prepare an amicus brief from the American Council on Education and 53 other higher education organizations to the U.S. Supreme Court in *Grutter v. Bollinger*, the University of Michigan affir-

sity chapter of the AAUP, and another talk at the law school about the role of history in late-nineteenth-century legal scholarship.

## STEVEN RATNER

**PUBLICATIONS** *Accountability for the Khmer Rouge: A (Lack of) Progress Report*, in POST-CONFLICT JUSTICE 613 (M. Cherif Bassiouni ed., 2002). ¶ *Jus ad Bellum and Jus in Bello After September 11*, 96 AM. J. INT'L L. 905 (2002). ¶ **TEACHER'S MANUAL FOR INTERNATIONAL LAW: NORMS, ACTORS, PROCESS** (2002) (with Jeffrey Dunoff and David Wippman). ¶ *Codifying the Unconventional*, in CRIMES OF WAR PROJECT: RETHINKING THE GENEVA CONVENTIONS, (Jan. 30, 2003), available at <http://www.crimesofwar.org/expert/genevaConventions/gc-ratner.html>.

**ACTIVITIES** Ratner delivered the paper "Jus ad Bellum and Jus in Bello After September 11" on Dec. 17 at the University of Haifa Faculty of Law conference "Democracy Versus Terror: Where Are the Limits?" in Haifa, Israel. ¶ On Dec. 18 at the Tel Aviv University Faculty of Law international conference "Liberty, Equality, Security" Ratner presented a paper titled "Overcoming Temptations to Violate Human Dignity in Times of Crisis: On the Possibilities for Meaningful Self-Restraint." ¶ Ratner was on the panel "Does the UN Security Council Create Law?" at the International Peace Academy's conference "The UN Security Council in the Post-Cold War Era" on Jan. 24 in New York City. ¶ Ratner presented the paper "Jus Ad Bellum and Jus in Bello after September 11" to the Legal Theory Colloquium at the University of Michigan Law School on

## DAVID ROBERTSON

**PUBLICATIONS** *Understanding Panama Railroad Co. v. Johnson: The Supreme Court's Interpretation of the Seaman's Elections Under the Jones Act*, 14 U.S.F. MAR. L.J. 229 (2001-02) (with Michael Sturley).

**ACTIVITIES** Robertson presented a paper titled "The Supreme Court's Approach to Determining Seaman Status: Discerning the Law Amid Loose Language and Catchphrases" at the LSU Law Center's First Annual Alvin B. Rubin Seminar on Maritime Personal Injury, Nov. 15. ¶ On Dec. 10, Robertson was the luncheon speaker at a meeting of the Texas Exes chapter in San Angelo. ¶ He was part of the faculty at an all-day torts seminar for the Louisiana Judicial College in New Orleans on Dec. 13.

## JOHN ROBERTSON

**PUBLICATIONS** *Constitutional Issues in the Use of Pharmacogenomic Variations Associated with Race*, in PHARMACOGENOMICS: SOCIAL, ETHICAL, AND CLINICAL DIMENSIONS (Mark Rothstein ed., 2003). ¶ *PGD: New Ethical Challenges*, 4 NATURE REVIEWS GENETICS 6 (2003). ¶ *\$1000 Genome: Ethical and Legal Hurdles*, 4 NATURE REVIEWS GENETICS 82 (2003). ¶ *Patentability and Higher Life Forms*, 4 NATURE REVIEWS GENETICS 162 (2003). ¶ *Ethical Issues in New Uses of Preimplantation Genetic Diagnosis*, 18 HUM. REPRODUCTION 65-71 (2003).

**ACTIVITIES** Robertson spoke at the Yale Legal Theory Workshop on Nov. 21, presenting "Procreative Liberty in the Age of Genomics." ¶ Robertson gave a talk at Duke Law School on Dec. 3 titled "The \$1000 Genome: Ethical and Legal Issues." ¶ On Dec. 4, he presented "Embryonic Stem Cell Research and Therapeutic Cloning: Ethical and Legal Issues" at Duke Medical School. ¶ Robertson was quoted in a *Wall Street Journal* article about cloning on Jan. 2. ¶ Robertson was the keynote speaker at the conference "Revamping the Law on Assisted Reproduction" at the University of Minnesota on Jan. 28. ¶ On Feb. 10, he was quoted in the *Washington Post* on the implications of a study showing the ability to knock out a gene in embryonic stem cells. ¶ Robertson presented "Sharing the Fruits of Genetics Research" at the conference "Benefit-Sharing in Genomic Research" at the University of Pennsylvania on Mar. 2. ¶ He spoke on Mar. 25 at Texas Tech Law School, presenting "Embryonic Stem Cell

Research." ¶ On Apr. 2, he was the lead speaker in a debate on human cloning held at Boston University and televised on C-SPAN.

## DANIEL SABSAY

**PUBLICATIONS** *El Federalismo y la nueva Ley General del Ambiente [Federalism and the New General Environmental Law]*, in ANALES DE LEGISLACIÓN ARGENTINA [ANALYSES OF ARGENTINE LEGISLATION] (La Ley Newsletter eds., 2002) (with María Eugenia Di Paola).

¶ *Manifestación popular de ahorristas: ¿derecho de petición (art. 14, Const. Nac.) o subversión del sistema democrático (art. 22, Const. Nac.)?* [Savers' popular movement: Right of petition (Section 14, National Constitution) or subversion of democratic system (Section 22, National Constitution)?], in REVISTA DE DERECHO PÚBLICO: EMERGENCIA ECONÓMICA [PUBLIC LAW MAGAZINE: ECONOMIC EMERGENCY] (Rubinzal-Culzoni ed., 2002). ¶ *Estado, Nación y País [State, Nation and Country]*, 8 REVISTA "EL PARAGUAS" ["THE UMBRELLA" MAGAZINE] (Asociación Civil Paraguas Club eds., 2002).

**ACTIVITIES** Sabsay became a member of the jury of the Evaluation Committee of the Social Actions and Institutional Development Program (PASDI), carried out by St. Andrew's University (Universidad de San Andrés), the Latin American Faculty of Social Sciences (FLACSO), and the Center for Legal and Social Studies (CELS). ¶ Sabsay delivered the lecture titled "Overview of the State of Law in Latin America and in Argentina" on

Feb. 7 at UT-Austin's Institute for Latin American Studies (ILAS). ¶ He and Antonio Benjamin were panelists for a brown-bag lunch discussion, "Fostering Environmental Compliance in South America: Constraints and Opportunities" Feb. 10 at the World Bank in Washington, D.C. The meeting was sponsored by the International Network of Environmental Compliance and Enforcement. ¶ On Apr. 2, he was the lead speaker in a debate on human cloning held at Boston University and televised on C-SPAN.

## JOHN SAMPSON

**PUBLICATIONS** *Uniform Interstate Family Support Act (2001) with Prefatory Note and Comments (with Still More Unofficial Annotations)*, 36 FAM. L.Q. 329 (2002) (with Barry J. Brooks).

**ACTIVITIES** Sampson, with Cynthia Bryant, '76, conducted a nationwide teleconference titled "The New Uniform Parentage Act" in December. ¶ In January, Sampson completed his term as chairman of an ad hoc committee appointed by the House of Representatives Juvenile Justice and Family Issues Committee to draft proposed legislation dealing with appointment of attorneys and guardians *ad litem* in private custody cases and in cases alleging abuse and neglect brought by the Texas Department of Protective and Regulatory Services. After the legislature convened, Sampson testified almost weekly as a resource witness. ¶ Sampson presented "The Uniform Interstate Family Support Act for Private Practitioners" at the ABA National CLE Conference held

WYATT MCSPADDEN

Sabsay delivered the lecture titled "Overview of the State of Law in Latin America and in Argentina" on Feb. 7 at UT-Austin's Institute for Latin American Studies.



Feb. 7 at UT-Austin's Institute for Latin American Studies (ILAS). ¶ He and Antonio Benjamin were panelists for a brown-bag lunch discussion, "Fostering Environmental Compliance in South America: Constraints and Opportunities" Feb. 10 at the World Bank in Washington, D.C. The meeting was sponsored by the International Network of Environmental Compliance and Enforcement.

in Snowmass, Col., on Jan. 6. ¶ As a member of the five-person U.S. delegation to The Hague to consider a new maintenance convention, Sampson attended a planning meeting in Washington, D.C., on Feb. 4.

## WAYNE SCHIESS

**ACTIVITIES** In December, Schiess presented "Clear Legal Drafting" for the State Bar of



Texas' Advanced Family Law Drafting Course in New Orleans. ¶ Schiess's Web site (<http://legalwriting.net>) was recommended by Tom Mighell in *The Write Stuff on the 'Net*, 66 TEXAS B.J. 114 (2003). ¶ Schiess's *Writing for the Legal Audience* was published by the Carolina Academic Press in March. ¶ Schiess was also named an associate editor for *Scribes Journal of Legal Writing*.

## MICHAEL SHARLOT

**PUBLICATIONS** I&2 TEXAS PRACTICE: GUIDE TO THE TEXAS RULES OF EVIDENCE (3d ed. 2002) (with Steven Goode and Guy Wellborn). ¶ 2A TEXAS PRACTICE: COURTROOM HANDBOOK ON TEXAS EVIDENCE (2003 ed.) (with Steven Goode and Guy Wellborn).

## RON SIEVERT

**PUBLICATIONS** *War on Terrorism or Global Law Enforcement Operation?*, 78 NOTRE DAME L. REV. 307 (2003).

## PAMELA SIGMAN

**ACTIVITIES** Sigman passed the Juvenile Law Specialization Exam on Oct. 7 and became board certified in juvenile law in December.

## CHARLES SILVER

**PUBLICATIONS** *When Should Government Regulate Lawyer-Client Relationships? The Campaign to Prevent Insurers from Managing Defense Costs*, 44 ARIZ. L. REV. 787 (2002).

**ACTIVITIES** On Mar. 24, Silver presented an article on class actions at the faculty workshop "Ethical, Economic, and Social Issues in Mass Torts" cosponsored by the Brooklyn Law School and the Cardozo School of Law. ¶ On Mar. 25 he presented the same article at the Blue Sky Meeting sponsored by the Center for Law and Economic Studies at Columbia Law School. ¶ On Apr. 4-5 Silver presented an article on the professional responsibilities of mass tort lawyers at a conference on asbestos litigation at Pepperdine Law School.

## ERNEST SMITH

**ACTIVITIES** Smith presented "Case Law Update" at the Law School's 29th Annual Ernest E. Smith Oil, Gas, and Mineral Law Institute on Mar. 21 in Houston. ¶ At the request of Secretary of Commerce Donald Evans, Smith traveled to Moscow on Mar. 25 to confer with representatives from the Russian Federation's Ministry of Trade and Commerce about reform of Russia's energy

legislation. A proposal to amend the Russian subsoil legislation is currently pending before the Russian Duma, and the Russian Ministry of Trade and Commerce, which is proposing the reforms, asked Secretary Evans to provide an international expert on petroleum law to serve as an advisor on the proposed legislative changes. Smith returned on Mar. 29. ¶ On Apr. 10, he gave a presentation to the American Association of Professional Landmen's annual institute in Fort Worth. His topic was recent developments in nonregulatory oil and gas law.

## JANE STAPLETON

**PUBLICATIONS** *Book Review*, 66 MOD. L. REV. 308 (2003) (reviewing ARIEL PORAT & ALEX STEIN, *TORT LIABILITY UNDER UNCERTAINTY*). ¶ *Comparative Economic Loss: Lessons from Case-Law Focused "Middle Theory"*, 50 UCLA L. REV. 531 (2002).

**ACTIVITIES** On Mar. 21, Stapleton delivered the paper "Regulating Torts" to the International Regulating Law Workshop at Australia National University.

## JORDAN STEIKER

**PUBLICATIONS** *American Icon: Does It Matter What the Court Said in Brown?*, 81 TEXAS L. REV. 305 (2002) (reviewing JACK BALKIN, ED., *WHAT BROWN V. BOARD OF EDUCATION SHOULD HAVE SAID*).

**ACTIVITIES** Steiker presented "The Morality of Capital Punishment in Theory and



Steiker has written extensively on constitutional law, federal habeas corpus, and the death penalty.

Practice" to the Texas Philosophical Society in Fort Worth on Dec. 7.

## MICHAEL STURLEY

**PUBLICATIONS** *Understanding Panama Railroad Co. v. Johnson: The Supreme Court's Interpretation of the Seaman's Elections Under the Jones Act*, 14 U.S.F. MAR. L.J. 229 (2001-02) (with David Robertson).

**ACTIVITIES** Sturley attended a meeting of the Secretary of State's Advisory Committee on Private International Law on Dec. 13 in Washington, D.C., to discuss the U.S. government's negotiating strategy at the Eleventh Session of Working Group III (Transport Law) of the UN Commission on International Trade Law (UNCITRAL), held in New York in March and April 2003.

¶ On Feb. 20, Sturley, along with representatives of the U.S. Departments of State and Transportation, attended a meeting in Ottawa with officials of the Canadian Departments of Justice and Transport and representatives of Canadian industry groups, to discuss issues that would be addressed at UNCITRAL. ¶ He attended a meeting as rapporteur of the Comité Maritime International's International Sub-Committee on Issues of Transport Law in London, Feb. 27-28. ¶ Sturley attended the Eleventh Session of UNCITRAL, Mar. 24-Apr. 2, at UN headquarters in New York, as the senior advisor on the U.S. delegation. ¶ David Robertson and Sturley coauthored the problem for the tenth annual Judge John R. Brown Admiralty Moot Court Competition, which the Law School cosponsors each year. ¶ Also see Major Events.

## GERALD TORRES

**PUBLICATIONS** *Garrison Lecture 2002 Reunion Roundtable Transcript*, 19 PACE ENVTL L. REV. 755 (2002) (with several others).

**ACTIVITIES** Torres appeared on National Public Radio's *Tavis Smiley Show* on Nov. 25 to discuss the UT admissions process and the 10 percent plan. ¶ In November, Torres was the principal lecturer for the invited panel "Race, Power, and Social Justice" at the annual meeting of the American Anthropological Association in New Orleans. ¶ Torres was the subject of a feature article in the *Austin American-Statesman* on Dec. 30. ¶ Torres was a panelist for the session "Critical Race Theory" at the Rocky Mountain Black Law Students Association's annual conference, held on Feb. 14 at the Law School. ¶ Also see Major Events.

## WENDY WAGNER

**PUBLICATIONS** *Environmental and Natural Resource Regulation*, in *DEVELOPMENTS IN ADMINISTRATIVE LAW AND REGULATORY PRACTICE 2000-01* 323 (Jeffrey S. Lubbers ed., 2002) (with Jonathan Entin et al.). ¶ *Learning to Live with the Data Quality Act*, 33 ENVTL. L. REP. 10224 (ELI) (2003) (with Paul Noe et al.).

**ACTIVITIES** Wagner presented the paper "The Implications of the Data Quality Act for Risk Assessment" at the Society of Risk Analysis annual meeting in New Orleans in December. Wagner was also elected to the Council of the Society and will serve a three-year term. ¶ In January, Wagner was a panelist on a National Academy of Sciences workshop in Washington, D.C., on EPA's proposed guidance for evaluating the quality of scientific research. ¶ In February, Wagner was a co-chair and speaker at the symposium "Legal Constraints on How Scientists Do Science" at the American Association for the Advancement of Science annual meeting in Denver. Wagner and three other panelists then repeated parts of the panel in a one-hour live broadcast on NPR's *Talk of the Nation*, Science Friday. ¶ Also in February, Wagner was the organizer and moderator of the panel "The White House Review of Agency Rulemaking" at the ABA midyear meeting in Seattle. ¶ In March, Wagner presented the paper "The Dangers of Scientific Review by Interested Parties" at the conference "Scientific Knowledge and Public Policy," coordinated by the Tellus Institute, in San Diego.

## LOUISE WEINBERG

**PUBLICATIONS** *Tort Truths*, AUSTIN AMERICAN-STATESMAN, Nov. 21, 2002, at A20 ¶ *Letter*, COMMENTARY, Dec. 2002, at 4. ¶ *This Activist Court*, 1 GEO. J. L. PUB. POL'Y III (2002).

