

# UTLAW

THE  
MAGAZINE  
OF THE  
UNIVERSITY  
OF TEXAS  
SCHOOL OF  
LAW

## Fighting the Good Fight

How Members of  
the UT Law Faculty  
Work to Promote the  
Common Good

PLUS  
CELEBRATING OUR  
MILLIONTH VOLUME  
AND  
TEXAS LAW,  
HOLLYWOOD STYLE

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human rights  
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Sarah Cleveland*



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# SPRING 2002

*Professor Bill Allison, '71, has worked to obtain the release and exoneration of Texas prisoners. See page 32.*

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**UTLAW**  
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*"Judge Alexander was Chief Justice from his taking office in 1941, as a result of his election in 1940, until his untimely death in 1948."* FRANK W. ELLIOTT, '57

# LETTERS

## MISJUDGED

NOTICE THAT ON PAGE 16 OF THE *Townes Hall Notes*, Winter 2001–2002 Special Contributors Report,

the 10-year-old future lawyer peeking into the picture.

Frank W. Elliott  
UT Law 1957

UT Law Faculty 1958–1977  
Dean Emeritus and Professor of Law  
Texas Wesleyan University School of Law

## REMEMBERING

I READ YOUR TRIBUTE TO RICH ARONOW and thought it was very good. I've read several articles about him and this was by far the best. Thank you very much.

Dorr Scherz, '81  
Austin, Texas

## Go Online for the Most Recent UT Law News

The law school's alumni Web site (<http://www.utexas.edu/law/depts/alumni>) has been reorganized to provide more information, services, and options. You can now register online for Reunion 2002, sign up to be a mentor, view the UT Law Magazine or give a gift to the law school. We plan to add more Web-accessible services in the future, so check back with us often! Comments or suggestions are welcome by the Internet Initiatives Group, which can be reached at [webmaster@mail.law.utexas.edu](mailto:webmaster@mail.law.utexas.edu).

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

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# UTLAW

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Austin, Texas 78705

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



that you list James Patterson Alexander, 1908, as serving on the Supreme Court of Texas from 1941–1948, and as Chief Justice from 1945–1948. Correct on the first. Wrong on the second. Judge Alexander was Chief Justice from his taking office in 1941, as a result of his election in 1940, until his untimely death in 1948. He and his family are shown on the cover of the *Texas Bar Journal* for January 1941. I know because he was my uncle, and I am

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