**ACTIVITIES** Weinberg gave the talk "President Bush's Judicial Nominations" on a panel sponsored by the UT Political Science Department on Feb. 7. The occasion was reported in the *Daily Texan* on Feb. 8. ¶ Weinberg was in a debate with Tony Judt in *Commentary* magazine, Dec. 2002 at 4. ¶ Also see Major Events.

## GUY WELLBORN

**PUBLICATIONS** *CASES AND MATERIALS ON THE RULES OF EVIDENCE* (2d ed. 2003). ¶ *I&2 TEXAS PRACTICE: GUIDE TO THE TEXAS RULES OF*



*EVIDENCE* (3d ed. 2002) (with Steven Goode and Michael Sharlot). ¶ *2A TEXAS PRACTICE: COURTROOM HANDBOOK ON TEXAS EVIDENCE* (2003 ed.) (with Steven Goode and Michael Sharlot).

**ACTIVITIES** Wellborn presented "Children in the Courtroom" to the College of Advanced Judicial Studies of the Texas Center for the Judiciary in San Antonio on Jan. 27.

## JAY WESTBROOK

**PUBLICATIONS** *Empirical Research in Consumer Bankruptcy*, 12 J. BANKR. L. & PRAC. 3 (2003) (reprinted from 80 Texas L. Rev. 2123 [2002]). ¶ *Class Actions for Post-Petition Wrongs: National Relief Against National Creditors*, 22 AM. BANKR. INST. J. 14 (2003) (with Warren). ¶ *Multinational Enterprises in General Default: The UNCITRAL Model Law and Related Regional Reforms*, in AKTUELLE ENTWICKLUNGEN DES EUROPÄISCHEN UND INTERNATIONALEN ZIVILVERFAHRENSRECHTS [RECENT DEVELOPMENTS IN EUROPEAN AND INTERNATIONAL CIVIL COMMERCIAL LAW] (2002).

**ACTIVITIES** Westbrook was quoted on the prospect of Chapter II bankruptcy for the Roman Catholic Archdiocese of Boston in the *New York Times* on Dec. 3 and discussed the same topic as a guest on National Public Radio's nationally syndicated program *The Connection* on Dec. 5. ¶ Westbrook spoke at the International Monetary Fund in Washington, D.C., on Jan. 21 as one of 10 speakers (and the only academic) invited to present views to the fund's staff and

executive board on its proposed Sovereign Debt Restructuring Mechanism. ¶ Westbrook was a panelist for the sessions "Global Standards: Lessons and Experience from the World Bank ROSC Assessment Pilot Program" and "Strategies to Promote Investment and Sustainable Development" at the World Bank's "Global Forum on Insolvency Risk Management Standards and Strategies for the Next Decade" held Jan. 28-29 in Washington, D.C. ¶ Westbrook was one of the recipients of the 2002 Outstanding Teacher Awards from the Executive Master of European and International Business Law program of the University of St. Gallen, Switzerland. ¶ He presented the paper "The Law of Financial Distress" at Brooklyn Law School on Feb. 21. ¶ Also see Major Events.

## ERNEST YOUNG

**PUBLICATIONS** *Protecting Member State Autonomy in the European Union: Some Cautionary Tales from American Federalism*, 77 N.Y.U. L. REV. 1612 (2002).

**ACTIVITIES** Young presented a work in progress titled "'The Ordinary Diet of the Law': Federal Preemption and State Autonomy" on Feb. 14 to the faculty workshop at Harvard Law School. ¶ Also see Major Events.

## MARK YUDOF

**ACTIVITIES** Yudof was confirmed as a member of a new 10-person advisory board for the National Institute for Literacy (NIFL) by the U.S. Senate. More information about the NIFL and its many programs can be found at [www.nifl.gov](http://www.nifl.gov).

## LAW SCHOOL STAFF AND LIBRARY ACTIVITIES

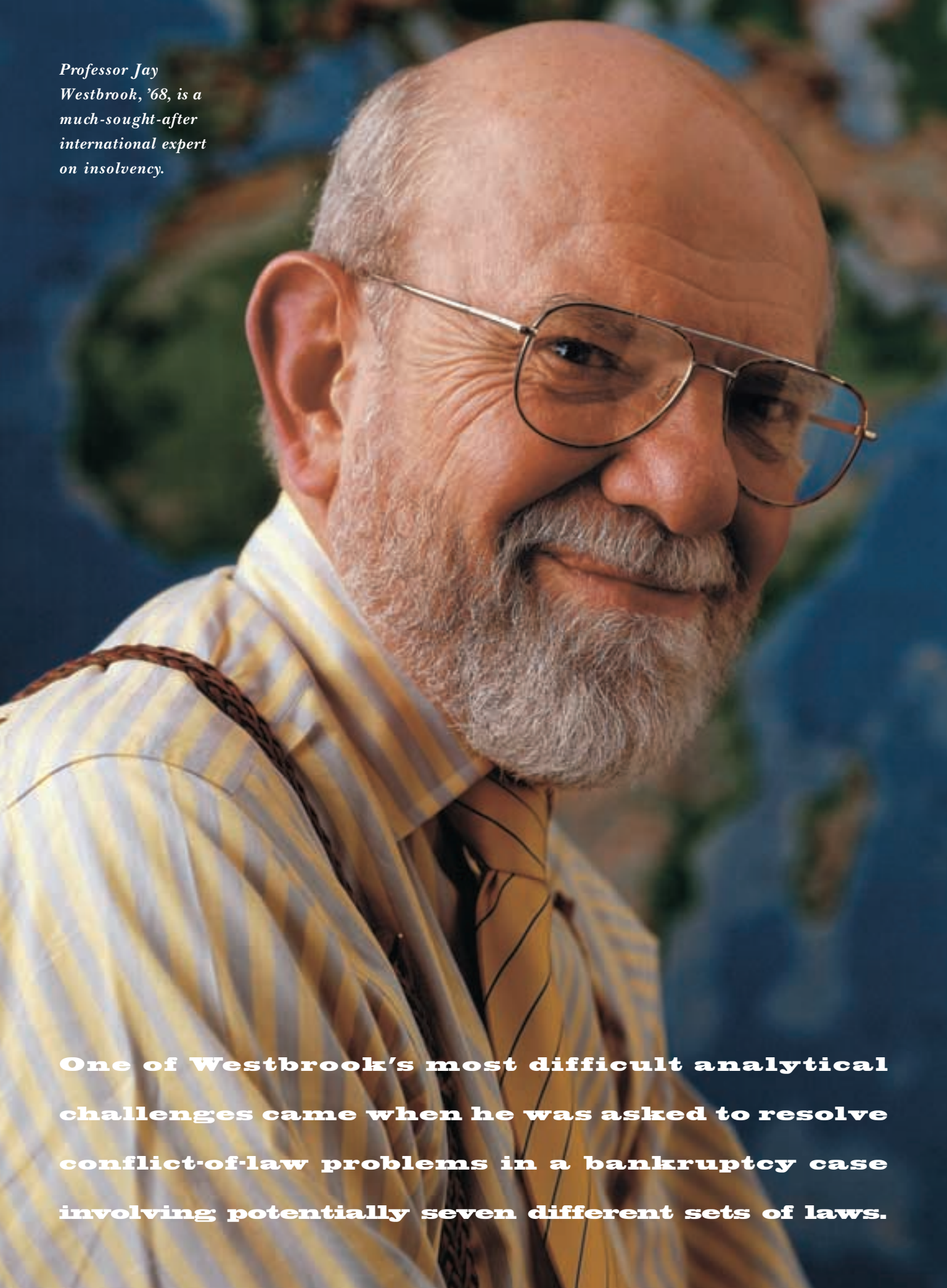
## JEANNE PRICE

**ACTIVITIES** Price has been named the editor of the *Journal of Electronic Resources in Law Libraries*. She is currently director of Instructional Services at the Law School's library. The *Journal* focuses on the digital resources and services that law libraries provide and the educational opportunities that this technology affords.

## RHONDA HANKINS

**PUBLICATIONS** *How to Get Behind the Reference Desk*, AALL SPECTRUM, Feb. 2003, at 12. ¶



A close-up portrait of Professor Jay Westbrook, an older man with a grey beard and glasses, wearing a yellow and white striped shirt and a yellow tie. He is smiling slightly and looking towards the camera. The background is a blurred blue and green pattern.

*Professor Jay Westbrook, '68, is a much-sought-after international expert on insolvency.*

**One of Westbrook's most difficult analytical challenges came when he was asked to resolve conflict-of-law problems in a bankruptcy case involving potentially seven different sets of laws.**

For 120 years, the Law School has served as an important resource for the people of Texas by training many of the state's best lawyers, legislators, judges, businesspeople, and public servants.

But the school's reputation has grown over the past quarter century, partly because of the success of scores of graduates working on international projects at all levels.

Among these alumni are Steven Foster, '00, who works in South Korea with the U.S. Army Judge Advocate General's Corps, and Susan Finn, '93, an attorney in Quito, Ecuador. J. Raul Heredia-Schulenburg, '90, serves in Caracas, Venezuela, as the associate general counsel for Procter & Gamble, Latin America. Carlos Hernandez, '88, is in Mexico as the general counsel of Panamerican Beverages, Inc. Ellen Gates, '77, is a partner with Denton Wilde Sapte in London, while Eiji Kobayash, '97, works in Tokyo with Skadden, Arps, Slate, Meagher & Flom. Recent graduate Revaz Javelidze, '00, works with Baker & McKenzie in Baku, Azerbaijan, while Wenlong Sun, '91, is an associate with Paul, Weiss, Rifkind, Wharton & Garrison in Beijing.

Recent graduates join an important cadre of high-profile alumni in the international arena, including James A. Baker III, '57, former U.S. secretary of state; Senator Kay Bailey Hutchison, '67; former senator and U.S. secretary of the treasury Lloyd Bentsen, '42; Susan Karamanian, '85, the former vice president of the American Society for International Law; Robert S. Strauss, '41, the former ambassador to the Soviet Union; and Kathryn Fuller, '76, president of the World Wildlife Foundation.

UT Law's graduates and students have been doing work that is quite literally of global importance. And in so doing, they have stretched our community's boundaries of influence beyond the Red River to the furthest reaches of the law.

## COMPLEX MARKETS

In the decade after Baker and Strauss won tremendous diplomatic successes in concluding the Cold War peacefully, new markets opened and technological improvements facilitated complex business transactions for swiftly moving capital. This, in turn, created an interest in a more stable, more responsive system of laws, including bankruptcy law reform.

Professor Jay Westbrook, '68, is a much-sought-after international expert on insolvency, as well as an author and award-winning teacher. This year the principles and protocols that he coauthored as a reporter for the American Law Institute's (ALI) Transnational Insolvency Project will be published, representing the culmination of eight years

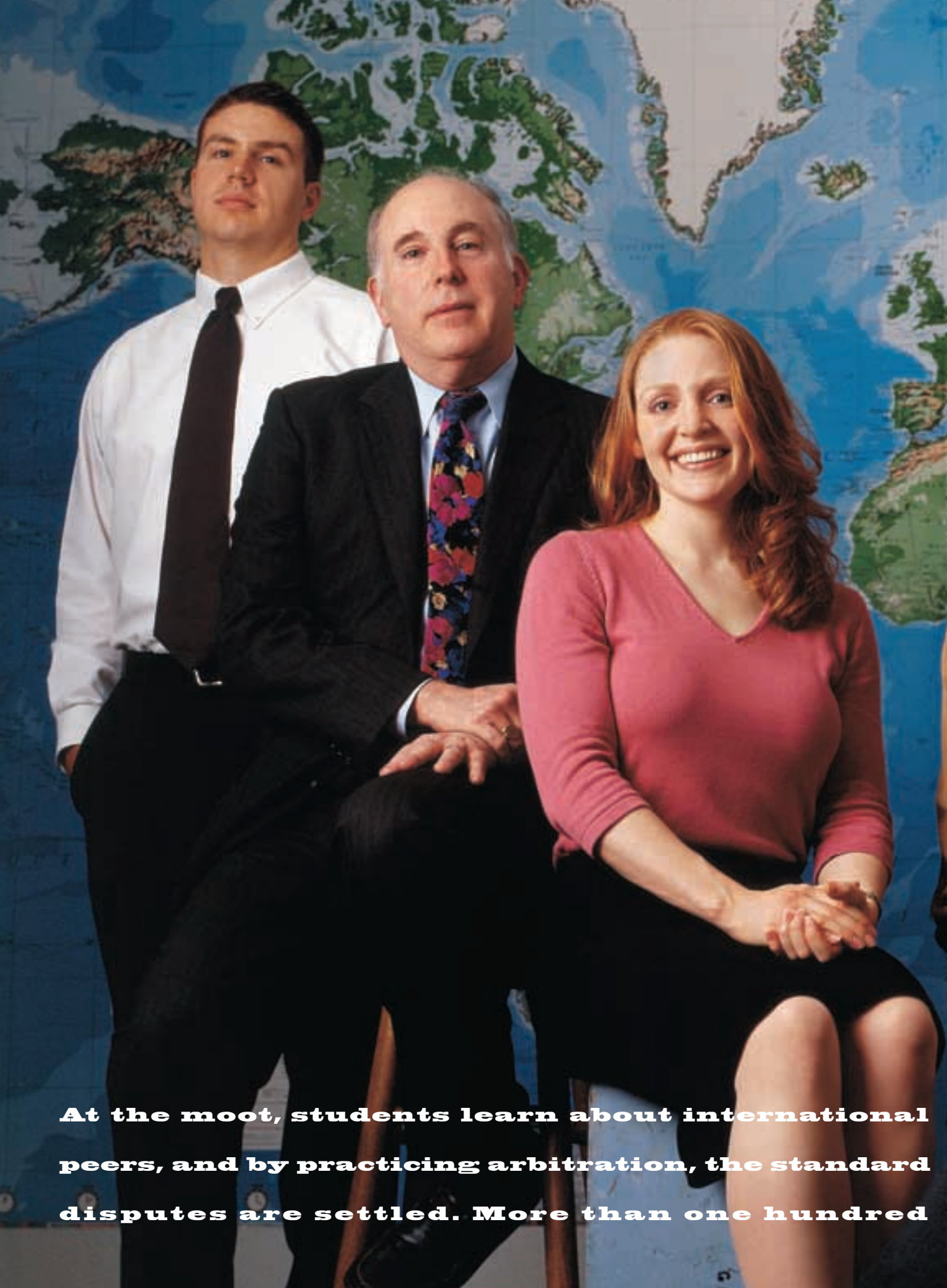
# THE LONG ARM OF UT LAW

BY JOHN DEFORE

HOW UT LAW AND ITS ALUMNI MAKE  
A DIFFERENCE AROUND THE WORLD

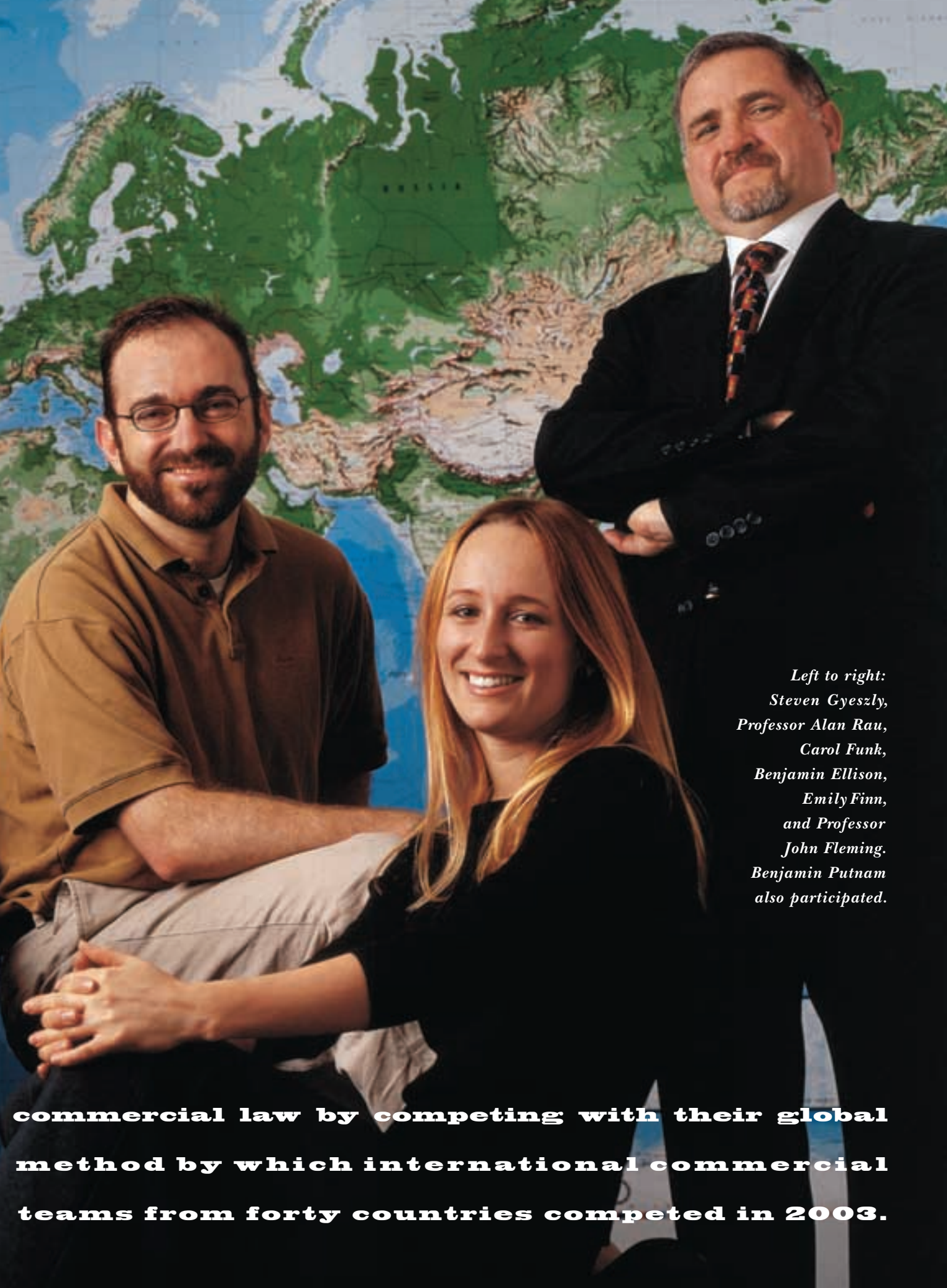
PHOTOGRAPHS BY  
WYATT MCSADDEN





**At the moot, students learn about international peers, and by practicing arbitration, the standard disputes are settled. More than one hundred**





*Left to right:  
Steven Gyeszly,  
Professor Alan Rau,  
Carol Funk,  
Benjamin Ellison,  
Emily Finn,  
and Professor  
John Fleming.  
Benjamin Putnam  
also participated.*

**commercial law by competing with their global  
method by which international commercial  
teams from forty countries competed in 2003.**

of work. Westbrook also served as the co-leader of the U.S. delegation to the United Nations Commission on International Trade Law (UNCITRAL), during which he helped to negotiate the Model Law on Cross-Border Insolvency with forty other nations.

Westbrook says, "Bangkok, Bonn, Buenos Aires, Canberra, Jakarta, Johannesburg, London, Mexico City, Ottawa, Singapore, Kiev, and Tokyo have rewritten their domestic bankruptcy laws in the last decade, as have Russia and China, twice each, and most of Eastern Europe." As part of this wave of bankruptcy reform, the International Monetary Fund (IMF), the World Bank, and UNCITRAL adopted insolvency law programs.

After the initial reforms, UNCITRAL went a step further. It decided to issue guidelines for bankruptcy proceedings involving cooperation across international boundaries. In 1995 the U.S. State Department tapped Westbrook to help lead its efforts to negotiate an agreement.

The prospect of such a negotiation was daunting because more than forty countries, all at various levels of economic development, were involved in the proceedings. Critics predicted it would be impossible to achieve an agreement. But the parties persevered, and in 1997 the UN General Assembly submitted UNCITRAL's Model Law on Cross-Border Insolvency to its members.

"That experience taught me that the rest of the world admires and wants to learn from us but is also wary of us," says Westbrook. "We do best when we acknowledge that we have much to learn from them as well."

The Model Law was recently adopted by Japan, Mexico, South Africa, and the United Kingdom. It is pending adoption in a number of other countries, including Spain and the United States. In the meantime, Westbrook has been heavily involved in the drafting of the U.S. version of the Model Law, which is part of the comprehensive bankruptcy bill pending in Congress. The American Bar Association has recommended that the U.S. version of the Model Law become a new Chapter 15 of the U.S. Bankruptcy Code.

Westbrook's ability to negotiate and work through the laws of numerous countries also served him well in his role as a reporter for ALI's Transnational Insolvency Project. Begun in 1995, the project consists of issuing principles, including guidelines for direct communications between courts, and sample agreements, or "protocols," for use in the three North Atlantic Free Trade Agreement countries. This year the report will be published in both English and Spanish.

But to date, one of Westbrook's most difficult analytical challenges came when he was asked to resolve conflict-of-law problems in a bankruptcy case involving potentially seven different sets of laws. In 2000 Westbrook served as a special examiner for the case of *In re Inverworld, Inc.* Inverworld was a San Antonio investment management company whose investors lived outside the United States, primarily in Mexico. Its offices and assets were located in the United States, the

Cayman Islands, Britain, and Belgium, and its contracts were governed by New York law. The company was put into bankruptcy in three of those countries.

Westbrook says that lawyers for both sides saved their clients substantial legal fees by focusing on two venues and requesting that the third case, in Britain, be dismissed. The lawyers then entered into a protocol to divide issues in the case between the courts in the Cayman Islands and San Antonio, with an agreement that each court would recognize the other's rulings. Again, this reduced legal fees and saved an enormous sum for the creditors.

The San Antonio presiding judge asked Westbrook to issue a neutral opinion on what might happen to the parties if they went to court, including the order in which the plaintiffs should be paid. "Seven sets of laws were potentially applicable," says Westbrook. "And when I looked at the laws, I found that no country has laws that adequately deal with this problem."

In the end, on the basis of Westbrook's report, the parties arrived at a settlement in 2001. "You didn't see this kind of case thirty years ago," says Westbrook.

Back in Austin, Westbrook teaches international business litigation as well as bankruptcy. He holds the Benno C. Schmidt Chair in Business Law and has won the top teaching award twice at UT since returning from private practice in 1980. This fall he will be joined on the faculty by another bankruptcy expert and a former student, alumnus Ronald Mann, '85. (Mann's appointment is detailed in Noteworthy, page 50.)

Westbrook's scholarship includes numerous articles and several coauthored books: *The Law of Debtors and Creditors* (4th ed., Aspen, 2001), *As We Forgive Our Debtors: Bankruptcy and Consumer Credit in America* (Oxford, 1989), and *The Fragile Middle Class* (Yale, 2000).

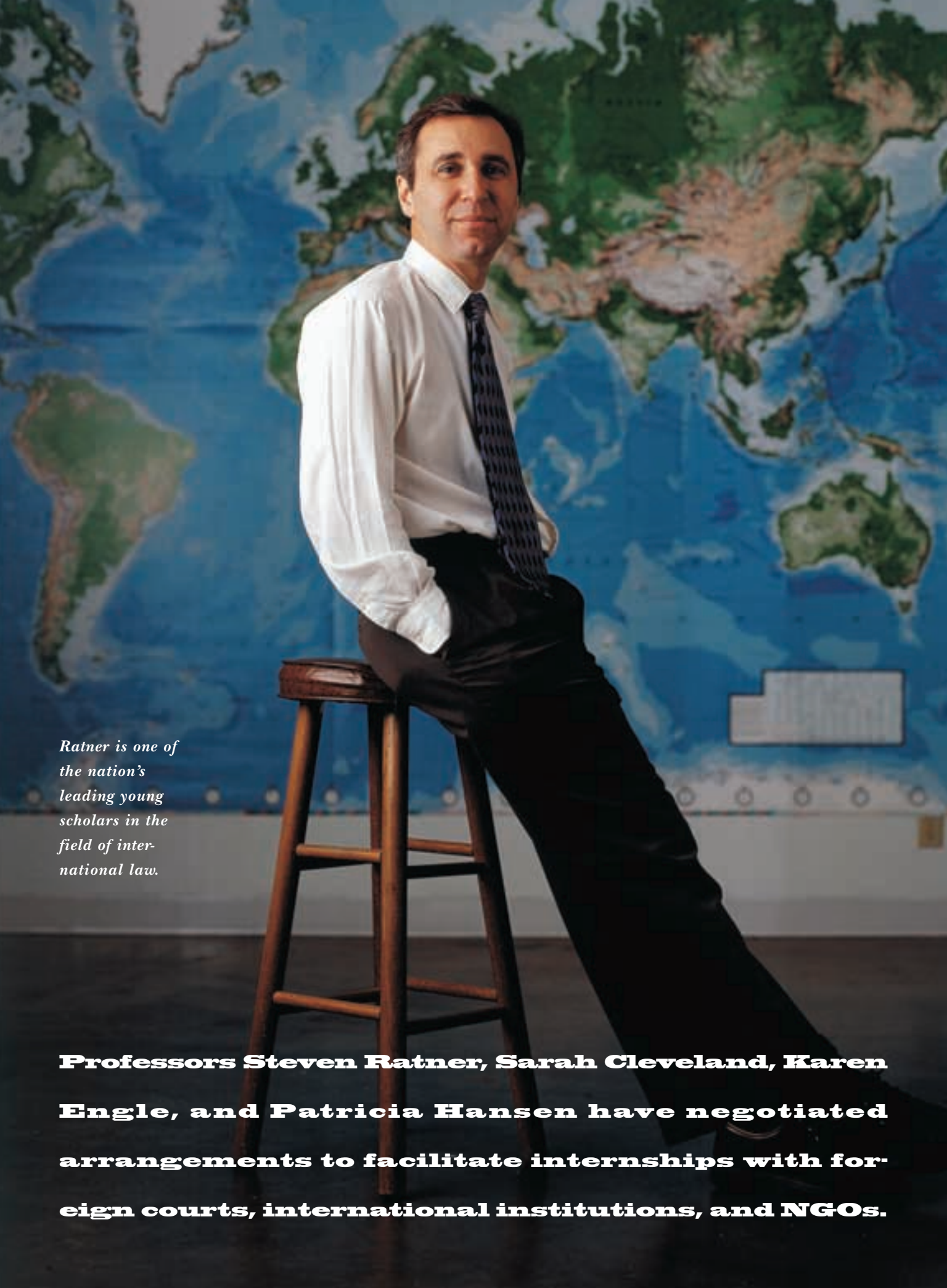
## STUDENTS AROUND THE WORLD

New programs at UT Law are increasingly sending students to Europe, Africa, and Central America, where they debate, study, and experience events firsthand.

In 1996 Professor Alan Rau started helping students prepare for and fund trips to the annual Vis International Commercial Arbitration Moot in Vienna, Austria. "This competition is an excellent experience for students who want to experience an international practice while still in law school," says Rau, who is the Robert F. Windfohr and Anne Burnett Windfohr Professor of Law. "It helps our students learn in areas that go far beyond what our curriculum provides."

At the moot, students learn about international commercial law by competing with their global peers and by practicing arbitration, the standard method by which international commercial disputes are settled. More than one hundred teams from forty countries competed in 2003. Students meet and talk with international arbitrators, practicing lawyers from all over




A man with dark hair, wearing a white dress shirt and a dark patterned tie, is sitting on a wooden stool. He is leaning back with his right hand in his pocket and his left leg crossed over his right. Behind him is a large world map on a wall. The map shows the continents in green and oceans in blue. The man is looking towards the camera with a slight smile.

*Ratner is one of  
the nation's  
leading young  
scholars in the  
field of inter-  
national law.*

**Professors Steven Ratner, Sarah Cleveland, Karen Engle, and Patricia Hansen have negotiated arrangements to facilitate internships with foreign courts, international institutions, and NGOs.**





*Erica Schommer, '03,  
initiated her own  
clerkship with the  
Inter-American  
Court for Human  
Rights in San José,  
Costa Rica.*

**"The experience was wonderful for getting hands-on experience dealing with cases involving international human rights violations, researching international case law, and trying to frame the issues in light of international treaties."**

the world, which prepares them for their own international practice.

"We've been delighted with the success our teams have experienced in the Austrian competition," says Dean Bill Powers. "Alan has done a great job of coordinating the true team efforts of students, alumni, and those who sponsored the team at Cox & Smith; Fulbright & Jaworski; King & Spalding; Loeffler, Jonas & Tuggey; and Vinson & Elkins. We couldn't attend without the generous support and time each has contributed, and we couldn't succeed without great students."

## WORKING ON THE FRONT LINES OF HISTORY

Students of UT Law now spend more time overseas than ever before in the school's history, as the result of an opening in exchanges around the world and new internship opportunities. This past fall nearly eighty students, about 20 percent of the graduating class, spent a semester in London, and thirty went on various exchanges to Australia, Latin America, and Europe.

For instance, recently Professors Ernest Smith and John Dzienkowski, '80, helped students secure invitations to the Association of International Petroleum Negotiators' Student Outreach Program. The program pays the expenses for two students to attend the group's spring conference and meet association members, with the hope that the students will find internships or positions and the association members will find qualified graduates. The program was so successful last year that the association renewed its offer of invitations again this year.

Even more opportunities will be open to students in the future. Over the last six years, a quartet of professors have negotiated arrangements to facilitate international internships with courts, international institutions, and nongovernmental organizations (NGOs) in Europe, Africa, and Latin America. Professors Steven Ratner, Sarah Cleveland, Karen Engle, and Patricia Hansen—faculty known for their own international work and for spreading their enthusiasm to students—help recruit students and supervise the relationships between the tribunals and students.

Ratner says the International Criminal Tribunal for the Former Yugoslavia at The Hague selected the first UT students for internships in 1997 as a result of his chance meeting with Terree Bowers, '79, who was then serving as a senior prosecutor at the tribunal. Since then, twelve UT Law interns have been selected in a highly competitive process to work at the tribunal, including Kenn Kern, '03, who this past spring worked on the prosecution of Slobodan Milosevic, the most high-profile war crimes prosecution case since Nuremberg.

Three years ago, the program expanded to include the International Criminal Tribunal for Rwanda in Arusha, Tanzania, where interns spend their days put-

ting together cases against the leaders of the 1994 Rwandan genocide. The Law School has also helped send Maravillas Oviedo to the European Court of Justice in Luxembourg, as well as interns to the Inter-American Court of Human Rights in San José, Costa Rica. A portion of the costs of the program has been underwritten by the Effie and Wofford Cain Foundation, and students are also eligible for academic credit.

"Our students work in a prosecutor's office similar to the one you'd see in a U.S. attorney's office or a state's attorney general's office," says Ratner, "except that the crimes that these people are accused of are horrible things such as the massacres of civilians or the destruction of cities. Students work side by side on research for memos, briefs, and investigations that are submitted to judges, as well as assist with investigations of witnesses and oral argument preparation."

Some of these internships have led to influential careers in international law. Andrew Keller, profiled in the spring edition of UTLAW now works in the U.S. State Department in the Office of the Legal Adviser.

Elissa Steglich, '00, found internships through the Law School to work in Guatemala on legal reform, with the International Criminal Tribunal for the Former Yugoslavia. Texas Law Fellowships helped her find work on refugee and asylum cases in Austin. Upon graduation, Steglich accepted a position at the International Human Rights Law Institute in Chicago, where she recently prepared a report on sex trafficking in the Americas that has garnered attention.

"Here's a report written by one of our alumni from a very distinguished human rights institute, and it's being sent out to every human rights person in the country," says Ratner. "It's great. It should give our school a tremendous sense of satisfaction."

The Law School encourages other students to find similar internships around the globe. As Ratner says, "Dean Powers has been very supportive of our students who take initiative. Our school tells students, 'If there's someplace you want to work where we don't have a current program, and if the project is well structured and supervised, we'll work with you to obtain academic credit.'"

Take Erica Schommer, '03, who initiated her own clerkship with the Inter-American Court for Human Rights in San José, Costa Rica. She worked on a case that used the right-to-life provisions of the American Conventions to strike down the mandatory death penalty laws of Trinidad and Tobago.

"The court has a small budget and therefore relies heavily on interns," Schommer says. "The experience was wonderful for getting hands-on experience dealing with cases involving international human rights violations, researching international case law, and trying to frame the issues in light of international treaties. It was also very valuable to see how the court operates on a day-to-day basis and to meet the attorneys and judges."

Recently Professor Sarah Cleveland visited the San



José court and found that the judges were impressed with Schommer's work. As a result, Cleveland negotiated a formal relationship between the Law School and the Inter-American Court that allows students to clerk, judges to participate in Law School programs, and faculty members to visit the court. Only two other U.S. schools, New York University and Notre Dame, have this kind of formal relationship with the court.

Cleveland also coordinates the Law School's participation in the UT/USAID democracy-strengthening programs in Latin American countries. "Students focus on policy work related to strengthening democratic institutions or intricate legal research," Cleveland says. "One student who interned in Guatemala spent the summer updating the Guatemalan legal code by finding laws that had been invalidated or repealed but were nevertheless still on the books and had created a tremendous amount of confusion. Another student worked on developing a model law regarding ethics in government, looking both at laws from various Latin American countries, the U.S., and Europe and at international model governmental ethics provisions that were out there in international law."

## AN INTELLECTUAL CHALLENGE

After graduating from the Law School in 1994, Gregory Naarden went to work with the Immigration Service in New York, investigating political asylum cases. Since then, his career has taken him to some volatile places, including his current home in Bosnia, where he moved in 1998 to work for the United Nations, initially helping displaced persons to reclaim the property from which they were expelled.

Soon he began working with the UN International Police Task Force, investigating and sanctioning Bosnian police officials for human rights abuses. He worked with 120 international police officers, monitoring the restructuring of Bosnian police forces, reviewing the response of the police to high-profile crimes, and investigating the wartime conduct of individual police officials. "We investigated not only their wartime conduct but also current conduct, including their reaction to violent demonstrations, their willingness or ability to investigate ethnically motivated crimes, and compliance with the criminal procedure code in, for example, obtaining search warrants."

After several years in Bosnia, Naarden moved to Kosovo, where the UN's mandate is to run an interim administration. As a lawyer in the Department of Justice, he has provided legal advice to international judges and prosecutors who handle cases involving ethnic extremism, organized crime, and war crimes.

Naarden doesn't seem to think of himself as a crusader. "I would say that each one of my jobs, particularly in the Balkans, has been successively more interesting, from a legal perspective," he says. "It's not just a job, it's intellectually fascinating to have


an opportunity to give practical application to theoretical concepts."

## BEYOND TEXAS

During the past decade, the Law School made a major investment in the expansion and enhancement of its international and comparative law programs. Distinguished international law scholar Steven Ratner joined the faculty in 1993, and Patricia Hansen, an expert in NAFTA and international trade, joined in 1994. Sarah Cleveland and Karen Engle, both international human rights scholars, were hired in 1997 and 2002, respectively. The eminent comparativist Basil Markesinis began teaching at UT Law as a visitor and in 1998 became a permanent faculty member. This year, one of the world's leading product liability experts, Jane Stapleton, came to UT Law from Australian National University, where she holds a joint appointment. The Law School also has continuing relationships with scholars who visit and teach on a regular basis, among them Antonio Benjamin, Francesco Francioni, Manuel Gonzalez Oropeza, and Daniel Sabsay.

UT Law also inaugurated an LL.M. in Latin American and international law and new internships, and under the leadership of Markesinis it launched the Institute for Transnational Law (see page 45). The *Texas International Law Journal*, now in its thirty-ninth year, is nearly twice as old as the average law student, and the LL.M. programs and student exchanges, administered by senior lecturer Terri LeClercq, continue to thrive.

Such programs help support the Law School's future students in their dreams of rising to the heights of a Baker or a Strauss, a Hutchison or a Bentsen. With an ever-growing number of classroom, research, and internship opportunities and a widening network of influential alumni, the Law School may continue its work at all levels of international business, government, and public interest work.

Three years after graduation, Elissa Steglich is a managing attorney for Chicago Connections, an immigration and human rights center. She says, "It's hard not to rave about my law school experience. I felt extraordinarily lucky to have been able to take advantage of the international opportunities at the school. And those experiences have provided personal and professional models as well as friends whom I will have for a very, very long time. I continue to learn from a fellow clerk at The Hague who is now documenting war crimes in Ramallah, from the fellow UT alum who is providing direct legal assistance and protection to the minority Serb population in Kosovo, and from the Guatemalan law student who strives to represent her indigenous community." 

---

*Allegra Young and Nichola Fortney contributed to this article.*

# POSTCARDS FROM THE EDGES OF THE WORLD

Internships in war-torn Kosovo and remote areas of Central America have helped students gain a practical understanding of international law. Elissa Steglich and Erica Schommer share photographs of their experiences from summers past.



**ROW 1:** Steglich and Andrew Keller, '02, now at the State Department, in Guatemala during 1999.

**ROW 2:** UN tanks in Kosovo; a Pristina mosque; Jehanne Henry, '00, and Steglich near Mostar.

**ROW 3:** Schommer in Guatemala during the summer of 2000.

**ROW 4:** Mount Arenal, Costa Rica, and Schommer (r.) at work in San José.





# THE BRAZILIAN EXCHANGE

**HOW THE LAW SCHOOL IS CREATING MORE OPPORTUNITIES FOR FACULTY AND STUDENT RESEARCH, STUDY, AND CULTURAL AWARENESS**



*Above: The ebullient Professor Antonio Benjamin (r.) speaks at a conference in Porto Alegre, Brazil. Below: Dean Powers signs an agreement of cooperation with Professor Claudia Lima Marques of the Federal University of Rio Grande do Sul (UFRGS).*

Economically, Texas serves as one of the United States' primary gateways to Latin America. In 2000, Texas exported \$59.8 billion to the region, which represented 36.5 percent of total exports from the United States to Latin America, and 46.4 percent of the total exports from the United States to Mexico. And with trade law liberalization, the University believes its substantial investments in cultural and educational exchanges can play an increasingly important role in helping to build a broader vision of the Americas, improving economic prosperity, and creating domestic stability.

Since the signing of NAFTA, the Law School has significantly expanded its role in UT-Austin's Latin American Initiative, an umbrella for UT's many different projects, libraries, and outreach programs. A new LL.M. program in Latin



American and international law was inaugurated in 2000. The Institute for Transnational Law, which brings students from Europe and Latin America to Texas to study, was launched in 2001 (see sidebar). A lively series of conferences and internships allows for ongoing educational exchanges on topics



ranging from environmental policy to the future of trade between the regions. And just this past spring, the Law School Foundation launched a major fundraising endeavor for the Kay Bailey Hutchison Chair in Latin American Law and a Center for Latin American Law.

The investments are paying dividends in bolstering efforts to understand both regions' laws and customs. For the past three years more than a dozen UT Law faculty members have traveled to Brazil to speak at conferences, conduct seminars, attend workshops, and work with the Brazilian government.

*Professor Patricia Hansen also sponsors the UT-Austin-based Texas-Mexico Bar Association.*

Dean Bill Powers and Professor Patricia Hansen testified in the Brazilian legislature; Roy Mersky, H.W. Perry, Alan Rau, John Robertson, Jordan Steiker, Patrick Woolley, and numerous other faculty have all visited Brazil to teach and attend conferences. In 2001, Dean Powers signed an agreement with UFRGS to establish a student and professorial exchange (opposite page, below). Last year four students from Brazil studied at the Law School, and UFRGS professors and a Brazilian federal judge have come to Austin to do research and exchange ideas with faculty members. This spring, a similar agreement was signed with the University of Buenos Aires.

And just last August, the U.S. Embassy in Brazil asked professors from UT-Austin to teach an introductory course on North American criminal law at the Ministry of Justice in Brasilia. The collaboration between a government, a university, and two international institutions culminated in presentations before an audience of Brazilian lawyers and judges. (The same group of professors spoke that week at Universidad Federal do Rio Grande do Sul [UFRGS] in Porto Alegre, Brazil.)

Such exchanges can make a difference in terms of how professors on both sides of the equator think about legal solutions. Associate dean Steven Goode says, "Learning how other legal systems work often forces you to question your own assumptions. For example, I discovered that Brazilian juries must vote as soon as the case is over; the jurors are not allowed to discuss the case among themselves. The Brazilians are quite skeptical about jury deliberation, of one person trying to convince another. We, of course, tend to glorify the deliberative process. It's a very different perspective."

And one that UT-Austin president Larry Faulkner wishes to cultivate. In an open letter to the UT-Austin community he wrote: "In 1998, the year I was named president of The University of Texas at Austin, I evaluated the strengths of this institution in order to create a handful of strategic themes. I knew that UT had formidable Latin American programs, but I wasn't prepared for the breadth of the University's resources and expertise in this area. With the increasing importance of Latin America to the future of our state, our nation, and our culture, these educational assets are bound to become even more significant. . . . Our principal goal is to continue to play a leadership role for inter- and multidisciplinary Latin American studies in the future—not just for Texas but for the whole hemisphere." JOHN DEFORE

# A COMMON LANGUAGE

**CELEBRATING  
A MAJOR ACCOMPLISHMENT BY  
OUR INSTITUTE  
FOR TRANS-  
NATIONAL LAW**

On Wednesday, March 26, the first president of the French Supreme Court, M. Guy Canivet, and the court's procureur general, M. Jean Bourgelin, hosted a special event in the Grand Hall of the Cour de Cassation to launch a Web site that, for the first time, publishes an English translation of more than seven hundred French and German leading decisions. The Web site was created by The University of Texas Institute for Transnational Law, in association with its partner institution, the



*In March Professor Basil Markesinis, QC, LL.D., DCL. FBA., addressed an audience of more than five hundred French and British leading jurists, judges, academics, and civil servants.*

Institute of Global Law of University College London—both directed by Professor Basil Markesinis, who holds chairs at the universities of both Texas and London. Top British and French judges attended to hail the achievement.

The site can be accessed through the Law School's Web site at <http://www.utexas.edu/law/academics/centers/transnational/> and on the University College London Web site at [http://www.ucl.ac.uk/laws/global\\_law](http://www.ucl.ac.uk/laws/global_law). ALLEGRA YOUNG





MAKE A  
**GIFT**  
OF YOUR  
**TIME**

**BECOME  
A UT LAW  
MENTOR**

ALTERNATIVE INTERNATIONAL JUDICIAL LEGAL PUBLIC INTEREST

Becoming a mentor is an excellent way to make a contribution to the Law School. Whether you are in house, at a firm, at a court, in government or public interest, or pursuing an alternative career, UT Law students can benefit from your knowledge and guidance.

Please consider making a gift of your time and experience to students so they may continue UT's legacy of excellence. To become a mentor, please contact Kathryn Holt Richardson, Assistant Dean for Career Services, or visit the UT Law Career Services Office Web site.



The University of Texas School of Law ~ Career Services Office  
727 East Dean Keeton Street ~ Austin, Texas 78705 ~ (512) 232-1150 ~ Fax (512) 471-6790  
[www.utexas.edu/law/career](http://www.utexas.edu/law/career)

# TOWNES HALL NOTES



## A FEARLESS BARRISTER

SIR EDWARD MARSHALL HALL, K.C. WAS CONSIDERED TO BE BRITAIN'S MOST FAMOUS AND SUCCESSFUL ADVOCATE OF THE EARLY 20TH CENTURY. HIS BIOGRAPHER SAID, "MARSHALL-HALL WAS ABSOLUTELY FEARLESS AND RESPECTED NO MAN'S INTERESTS, NOT EVEN HIS OWN, WHEN HIS CLIENT'S LIFE, FORTUNE, OR REPUTATION WAS AT STAKE." PORTRAIT © BY THE HEIRS OF EDMUND KAPP, 1925. FROM THE ELTON M. HYDER JR. COLLECTION, IT IS ON DISPLAY IN THE TARLTON LAW LIBRARY, JAMAIL CENTER FOR LEGAL RESEARCH. COURTESY OF MICHAEL HORN, CURATOR.

## 48 NOTEWORTHY

*Philip Bobbitt*  
*David Crump, '69*  
*Bryan A. Garner, '84*  
*Jack Getman*  
*Judge William Wayne*  
*Justice, '42*  
*Ronald Mann, '85*  
*Tom McGarity, '74*  
*Fess Parker, attended '48*  
*Gerald Torres*  
*Wendy Wagner*  
*Joseph M. Watt, '72*  
*Mimi Wesson, '73*

## 54 CLASS NOTES

## 62 IN MEMORIAM



# New Endowments

DRIVE BEGUN TO ESTABLISH PUBLIC INTEREST ENDOWMENT IN JUSTICE'S HONOR;  
LAW SCHOOL RECOGNIZES GIFTS THROUGH MARCH 2003

IN FEBRUARY THE LAW SCHOOL CELEBRATED THE birthday of Judge William Wayne Justice, '42, and announced plans for a fundraising drive to establish a public interest endowment in his honor. Professor Lynn Blais, who clerked for Justice from 1988 to 1989, says, "The judge has committed thirty-five years to public service, beginning with his early exit from law school to serve in World War II. His dedicated and often unpopular judicial service on behalf of the U.S. Constitution's commitment to protect even the

least powerful of our citizens cannot be overstated."

The Law School also launched the UT Law Sunflower Society for recent graduates who pledge to give certain amounts during each of the first three years following their graduation. Milam Newby, '03, became the society's first member.

Along with launching the fundraising campaign for the Kay Bailey Hutchison Chair in Latin American Law, this spring Dean Bill Powers announced four endowments for the Law School. Annual recognition of all donors will occur in the annual UT Law Contributors' Report.

**Appointed to the federal bench in 1968 by President Lyndon B. Johnson, William Wayne Justice has rendered numerous influential decisions.**

**Charles David Kipple Endowed Scholarship in Law**

*Established by: The friends of Charles D. Kipple*

**Marcus F. and Amy G. Schwartz Endowed Presidential Scholarship in Law**

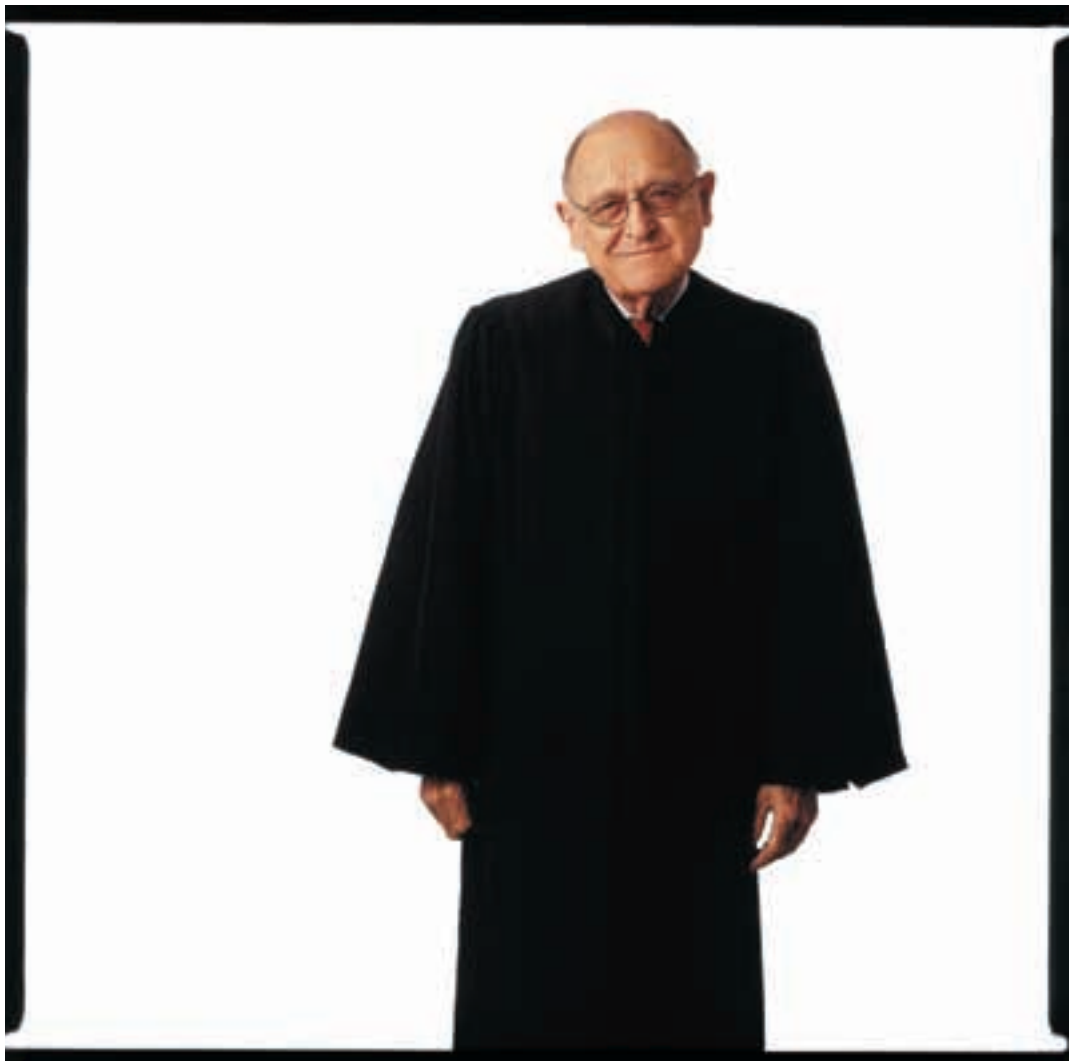
*Established by: Mr. Marcus F. and Mrs. Amy G. Schwartz*

**E. Wayne Thode Endowed Presidential Scholarship in Law**

*Established by: Ms. Betty J. Thode*

**Jack W. and Evelyn D. Watson Endowed Fellowship in Law**

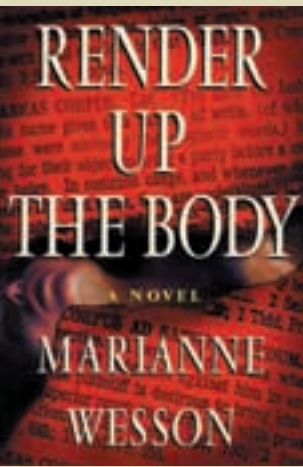
*Established by: The Estate of Evelyn D. Watson (deceased)*



# BOOK 'EM

The Law Library's Lawyer in Popular Culture Collection includes new entries by two UT Law graduates.

**Marianne "Mimi" Wesson, '73**, a



former federal prosecutor, penned two critically acclaimed novels, *Render Up the Body* and *A Suggestion of Death*. Though her day job involves training future lawyers as the Wolf-Nichol Fellow at the University of Colorado Law School, Wesson's talent for weaving words into compelling stories has opened up new worlds for her.

**David Crump, '69**, is the Newell H. Blakely Professor of

Law at the University of Houston and a former assistant district attorney for Harris County. A prolific writer, Crump has published two legal thrillers, *The Holding Company* and *Conflict of Interest*, both of which feature a respected Houston trial lawyer named Robert Kerrick.

In other book news, the biography of UT Law alumnus **Ralph Yarborough, '27**, *Ralph W.*

*Yarborough: The People's Senator*, by Patrick Cox, will be issued in paperback, and 2L Fred Dahr has published *The Examined Life: Thoughts and Advice for the Independently Minded*. The Law Library maintains a permanent exhibit of alumni writings in Townes Hall.



WYATT MCSPADDEN

Torres will be the fifth professor from the UT School of Law to become AALS president.

# Gerald Torres

## AALS CHOOSES TORRES AS PRESIDENT-ELECT

**G**ERALD TORRES WAS selected to be the 2003 president-elect of the Association of American Law Schools (AALS) in an extremely competitive nomination process. Torres, the H.O. Head Centennial Professor in Real Property Law,

is the fifth law professor from UT to be selected for this position. (Others were John C. Townes, Charles Tilford McCormick, Page Keeton, '31, and Jerre Williams.)

"This is a great honor for Gerald, and a superb choice by the AALS. I am proud to have him as a colleague here at UT," said Dean Bill Powers.



# Ronald Mann

LEADING COMMERCIAL LAW SCHOLAR JOINS FACULTY

**T**HIS FALL RONALD J. MANN, '85, will become the William Stamps Farish Professor in Law. He is widely recognized as one of the two leading commercial law scholars of his generation of law professors and is the most frequently cited legal scholar working in any of the business law fields to have entered law teaching in the last decade. His teaching and research interests also include

intellectual property, a field in which Texas already has one of the nation's leading programs.

He graduated first in his UT Law class in 1985 and was also managing editor of the *Texas Law Review*. He clerked for the Honorable Joseph Sneed, '49, of the U.S. Court of Appeals for the Ninth Circuit and for associate justice Lewis Powell of the U.S. Supreme Court. He worked in Houston in private practice before becoming assistant to the U.S. solicitor general. He was a visiting professor at Texas this past fall and has also taught at the Washington and Michigan law schools.

"It is a great honor for me to be joining The University of

Texas faculty. Texas has so many things going for it right now: a dean who is firmly committed to supporting academic research; a world-class research library; and impressive colleagues in both the commercial-law and the intellectual-property areas. It also is gratifying to be joining a faculty that is so deeply engaged in high-quality teaching, with students who are so enthusiastic about their education. And it should go without saying that I am excited to be returning to Texas at last," Mann said.

Mann is the author of *Payment Systems* (1999) and coauthor of *Commercial Transactions: A Systems Approach* (1998) and *Electronic Commerce* (2002). Among his many articles are "Information Technology and Non-Legal Sanctions in Financing Transactions" (*Vanderbilt Law Review*, 2001), "Secured Credit and Software Financing" (*Cornell Law Review*, 1999), and "Explaining the Pattern of Secured Credit" (*Harvard Law Review*, 1997). He is an elected member of the American Law Institute.

**"It should go without saying that I am excited to be returning to Texas at last."**



WYATT MCSPADEN

# Joseph M. Watt

## UT ALUMNUS OKLAHOMA'S SUPREME COURT CHIEF

**J**OSEPH M. WATT, '72, WAS SWORN in as chief justice of the Oklahoma Supreme Court on January 8, 2003. Chief Justice Watt, named Outstanding Law Student in the Nation by Delta Theta Phi upon his graduation from The University of Texas School of Law, began his judicial career in 1985. The sole UT alumnus on Oklahoma's Supreme Court, Chief Justice Watt was first appointed to the court in 1992 and was reelected in 1994 and 1996. Members of the Oklahoma Supreme Court select their own chief justice.



On January 8, 2003, Watt was sworn in as chief justice of the Oklahoma Supreme Court.

## BRIEFS

### IN THE TOP TEN

A new study conducted by Washington and Lee University School of Law that examines frequency of citations in legal publications, found that the **Texas Law Review (TLR)** is the eighth most frequently cited publication by both state and federal courts and by scholars writing in law reviews. **TLR** is one of just seven law reviews to make the top ten on both lists (the others are the law reviews at Harvard, Yale, Columbia, Chicago, Michigan, and Georgetown).

### ANOTHER BIG TEN

This past April the **Center for Alternative Dispute Resolution** celebrated its tenth year of operation. The center, housed on the Law School campus, promotes the appropriate use of alternative dispute resolution (ADR)

by Texas government entities and provides ADR education and research to The University of Texas community and the citizens of Texas. The center is funded by the Texas Legislature and through revenues from training seminars. Jan Summer, '76, serves as the center's executive director.

### A RARE GIFT

**Bryan A. Garner, '84**, and his wife, **Pan**, have donated a first edition of **Black's Law Dictionary** to the Jamail Center for Legal Research in honor of

**Professor Roy M. Mersky**. Garner is the editor of **Black's Law Dictionary** and one of the world's leading lexicographers. Garner inscribed the book to Mersky as "the greatest law librarian of his day—and very likely the greatest ever." The book, published in 1891, is now part of the Jamail Center's outstanding collection of law dictionaries.

As the director of the Law Library since 1965, Mersky has built the Jamail Center into one of the foremost legal research institutions in the United States, if not the world.





# Tom McGarity and Wendy Wagner

CENTER FOR PROGRESSIVE REGULATION FOUNDED

**P**ROFESSOR TOM MCGARITY, '74, RECENTLY cofounded the Center for Progressive Regulation (CPR). As the center's president, he seeks to build an institution with other scholars that advances the public's understanding of the issues addressed by the country's health, safety, and environmental laws, and to make the nation's response to health, safety, and environmental threats as effective as possible. CPR issues public commentary on a number of issues and provides those opinions to regulators, lawmakers, and the public. The center is funded by grants from private foundations.

It is a virtual organization with representatives from twelve law schools, including UT Law's Wendy Wagner, one of the center's original member scholars. McGarity says that the center plans to expand its membership to include scientists and economists who are also interested in progressive regulation issues.

McGarity holds the W. James Kronzer Chair in Trial and Appellate Advocacy. A former articles editor of the *Texas Law Review*, he is a leading scholar in the fields of both administrative law and environmental law. He also teaches torts. Wagner, the Joe A. Warshem Centennial Professor of Law, is the nation's leading authority on the use of science by environmental policymakers.

Tom McGarity is the cofounder of the Center for Progressive Regulation, and Wendy Wagner is one of the center's original member scholars.



WYATT MCSPADDEN (3)

# Jack Getman

## LABOR CONFERENCE ATTRACTS DIVERSE AUDIENCE

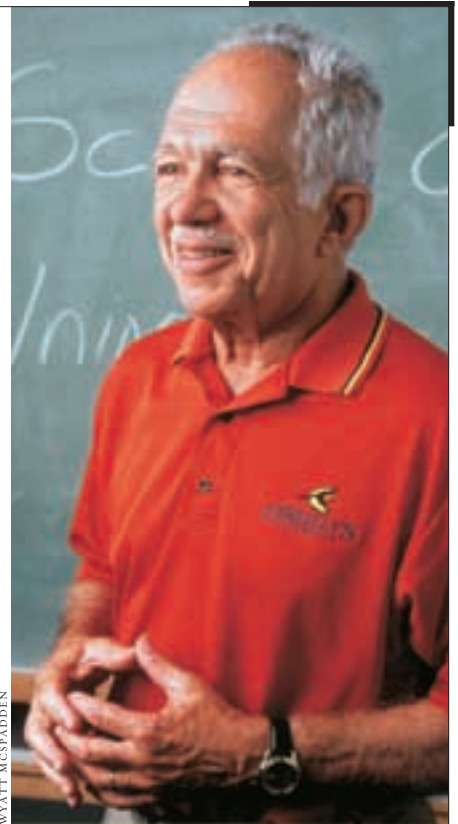
**I**N APRIL, JACK GETMAN, THE EARL E. Sheffield Regents Chair in Law, and former U.S. secretary of labor Ray Marshall coordinated one of this year's most important discussions on the future of the labor movement at the inaugural conference for the LBJ School's Ray Marshall Center for the Study of Human Resources.

The conference, "The Future of Organized Labor: Restoring the Balance in a Time of Growing Inequality," was held in Washington, D.C., and included labor lawyers, scholars, and union members from around the world, among them top officials from the AFL-CIO (U.S. and Russia), the Economic Policy Institute, and John

Wilhelm, president of the Hotel and Restaurant Employees Union.

Getman, who addressed the conference on the current state of labor law and labor relations, said, "The Wagner Act was carefully structured, and, in its time, was quite innovative. However, after many years of working with it, optimism has given way to cynicism and despair about the law's ability to protect workers and enhance collective bargaining. It's currently not a friend to unions. Efforts to improve it are likely to meet with significant resistance. Nevertheless, they are worth the effort."

Getman and Marshall will record and edit the conference proceedings, which will be published in a volume along with selected papers.



Getman addressed the conference on the current state of labor law and labor relations.

## BRIEFS



Legendary actor **Fess Parker**, who attended UT Law in 1948, was awarded the 2003 Texas Medal of Arts by the Texas Cultural Trust Council. Parker, B.A. '50, was the star of two popular and long-running TV series, *Daniel Boone* and Walt Disney's *Davy Crockett*.

# Philip Bobbitt

## 2003 HAMILTON BOOK AWARDS' TOP PRIZE-WINNER

**O**N APRIL 27, PROFESSOR Philip Bobbitt was awarded the top prize at the Robert W. Hamilton Book Awards for his book *The Shield of Achilles: War, Peace, and the Course of History* (Knopf, 2002).

"This is a great honor for Philip, and for our Law School. *The Shield of Achilles* is a true masterpiece. It reflects Philip's experience as a scholar and his work in government. We are fortunate to have him on our faculty," said Dean Bill Powers.

The Hamilton Book Awards honor outstanding books published by The University of Texas

faculty. A committee of scholars appointed by the University's vice president of research selects the winners. The award is named for UT Law professor Robert W. Hamilton, who served as the chairman of the University's Co-op Board for many years. The grand prize carries a \$10,000 stipend.

**At the Hamilton Book Awards (left to right): George Mitchell, president UT Co-op; Michael Granof, chairman of the board of directors UT Co-op; Dr. Faulkner; Bobbitt; Dean Powers.**





# C L A S S N O T E S

## THROUGH MARCH 2003

Have questions about the overall development program of the Law School, including endowed gifts and planned giving?

### Nancy Brazzil

Assistant Dean for Development and Alumni Relations  
(512) 232-1129  
nbrazzil@mail.law.utexas.edu

### Fran Chapman

Director of External Relations  
(512) 232-9394  
fchapman@mail.law.utexas.edu

Want to become more involved in the Law Alumni Association? Have questions about the Law School's Annual Fund, including on-line giving and the Class Fundraising Competition? Need information about an upcoming alumni event, or to RSVP?

### Tom Henninger, '92

Director, Law Alumni Association  
(512) 232-1156  
thenninger@mail.law.utexas.edu

Want to update your contact information, including e-mail and employer?

### Suzette Molina

Database Manager  
(512) 232-1216  
smolina@mail.law.utexas.edu

## 1950

**Henry Gilchrist** of Dallas was recognized as the 2003 Aggie Lawyer of the Year on April 5 in College Station. The award was given by the Texas Aggie Bar Association, which chose Gilchrist from a pool of 2,200 attorneys, all graduates of Texas A&M University. A cofounder of Jenkins & Gilchrist, he graduated from A&M with a degree in civil engineering in 1946.

**Marvin S. Sloman**, senior counsel with Carrington Coleman in Dallas, was selected by his peers to be included in the 2003-04 edition of *The Best Lawyers in America*.

## 1951

**Vernon C. Mayfield**, a Fort Worth attorney, received his fifty-year pin from the State Bar.

## 1956

**Richard A. Freling** was recently listed in the 2003-04 edition of *The Best Lawyers in America*. Freling is a member of the Jones Day technology issues practice and chairs the firm's Dallas office Tech Committee.

## 1957

**James A. Baker III**, diplomat, presidential advisor, author, and attorney, returned to his alma mater, the Hill School, in Pottstown, Pennsylvania, on March 26 to speak and receive a leadership award. Baker, a former U.S. secretary of state who graduated from the Hill School in 1948, spoke to students on the theme of leadership. He received the independent high school's fifth annual Sixth Form Leadership Award given by the senior class to a role model for students. Baker is senior partner at Baker Botts in Houston, senior counselor to the Carlyle Group in Washington, D.C., and honorary chairman of the James A. Baker III Institute for Public Policy at Rice University in Houston.

## 1961



**Nick C. Nichols**, longtime Houstonian and senior partner at Abraham, Watkins, Nichols, Sorrels, Matthews & Friend, has received the 2003 War Horse

Award from the Southern Trial Lawyers Association. The prestigious award was presented at a black-tie dinner at the Windsor Court in New Orleans during Mardi Gras on February 28. Nichols, who has been listed in *The Best Lawyers in America* for the past ten years, was selected as the award recipient from attorneys in 13 states. War Horse honorees are nominated by members of the Southern Trial Lawyers Association and are recognized for their extraordinary contributions to the cause of justice.

## 1963

**Robert W. Turner** was recently listed in the 2003-04 edition of *The Best Lawyers in America* and the 2003 edition of *Chambers USA: America's Leading Lawyers*. Turner, a partner with Jones Day in Dallas, has practiced intellectual property law since 1965 with a primary emphasis in patent litigation. He has been lead trial counsel in numerous complex patent, trade secret, trademark, and copyright matters for many Fortune 500 companies.

## 1964

**Irwin H. Steinhorn** taught corporations during the 2003 spring semester at Oklahoma City University School of Law, where he has served as an adjunct professor since 1980. Steinhorn is a shareholder and member of the executive committee of Conner & Winters.

## 1966



**Frank G. Jones**, a partner in the Houston office of Fulbright & Jaworski, became chair of the Houston Bar Foundation on January 30. Jones focuses his practice on business litigation, information technolo-

gy, product liability and professional liability litigation, and securities litigation. He is the co-head of the firm's Houston office, a member of the litigation management committee, and the partner who oversees the Client Relations Department.

1967

**David Carlock** is serving as the 2002-03 president of the Texas chapter of the American Academy of Matrimonial Lawyers. He is a principal in the Dallas firm of Carlock & Gormley, a family law practice.

**Robert Davidson** is an environmental attorney with the FDIC Legal Division in Dallas. He provides legal counsel to FDIC receiverships in the liquidation of environmentally impacted assets. With 14 years of experience in this field, Davidson coordinates with regulatory agencies, such as the Texas Commission on Environmental Quality, to resolve environmental issues associated with the assets of failed financial institutions.

1968

**Joseph N. Richardson** recently retired as senior Asia counsel of Texas Instruments, Inc. His previous legal experience was in ERISA, labor, corporate, and charitable foundation work.

**Charles H. Still**, a partner with Fulbright & Jaworski, was named as one of the top five corporate lawyers in Texas in *Texas Lawyer's* "Go-To Lawyers Guide."

1969

**Stephen I. Lingenfelter** retired on August 3, 2002, after 33 years as an attorney with the U.S. Army Corps of Engineers. For the last 19 years, he was the division counsel for the Corps of Engineers South Atlantic Division. He was also the Corps of Engineers district counsel for the San Francisco District for 10 years. Lingenfelter is Of Counsel at Smith, Currie & Hancock in Atlanta.

**Barry McNeil**, a lead litigation attorney with Haynes & Boone, has edited a book titled *Internal Corporate Investigations*. The second edition was published this year by the ABA Section of Litigation.

1970

**Stewart Ransom "Randy" Miller** reports that he is spending the majority of his waking hours with the Legal Aid Society of Texas, a start-up nonprofit specializing in indigent housing and consumer cases. Miller works in the Fort Worth office of Miller & Jarzombek.

1973

The Addison Law Firm was named Firm of the Year at the 2002 Excellence in Achievement awards ceremony in Miami Beach on February 2. The event was sponsored by *The BoardRoom* magazine, the official publication of the Association of Private Club Directors. **Randy Addison**, founding member and president of the Addison Law Firm, accepted the award. The Dallas-based firm specializes in the golf, private club, resort, and hospitality industries.

**E. Stephen Jett** has rejoined Chambliss, Bahner & Stophel after serving for two years as general counsel of Astic Industries, Inc., a Chattanooga-based equipment manufacturing company.



**The Honorable Jan P. Patterson** of the Third Court of Appeals in Austin was honored by the Friar Society as its 2002 distinguished alumna. The society was founded at The University of Texas in 1911 to recognize significant contributions to the campus community and is the University's oldest honor society. Judge Patterson was in the first class of women to be admitted to the society, in 1973.

1974

**Ronald R. Pope** was elected judge of the 328th District Court in Fort Bend County, Texas, and took office on January 1. The court is located in Richmond, Texas.

1975

**VaLinda Hathcox** was elected chairperson of the Hopkins County Community Chest for 2003. She has served as a board member of the charitable organization since 1996. VaLinda served as the elected county attorney for Hopkins

County from 1997 to 2001. Her Hathcox Law Firm in Sulphur Springs, Texas, has a general practice with an emphasis in tax.

A story on **Martin Underwood's** career as a criminal lawyer in West Texas appeared in the *Houston Chronicle* on March 9. The headline described Underwood: "Deceptively Brilliant; Low-Profile Lawyer a Legend in West Texas Legal Circles."

1976

**Linda L. Addison**, a partner with Fulbright & Jaworski in Houston, was named one of the top five civil litigation defense lawyers in Texas in *Texas Lawyer's* "Go-To Lawyers Guide."

The Scout Association of the United Kingdom honored **Nelson R. Block** as the



In November, Block (r.) accepted a scouting award as the world's first Gilwell Fellow.

world's first Gilwell Fellow at a reception in November 2002 at the Sam Houston Area Council Boy Scouts of America in Houston. The Gilwell Fellow is named for scouting's famous camp and international training center. At the award presentation, Block's achievements as a historian of scouting and a friend of Gilwell Park were noted. Block, a 40-year veteran of the Scout movement, is an attorney with Winstead, Sechrest, and Minick in Houston.

**Steven K. Dankof, Sr.**, reports that two of his life's greatest moments were when he attended the Sunflower Ceremony in May 2002 for his daughter, **Elizabeth Ann Dankof, '02**, and her swearing-in ceremony for the Texas Bar in November 2002. Elizabeth currently works in Austin with one of Steven's UT Law classmates, **Joe Crews, '76**.



**Kenneth W. "Ken" Lewis** began his 13th consecutive year as managing shareholder of Bush, Lewis & Roebuck. The Beaumont plaintiffs' personal injury law firm has opened a satellite office in Orange that will be supervised by new Of Counsel **Jack Cash Smith, '64**, who recently retired as a senior litigation partner from Mehaffy & Weber. Lewis and Smith are both board certified in personal injury trial law.

**Xavier G. Medina** is serving on the Texas Supreme Court Grievance Oversight Committee. The recipient of the 2002 Travis County Bar Association/Texas Center for Legal Ethics and Professionalism Award, he also serves on the Goodwill of Central Texas board of directors and executive committee.

**John A. Schmidt** is currently a shareholder in McFatrige, Baker & Deen, and spends most of his time in the firm's Galveston office.

## 1977

**James Ashby** is pleased to announce the newest addition to his family: a baby girl named Celina Melody Ashby, who turned 19 months old at the end of June.

**Brent W. Baldwin**, an attorney with Lathrop & Gage in St. Louis, has been named a fellow of the American College of Trial Lawyers, one of the premier legal associations in America. The induction ceremony took place during the 2003 spring meeting of the college in Boca Raton, Florida. Lawyers must have a minimum of 15 years of trial experience before they can be considered for fellowship. Baldwin has 26 years of experience as a civil trial lawyer, having concluded more than 100 jury trials and appeals. He is also a frequent lecturer and author.



**Robert P. Braubach** recently passed the Czech Bar examination and became a member of the Czech Chamber of Advocates in Prague. He has a general business and international practice in San Antonio and also serves as Honorary Consul for the Government of Belgium. Braubach formerly worked with Clearly, Gottlieb, Steen & Hamilton in Brussels and with Coudert Brothers international law firm in Brussels and Paris.

**The Honorable Humberto S. Garcia** was sworn in on March 31 as the U.S. attorney for Puerto Rico at the U.S. District Court Federal Building in Puerto Rico.

**Mark A. Henson** joined the asset review staff of Broadway Bank in San Antonio as a vice president in September 2002.

**Rob Lipman** is chief operating officer and general counsel for Summit Management Services, an international meeting management company servicing the pharmaceutical industry. He is also co-founder and board chairman of BroadQ, an Austin-based software start-up that turns Sony's PlayStation II into a digital home media center.

## 1978

**Linda Owen** is president of the Real Estate Council Foundation in Dallas, which was organized 12 years ago to provide pro bono professional expertise to local community development organizations.

## 1979

**Robert P. Brotherton**, presiding judge of the 30th District Court in Wichita Falls, has been reappointed chairman of the Texas Juvenile Probation Commission, an office that he has held for the past seven years. Judge Brotherton was reappointed by Governor Rick Perry.

**Glenn W. Merrick**, a director and shareholder in the Denver-based law firm of Brega & Winters, has been elected to a three-person executive committee that manages the firm. He is also general counsel to the American Board of Spine Surgery and the American College of Spine Surgery, a fellow of the American College of Bankruptcy, and a member of the board of directors of the Industrial Arts Theatre Company.

**Kay Doughty Phillips** has been self-employed for seven years after a lengthy career in public policy and government. She works as a consultant to insurance companies all over the country.

**Keith Stanton Richey** was elected vice president of the International Fiscal Association Westchester/Connecticut Region.



**E. Michael Sheehan**, a partner in Thompson & Knight's trial practice group, has been elected to serve on the firm's 2003 management committee. Sheehan is also the office leader for the Fort Worth office.

## 1980

**Kent McCulloch** was recertified by the Texas Board of Legal Specialization in labor and employment law. McCulloch is president/manager of labor relations for StarTran, Inc., in Austin.

## 1981

**John T. Baldwin** was appointed director of the Genlyte Group, Inc., on March 17. Baldwin was also named a member of the company's audit committee and compensation committee and nominated for election to the board for a three-year term. Baldwin is currently vice president and chief financial officer of Worthington Industries, Inc., of Columbus, Ohio.



**Francine Breckenridge** has been named a partner at Strasburger & Price in Austin. Her primary areas of practice are labor and employment law and commercial litigation. She works extensively in drafting employment manuals, employment agreements, employment releases, and other types of employment contracts. She also frequently conducts training seminars for managers and nonmanagerial employees on labor issues.



**Jan Smith Krock** has begun her third term as the judge of Harris County's 184th District Court in Houston, following her reelection to the post last fall. The court has jurisdiction in felony cases.



**Teal Thawley** was honored at the third annual Henry W. Strasburger Appreciation Dinner on March 27 in Dallas, an event that recognizes the outstanding efforts of firm associates and senior counsel during the preceding year. Thawley, a senior counsel at Strasburger & Price in Dallas, received the Bob Thomas Professional and Community Service Award for her work with Chapter Two, a

nonprofit organization that works with young widows and their children.

1982



This spring, **Kim Brightwell** and **Beverly Reeves, '88**, founded Reeves & Brightwell, a new Austin firm specializing in business and commercial litigation. The firm will represent both plaintiffs and defense clients. Brightwell was most recently a partner at Vinson & Elkins. He has more than two decades of trial experience in both state and federal courts. He has also served on the board of directors of the Capital Area United Way.

**Ashton Cumberbatch, Jr.**, formerly with McGinnis, Lochridge & Kilgore, has formed Cumberbatch & Associates in Austin. The new firm will focus on employment law, commercial litigation, criminal law, and mediation.

**Gloria Leal**, international and special counsel to the commissioner at the Texas Department of Insurance, has been elected president of the Mexican American Bar Association of Texas.

**Elliott Naishtat** is now serving a seventh term in the Texas House of Representatives, representing District 49, which comprises Central Austin and parts of North and South Austin. In 2002 he was recognized by Families USA as National Consumer Health Advocate of the Year.

**Martha Guadiana Sepeda** began her new job as San Antonio's first assistant city attorney on March 31. Sepeda brings 18 years of legal experience to the city's staff, including 9 years of work representing Texas cities. She was city attorney in Del Rio for 5 years and was assistant city attorney in Laredo. She also served in the Laredo Office of the Federal Public Defender for the Southern District of Texas.

1983

**John House** has joined Fulbright & Jaworski in Los Angeles as a senior counsel. His practice focuses on oil and gas matters. He is a member the State Bar of California, Real Estate Section and Natural Resources Subsection, the Los

Angeles County Bar Association, and the State Bar of Texas.



**Susan Vincent** has been named a partner at Strasburger & Price in Austin. Vincent serves as chair of Strasburger's franchise and distribution practice, representing clients in corporate and business law areas.

1984

**Charlie Kinne** continues to practice patent law in Chicago's largest suburban patent law firm, Pauley, Petersen, Kinne & Erickson, with **Nick Kottis, '84**. Recently, Kinne completed a one-year term as federation chief for the Indian Guides and Princesses Program for the Naperville/Aurora YMCA, a volunteer position heading a father-child organization that dates back nearly 80 years nationwide.

1985

For the past seven years, **Jeannette L. Brown** has worked for the bishop of Connecticut, organizing social services programs.

1986

**Kent Ries** opened his own law firm in Amarillo on July 1, 2002, practicing primarily commercial and bankruptcy law. He serves on the panel of Chapter 7 trustees for Amarillo.

1987

**Sharon Reuler** has joined Settle & Pou in Dallas and was appointed to the 2003 board of the Texas College of Real Estate Attorneys. She also serves on the planning committee for the State Bar of Texas 2003 Advanced Real Estate Law Course, and has coauthored an article titled "Statutory Evolution of Condominiums and Property Owners Associations in Texas" for UT Law's 2002 William W. Gibson Mortgage Lending Institute.

**Former Texas Supreme Court justice Xavier Rodriguez** has rejoined the firm of Fulbright & Jaworski as a partner in the firm's San Antonio office. His areas of practice include labor and employment law and general litigation.

**Andrea Widburg**, an attorney in California, has been working as a contract research attorney. She reported, however, that her main job currently is raising her children—Ella, 5, and Danny, 3—with her husband, Brian.

1988



This spring, **Beverly Reeves** and **Kim Brightwell, '82**, founded Reeves & Brightwell, a new Austin firm specializing in business and commercial litigation. The firm will represent both plaintiffs and defense clients. Reeves will serve as managing partner at the new firm, which has as one of its goals to be a family-friendly enterprise. "Our goals include helping moms and dads with young kids keep their fingers in the law practice even when they don't choose to work full time outside of the home. We currently employ two young moms as contract lawyers," says Reeves. She spent 15 years at Vinson & Elkins, most recently as a partner, and her pro bono work included representation of The University of Texas in the *Hopwood* case, in which V&E defended UT Law's admissions policy.

1989

**Celestina L. Contreras** has been named adjunct professor and supervising attorney at Texas Wesleyan University School of Law in Fort Worth. In her new position at the TWU Law Clinic, she supervises students representing family violence victims in family law cases. Contreras says ever since she participated in the Children's Rights Clinic at UT Law she had the dream of supervising students in a law clinic. She looks forward to helping students become aware of family violence and guiding them through their first family law case.

West Publishing has just released **David C. Frederick's** *Supreme Court and Appellate Advocacy: Mastering Oral Argument*, with a foreword by U.S. Supreme Court justice Ruth Bader Ginsburg. Frederick is a partner with Kellogg, Huber, Hansen, Todd & Evans in Washington, D.C.



Governor Rick Perry has appointed **Patrick O. Keel** as judge of the 345th District Court of Texas, which includes



Travis County. At the time of his appointment in December, Keel was a partner with Baker Botts, where he specialized in commercial litigation. He previously served seven years as a member of the Texas Commission on Jail Standards, to which he was appointed by then-governor George W. Bush in 1995. Keel is a fellow of the Texas Bar Foundation and a member of the State Bar of Texas, the Travis County Bar Association, and the American Bar Association.



**Bill Kroger**, partner at the Houston headquarters of Baker Botts, was recognized as one of five Outstanding Young Houstonians by the Houston Jaycees at an awards dinner on June 16. Since 1998, he has served as chair of the Houston office's pro bono program. He also serves on the board of Communities in Schools Houston (CISH), the largest dropout-prevention agency in the city. He created and now supervises the CISH Legal Internship Program, one of the largest inner-city high school legal internship programs in the country.

**Cindy Moulton** and Jeff Meyer formed Moulton & Meyer on January 1, representing both plaintiffs and defendants and specializing in commercial litigation, securities litigation and arbitration, and major personal injury, consumer protection, and medical malpractice cases.

## 1990

**Lisa Wickstrom Marino** left private practice in April 2001 to begin work as an assistant attorney general with the Office of the Attorney General's Child Support Division in the central Fort Worth office. She says she enjoys the Tarrant County Bar and the rural courts that she visits on a regular basis.

## 1991

**Katy Bacal** was elected partner of the San Diego office of Baker & McKenzie on October 2, 2002. In addition, she and her husband, Dave Peterson, are the proud parents of a third daughter, born in January.

**Eric Begun** has been elected partner in the Philadelphia office of Blank Rome. He is a member of the Intellectual Property and

Technology Group, where he concentrates in intellectual property matters, software and technology licensing and transactions, electronic privacy and security, entertainment and media, and the Internet.



**Brian K. Jammer** has been appointed assistant vice chancellor for governmental relations for The University of Texas System. On January 1, Jammer became responsible for representing the UT System and its health components before the Texas Legislature and government agencies. He was deputy general counsel and vice president of governmental affairs for the Texas Credit Union League from 2000 to 2002. He also served as general counsel to Texas senator Ken Armbrister and several Senate committees, and he was chief of staff for former Texas representative Tom Uher.

**L. Gene Spears** has been named a partner at Baker Botts in Houston, where he practices intellectual property law.

## 1992

**Daniel Brennan** has rejoined the legal department of Dell Computer Corporation as senior counsel for its global sales division.

**Brent E. Christopher** has joined the staff of Children's Medical Center of Dallas as a development director. He is responsible for managing the center's major gifts, annual gifts, corporate and foundation gifts, and planned gifts programs. He also serves as the appointed chair of the City of Dallas Permit and License Appeal Board. He and his wife, Alissa, have a four-year-old daughter, Emily.

**Thomas L. Cabbage III** has practiced with Covington & Burling in Washington, D.C., since 1994. He became partner in 2000 and has served as one of the firm's two hiring partners since 2001.

**Gregory S. Heath** has been named a partner with Gardere Wynne Sewel in its Dallas office. Heath is a partner in the trial section, focusing on the construction industry, including dispute resolution, contract preparation, and negotiation and government contracts. He has a civil engineering degree and counsels general contractors, subcontractors, owners, devel-

opers, governmental entities, engineers, and national and regional homebuilders.

**Paul T. Luther**, a former associate at Baker Botts, and recently a partner at Piper Rudnick, has returned to Baker Botts as a partner in the Washington, D.C., office. Luther is a member of the Global Projects Group and focuses his practice on international trade law.

**Brian J. Tagtmeier** is a partner in the Houston office of Fowler, Rodriguez & Chalos.

**Samuel J. Waldon** has been named partner at Baker Botts, where he practices in the firm's trial department in Washington, D.C.

## 1993

**Scott A. Erickson** is a shareholder with Bonnett, Fairbourn, Friedman & Balint, a midsize firm in Phoenix, where his practice is concentrated in the areas of trusts, estates, and business organizations. He and his wife, Casey, have two children, Sarah, 4, and Andrew, 18 months.



**Hilda C. Galvan** became a partner in the Dallas office of Jones Day on January 1. Hilda is a member of the Litigation Group and the Intellectual Property Practice. She is a member of the Intellectual Property Law sections of the American Bar Association, the State Bar of Texas, and the Dallas Bar Association. Fluent in Spanish, she is currently treasurer, director, and scholarship committee chair for the Dallas Hispanic Bar Foundation.

**Monica Wiseman Latin**, a partner with the Dallas law firm of Carrington Coleman, was named as the BTI Client Service All-Star for 2002. The recipient of the BTI Client Service All-Star Award is determined by a survey of counsels general of Fortune 1000 companies and recognizes superior client service.

## 1994

**R. Daren Barney**, managing partner with Barney & McKenna in St. George, Utah, is currently serving as the mayor of Ivins City, located in Washington County, Utah.

**David Berlin**, formerly with Paul, Weiss, Rifkind, Wharton & Garrison in New York, has become a vice president of business affairs at the William Morris Agency in New York.

**Susan Hardison Chase**, of the Legal Aid Society in New York, is now also working on the Community Development Project, through which she assists businesses affected by the September 11, 2001, attack on the World Trade Center.



**J. Eric Gambrell** has become a partner with Akin, Gump, Strauss, Hauer & Feld in Dallas. Gambrell is a member of the firm's litigation practice group.

**Edward F. Guzman** has joined the office of Frank R. Rivas and Associates in San Antonio as claim litigation counsel. Guzman spent the last six years as an assistant district attorney for Bexar County, focusing principally on the prosecution of child sexual abuse cases.

**Bess Masterson Mattei** is a partner with Kilgore & Kilgore and lecturer with the MADI Museum and Gallery at the Kilgore Law Center in Dallas, which held its grand opening in February. Mattei lectures



The Law Center was transformed into modern art with geometric forms and bright colors.

on the MADI art movement, which features bright colors and varied geometric forms. Her legal expertise is in litigation. **John H. Couch, '92**, is also a partner and a litigation expert with Kilgore & Kilgore. He and other partners supported the MADI art movement through the renovation of the building that now houses the firm's office and modern art gallery.



**Brian F. Russell** was elected partner in the Austin office of Bracewell & Patterson. His practice focuses on the acquisition, licensing, and transfer of intellectual property rights.

**Susan E. Salch** has been named partner of Cantilo & Bennett in Austin, where she has practiced since 1995.

**Robert R. Summerhays** has been named partner in the litigation department of Weil, Gotshal & Manges in Dallas. He concentrates on complex civil and business litigation in federal and state courts, and has significant experience in complex commercial arbitrations.

## 1995

**Kristin Bodenstedt** has joined the legal department of Bacardi USA as its government relations director in Washington, D.C.

**Ryan A. Botkin**, formerly with Akin, Gump, Strauss, Hauer & Feld, is now with the Ratliff Law Firm in Austin.

**Buddy Broussard**, an associate with The Woodlands office of Winstead, Sechrest & Minick, has become a board member for the South Montgomery County Woodlands Chamber of Commerce and the South Montgomery County YMCA. He is also a member of the Rotary Club of The Woodlands and an elected area representative for the Panther Creek Village Association. He and his wife, Patricia, now have three children—Dylan, 7, Cayenne, 2, and Isabella, 1.

**Angelica Salinas Evans** is working with the Texas Department of Insurance in Austin as an attorney in the Fraud Counsel Section of the department's Legal and Compliance Division. In addition, she and her husband, Jon Evans, are the proud parents of Jackson Reese Salinas Evans, who will turn two years old on September 27.

**Margaret Fraissinet** lives in Kingwood, a suburb of Houston, with her husband, **Philip Fraissinet, '95**, and their sons Ryan, 7, and Brendan, 7 months. After working for two years in-house at The University of Texas M.D. Anderson Cancer Center, she is now pursuing a career in child development and domestic affairs management. Philip is an attorney with Bracewell & Patterson in its public law section.

**Rennae K. Henry** has been named a partner at Baker Botts in Houston, where she practices securities and corporate law.

**John Hatchett McFarland** was elected shareholder of Winstead, Sechrest & Minick in December 2002. He works in the Litigation Section of the firm's Houston office.

**Michael H. Newman** has been named a partner with Gardere Wynne Sewell in its Dallas office. He is a partner in the corporate section counseling domestic and international clients in the areas of corporate, securities, and business transactions. He advises on mergers and acquisitions, equity and debt financings, corporate restructurings, and joint venture arrangements, and he also serves as outside counsel for a variety of businesses.

**Michael L. Peck** was elected partner with Brown, Herman, Dean, Wiseman, Liser & Hart, where he has practiced since 1995. He lives in Fort Worth with his wife, Lori, and their son, Cole.

**Major Susan L. Turley**, an acquisition attorney for the Air Force Materiel Command Law Office at Wright-Patterson AFB in Ohio, has won first place in the 2002 Writing Competition sponsored by the American Bar Association's Public Contract Law Section. Her article, "Wielding the Virtual Gavel—DoD Moves Forward with Reverse Auction," took first place in the student division. The article, written while she was an LL.M. student at the Judge Advocate General's School of the Army from 2001 to 2002, also was published in the September 2002 issue of *Military Law Review*.

## 1996

Dr. Adam Barta and **Lori Tullos Barta** are proud to announce the birth of their daughter, Emma Jade Barta, on January 3. Lori is assistant general counsel with the Texas State Board of Pharmacy in Austin.



Four-day-old Emma Jade Barta, napping.





**Berry campaigning in Houston mayoral race.**

At the age of 32, Houston city council member **Michael Berry** launched his grassroots campaign on March 10 for mayor of Houston before several hundred supporters. Berry is owner of the real estate group Michael Berry Properties, Inc. The election is in November.



**Anthony J. Campiti** has been named a partner at Thompson & Knight in Dallas. Campiti, a member of the firm's labor and employment practice group, focuses his practice on representation and counsel of management in labor- and employment-related litigation.

**Stephanie G. McDonald-Mitchell** is assistant commissioner of women's basketball operations and sports programs for the Mid-American (Athletic) Conference, in Cleveland, Ohio. She and her husband, Antonio L. Mitchell, were married on September 1, 2001. Their first child, Halle LeVonne Mitchell, was born on October 28, 2002.



**Eric G. Reis** has been elected partner in the Dallas firm of Thompson & Knight. Reis, a member of the firm's tax practice group, specializes in the areas of estate planning, probate law, and charitable planned giving.

**John J. Zachary** is an associate with Faircloth, Davidson, Vilar & Elliott in Alexandria, Louisiana.

1997

**Angela Alexander** is employed with the Texas Legislative Council in Austin.



**Tom Burton** was named Phil Kelton Business Associate of the Year at the third annual Henry W. Strasburger Appreciation

Dinner on March 27 in Dallas. Burton, an associate, represents clients in the business and corporate law areas at Strasburger & Price in Dallas.

**Liza Reynolds**, an associate with Allison, Slutsky & Kennedy in Chicago, was appointed on January 1, 2003, to a three-year term on the board of directors of the AFL-CIO Lawyers Coordinating Committee. The Lawyers Coordinating Committee, comprising more than 1,700 union-side labor lawyers in more than 500 law firms and legal departments nationwide, was founded in 1983 to enhance the quality of legal representation available to the AFL-CIO and its affiliates in support of working men and women and their families.



Austin attorney **Laurie Tice** has been named president of the Travis County Women Lawyers' Association. Her term began in June and continues through June 2004. Tice, an associate with Rogers & Whitley, practices corporate and real estate law with an emphasis on corporate transactions, business planning, and commercial real estate transactions.

1998

**Peter Shakow**, formerly with O'Melveny and Myers in Los Angeles, spent the spring exploring East and South Africa, after which he will travel to Guatemala for several months to study Spanish and do community volunteer work.

1999

**Kurt Daum** joined Q Investments in Fort Worth in the summer of 2002 as an analyst and legal counsel.



**Dana Jacobs** received the Wilson Herndon Award on March 27 at the third annual Henry W. Strasburger Appreciation Dinner in Dallas. She is an associate at Strasburger & Price in Houston. Jacobs provides advice and counsel to corporate clients on securities and also handles maritime financing and acquisitions.

**Ahmad Keshavarz** will be celebrating his second year in solo practice specializing in plaintiff-side DTPA violations.

**J. Eric Lockridge** and Lee Ann Wheelis were married on December 28, 2002. He is a trial associate at Gardere Wynne Sewell in Dallas. She practices intellectual property and corporate law at Thompson & Knight. They reside in Dallas.

**Inga Munsinger** is currently working as briefing attorney to Justice Karen Angelini of the Fourth Court of Appeals in San Antonio.

**G. Donald Puckett** has joined the Dallas law firm of Carrington Coleman as an associate.

**Paul Speaker**, an associate with Smith & Moore in Dallas, taught a night class in physics at Tarrant County College during the spring semester.

2000

**Diego Polanco** established his own law firm in Guatemala in 2001. He may be contacted via his Web site at [www.ppqlaw.com](http://www.ppqlaw.com).

**Kent Radford** is an associate with Pillsbury Winthrop in Houston.

**Heather Savoy** has joined the new Austin law firm of Reeves & Brightwell, a litigation boutique, as a litigator.

**Elissa Steglich**, formerly with the International Human Rights Law Institute of the DePaul University College of Law, has joined the Midwest Immigrant and Human Rights Center, an immigrant legal services agency in Chicago.

**Anne Shirley Underwood**, formerly with Baker Botts in Dallas, is now in-house counsel for a company that produces children's shows such as *Bob the Builder*, *Thomas the Tank*, *Angelina Ballerina*, and *Barney*.

**Jason Wren** has joined Carrington Coleman as an associate in Dallas.

2001

**Kendyl Hanks Darby** coached UT Law's ABA Moot Court team to a regional championship, a first-place brief, and a top-speaker award at the ABA Regional Competition in San Francisco in early



**Darby coached champion moot court team.**

March. Darby's team followed up this success with a second-place national title (out of 133 teams nationwide) and two top-speaker awards at the national ABA finals in Chicago in early April. The ABA Moot Court problem this year highlighted a federal constitutional issue raised by the recently enacted U.S. Patriot Act. Darby is an appellate attorney with the Dallas office of Haynes and Boone. Darby's co-coach was **Laurie Higginbotham, '99**, an attorney with Whitehurst, Harkness, Ozmun & Brees in Austin.

**Bradley E. Visosky** has joined Carrington Coleman in Dallas as an associate.

## 2002

**Celia Balli** has joined the Houston firm of Porter & Hedges as an associate.

**Airan Baryalai** is an associate with Cooper & Dunham in New York.



**Harbison and Campbell are newlyweds.**

**John Campbell** and **Megan Harbison** were married on January 18 at the Jersey Village Baptist Church in Houston.

**Brad B. Castleberry** has joined Austin-based Lloyd, Gosselink, Blevins, Rochelle,

Baldwin & Townsend as an associate.

**Kristie Diemer** joined the corporate department in the Los Angeles office of White & Case.

**Albert Galik** is an associate at Baker & Hostetler in Houston.

**Beth E. Klusmann** has joined Carrington Coleman in Dallas as an associate.

**Mary Rene Miko** has joined the Dallas firm of Diamond McCarthy Taylor Finley Bryant & Lee as an associate.

**Roxanna L. Olvera** is an associate in the tax section of Oppenheimer, Blend, Harrison & Tate in San Antonio.

**Sally Sykes** works for the UT System Office of General Counsel, where, she says, she enjoys learning more about higher education law. She adds, "It's a wonderful group of people over here!"

**Lisa K. Tilley** has joined Oppenheimer, Blend, Harrison & Tate in San Antonio as an associate in the real estate section.

## TOP RATED.

**NO. 1** "Latin American Petrochemical Deal of the Year" for 2002  
*Project Finance Magazine 2003*

**NO. 1** "North American Deal of the Year" for 2001  
*Project Finance Magazine 2002*

**NO. 1** "Latin American Oil & Gas Deal of the Year" for 1999  
*Project Finance Magazine 2000*

**3 TOP** Lawyers in bankruptcy, real estate and trusts and estates  
*Texas Lawyer's "Go-To Guide" 2002*

**ANDREWS**  
ATTORNEYS  
**KURTH** LLP

STRAIGHT TALK IS GOOD BUSINESS.™

andrewskurth.com



Austin Dallas Houston London Los Angeles New York The Woodlands Washington, DC



# IN MEMORIAM

THROUGH MARCH 2003

**J. Hugh Liedtke, '49**, died March 28, 2003, at 81. He was the past chairman and trustee emeritus of the Pennzoil Company. He was a member of Littlefield Society, President's Associates, and was an endowment principal. Liedtke was active in all phases of the oil and gas industry for more than 35 years. He formed Liedtke & Liedtke with his brother in 1949 in Midland, Texas. In 1953, both brothers and George H. W. Bush cofounded Zapata Petroleum Corporation. Nine years later he cofounded Stetco Petroleum Company. Later these companies merged into South Penn Oil Company, which in 1963 became the Pennzoil Company. Pennzoil was consolidated with United Gas Corporation in 1968. Mr. Liedtke served as chief executive officer of Pennzoil and its predecessor companies from 1953 until his retirement in April 1988. In addition to being active in public service and civic endeavors, he was instrumental in the founding of several companies, including Pogo Producing Company, Entex, Battle Mountain Gold Company, and United Energy Resources. During his career, Mr. Liedtke was a member of the All-American Wildcatters Association and was inducted into the Petroleum Museum Hall of Fame.

**John Alonzo Pace, '31**, died December 26, 2002, at 94. From 1942 to 1946, he was an attorney for the War Production Board; a head attorney and a lieutenant in the U.S. Navy, Philippines Sea Frontier; and general counsel, Pacific

in China Office of Foreign Liquidation, State Department. He returned to private practice in Dallas with Scurry, Scurry & Pace, and was a founding partner of Pace, Chandler & Rickey, where he practiced with his son, **Jonathan Pace, '71**, and his grandson, William, until his death.

**Levert James Able, Jr., '34**, died January 15, 2003, at 92. A former law partner of Governor James Allred, he established the Able Law Firm, where he practiced law for more than 55 years.

**The Honorable E. James Kazen, '35**, of Laredo, died February 25, 2003, at 90. He was appointed district attorney for the 49th Judicial District in 1942. In 1958 he was elected district court judge for the same district and served until his retirement in 1978. In addition to being a respected jurist, Judge Kazen was an outstanding contributor to the Laredo community.

**Harold J. Schulz, '35**, died January 15, 2003, at 89. At 22, he was elected Live Oak County attorney. In 1978, he founded Schulz & Schulz with his son, Harold J. Schulz, Jr., and practiced until 1999.

**Ben C. McKinney, '36**, died January 6, 2003, at 87.

**Jane Lewis Maverick McMillan, '36**, died March 21, 2003, at 89.

**Robert Durham Allentharp, '37**, died December 24, 2002, at 88. He graduated from The University of Texas School of Law when he was 21 and was a devoted member of Pleasant Hill Baptist Church.

**Frank C. Bolton, Jr., '37**, died January 26, 2003, at 88. A successful legal

consultant, he worked for Magnolia Petroleum, Sonoco Oil, Mobil Oil, and Vinson & Elkins.

**Marion Rose Norton**, widow of **Mark Anthony Martin, '37**, a trustee of the Law School Foundation, died December 19, 2002, at 86.

**William Woodrow Stewart, '39**, died March 1, 2003, at 90. He became an endowment officer at The University of Texas in 1955 and retired as a trust officer in 1984.

**Leighton Marion Cornett, '41**, died January 1, 2003, at 86. He was district and county attorney for Lamar County, first assistant U.S. attorney for the Eastern District of Texas, and state judge advocate of the American Legion of Texas.

**Ernest L. Lehmann, Jr., '41**, died March 18, 2003, at 85.

**J. Frank Norris Dennard, '42**, died January 5, 2003. He practiced law in Henderson until 1957 and was later employed as an attorney by Transco. In 1965, he went to work with Baker & Botts and retired after 22 years of service.

**The Honorable William E. Junell, '42**, died in Houston on March 15, 2003, at 83. He was appointed by Governor Bill Clements in 1979 as an associate justice on the 14th Court of Appeals and served on that court until he retired in 1992. Judge Junell received the Houston Bar Association's Emeritus Award in August 1992 and was honored by his friends with the creation of the William E. Junell Endowed Presidential Scholarship at The University of Texas School of Law.

**Marvin Author Jones, '43**, died in December 2002, at 83. He practiced law for more than 50 years.

**Melville M. "Mel" Hughes, Jr., '46**, died December 4, 2002, at 85. In addition to being a licensed attorney, he was a builder and developer.

**James Willis "Jim" Rainey, Jr., '47**, of Dallas, died February 1, 2003, at 83. He had law practices in Longview and Irving and served as a former city attorney in Irving.

**Jackson Stullken Webb, '47**, died January 7, 2003, at 81. He joined the law firm of Webb & Webb in 1947 and was subsequently appointed city attorney. He also served as Bastrop County attorney.

**William Morgan Hunter, '48**, of Austin, died March 19, 2003, at 80. After beginning his law practice as a trial attorney with the chief counsel for the IRS, he joined the firm of McGinnis, Lochridge & Kilgore in 1951 and continued to practice until his retirement in 1993.

**Patricia Blanche Parks Proctor, '48**, died January 24, 2003, at 86. She worked for the Texas Manufacturers Association in Austin, while her husband, **Jack Proctor, '49**, served as assistant dean of the Law School. She retired from outside employment and devoted her efforts to her children and various charities.

**Bonnie Royce Adkins, Jr., '49**, of Haskell, died March 19, 2003, at 75. He served as county attorney for 2 years and district attorney for 24 years.

**George Kelley De Puy, '50**, died December 27, 2002, at 78. He practiced law in Lufkin until 1964.

**Howard Lee Norris, '50**, died February 19, 2003, at 79. He practiced law in Texas for more than 52 years.

**Parx F. Shearer, '51**, died January 18, 2003, at 80. He was a partner at Hoover, Bax & Slovacek for 23 years.

**William George Webb, '51**, died December 26, 2002, at 77. He was a part-

ner at Turner, Hitchens, McInerney, Webb & Hartnett in Dallas.

**Kenneth Eugene Eastridge, '53**, died January 25, 2003, at 71. In 1994, he retired from Tax Pro, the company he founded.

**George William Finger, Jr., '53**, died January 18, 2003, at 72. He joined Scott, Hulse, Marshall, Feuille, Finger & Thurmond in 1954.

**George H. Greene, Jr., '53**, died January 22, 2003, at 73. After receiving his law degree, he began his law practice with **Percy Foreman, '27**, and then went into solo practice.

**Rudolph A. "Ray" Koska, Jr., '56**, died March 6, 2003, at 71.

**Archie Charles Wheat, Jr., '56**, died February 17, 2003. He worked in the legal department of Shell Oil Company until 1974 and then opened his own practice, where he worked until his death.

**Charles Ray Cunningham, '57**, died January 5, 2003, at 82. He practiced law in Corpus Christi and was a past president of the Corpus Christi Bar Association.

**Charles Robert Franzen, '57**, died January 3, 2003, at 72. He worked for 17 years at Cameron Iron Works as manager of industrial relations and later as chief legal counsel.

**Thomas Marvin Russell, '57**, died December 8, 2002, at 76. Following law school, he began his 45-year legal career with the Office of the Attorney General in Austin. He moved to Dallas and became chief of the civil law section in the District Attorney's Office. He then went into private practice and founded four firms.

**Paul Regene Roberts, Jr., '58**, died January 1, 2003, at 70. He began his law career in San Antonio, where he first worked in private practice and then served as an assistant city attorney. In 1969, he began practicing in New Braunfels as an associate of the Marion Borchers law firm and was subsequently elected Comal County attorney.

**Edward Dantzler "Dan" Slaughter, Jr., '58**, died March 18, 2003, at 68.

**Joshua William Taylor, '60**, of Irving, died January 2, 2003, at 70. He worked for the Dallas Legal Aid Society and practiced family law. In 1984, he was appointed judge of the 303rd Judicial District Court for Dallas County. He re-established his private family law practice, where he practiced until his death.

**Donald Ross Buchner, '62**, died January 14, 2003, at 70. He practiced law in Follett for 41 years.


**Clifton Dunn Harris, Jr., '62**, of Houston, died February 10, 2003, at 65. He was an attorney for the Exxon Corporation for 35 years.

**Owen Wade Anderson, '64**, died March 3, 2003, at 62. He worked at the Texas State Comptroller's Office for more than 30 years as a tax attorney specializing in interstate tax and tax policy. He served twice as general counsel for the comptroller, and also as associate deputy comptroller. In 1998, he went to work for Vinson & Elkins as a tax attorney. In January 2003, he returned to the Texas State Comptroller's Office as executive counsel for Comptroller Carol Keeton Strayhorn.

**Peggy Ellen Underwood, '68**, died March 17, 2003, at 60. She lived and practiced law in Austin for more than 35 years.

**Steven Leslie Martin, '80**, died March 1, 2003, at 46. He worked as an attorney for the Texas Department of Community Affairs, the Office of the Attorney General, and as a private practitioner. He was appointed in 1991 to serve as the first chief administrative law judge of the newly created State Office of Administrative Hearings. In 1999, he joined the Texas Department of Banking, where he was serving as senior assistant general counsel at the time of his death.

**Donald J. Piller, '82**, died February 27, 2003, at 46.

**Darryl Marcus Wexler, '86**, died December 6, 2002, at 48. He was an attorney in the health care profession. 



# Texas' Uncommon Laws

BY CORWIN W. JOHNSON

I ARRIVED IN AUSTIN ON A HOT SEPTEMBER afternoon in 1947, an assistant professor at The University of Texas School of Law. The war was recently finished, and students were returning to complete their education. The mood was somber and the rigors of the classroom intense.

To lighten the mood, our faculty and students started an annual variety show in 1952. At the first "Assault & Flattery" I sang and danced with several other professors. From that beginning, my singing career took an unexpected turn.

At the 1959 Association of American Law Schools (AALS) meeting, Berkeley's dean, Bill Prosser, asked his coauthor, Dean Page Keeton, to recommend a professor to sing a song he'd written to the entire assembly. Keeton generously suggested me.

The performance was well received. Despite this, "The Common Law of Texas" never received the same

widespread recognition as Prosser's Torts hornbook. But it still exemplifies the mythic mid-twentieth-century view of Texas and its legal system and has been sung many times since.

## The Common Law of Texas

*Sung to the tune of "The Yellow Rose of Texas"*

They buy their bourbon by the case,  
and never shun the cup,  
They ride around in Cadillacs, and  
smash each other up;  
And when they litigate the case, it's  
the weirdest ever seen,  
Because the poor benighted courts try  
to follow Leon Green.

*Chorus:*

It's the damndest jurisdiction  
Upon this planet sad,  
Its whole judicial process  
Is absolutely mad.  
There's schizophrenia in New York,  
Also in Illinois,  
But the common law of Texas is  
A psychiatric joy.

They enter into arguments, and then  
they have a fight,  
They call each other dirty names, and  
brood on it all night,  
Then lie in wait for sixteen hours  
behind an old rail fence,  
And shoot the fellow in the back, but  
it's all in self-defense. *Chorus.*

They raise an oil well derrick in the  
city hall front yard,  
And when the damn thing blows to  
hell they take it mighty hard.  
Petroleum and rocks and mud are  
strewn all o'er the sod,  
It makes a most unsightly mess, but  
it's just an act of God. *Chorus.*

A widow seeks indemnity upon a  
policee,  
And she recovers double, with her  
attorney's fee,  
For when she loaded arsenic into her  
husband's beans,  
The late lamented met his death by  
accidental means. *Chorus.*

A loyal son of Texas goes out upon a  
spree,  
And perpetrates six murders, some  
rape and burglary;  
He ends upon the gallows—it's a  
proper end, of course—  
But the reason that they hang him is  
the bastard stole a horse. *Chorus.*

They ask the jury questions, which  
may number twenty score,  
Instructions that they give them take  
seven days or more,  
And when the case comes on appeal  
the record grows and grows,  
And what the last opinion holds, alas,  
God only knows. *Chorus.*

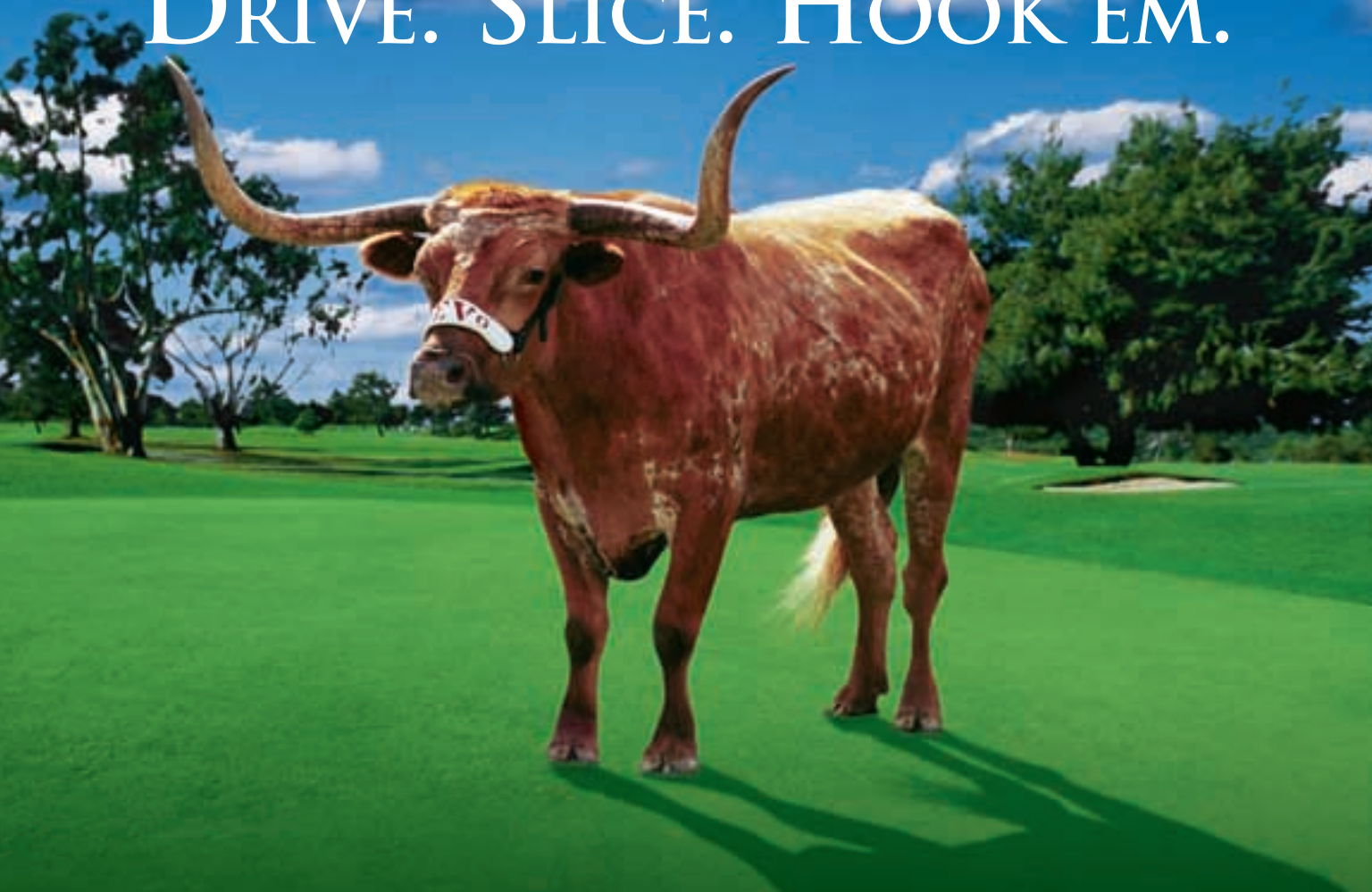
*Abridged lyrics © by the heirs of William Prosser*

Corwin W. Johnson is UT's Edward Clark Centennial Professor Emeritus and the subject of Corwin W. Johnson: An Oral History Interview (Jamail Center for Legal Research, 2002). Michael Widener contributed.

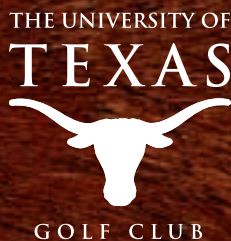




# DRIVE. SLICE. HOOK'EM.



No matter how you swing it, the new University of Texas Golf Club opening this fall, will mark the rarest of opportunities to join Coach Mack Brown and the elite legends of Texas golf as a member of one of the finest new private clubs in America. With a grand new tradition and a rich golf heritage, this 7,108-yard Bechtol Russell designed championship course, official home of The University of Texas Golf Teams, is destined for greatness. From its state-of-the-art practice facility and richly appointed clubhouse, to its panoramic hill country setting between Lakes Austin and Travis in Steiner Ranch, the club will promise a legendary golf membership experience available only to a fortunate few. Call or log on for membership information.



TAKE 2222 WEST TO 620, TURN LEFT AND GO APPROX. 2 MILES TO MAIN ENTRANCE OF STEINER RANCH.  
3405 GRIMES RANCH ROAD · AUSTIN, TEXAS 78732 · (512) 266-6464 · FAX (512) 266-9342  
[UTGOLFCLUB.COM](http://UTGOLFCLUB.COM)



PRECIOUS METAL ART



Cold Forged,  
Hand Fabricated Ring  
in Platinum, 18K and 22K Gold

Metal Ornamentation Technique  
Patent Pending

ZOLTAN DAVID  
JEWELRY GALLERY

512•372•8888

At the Arboretum  
Austin, Texas

[www.zoltandavid.com](http://www.zoltandavid.com)

©2002 Made in the USA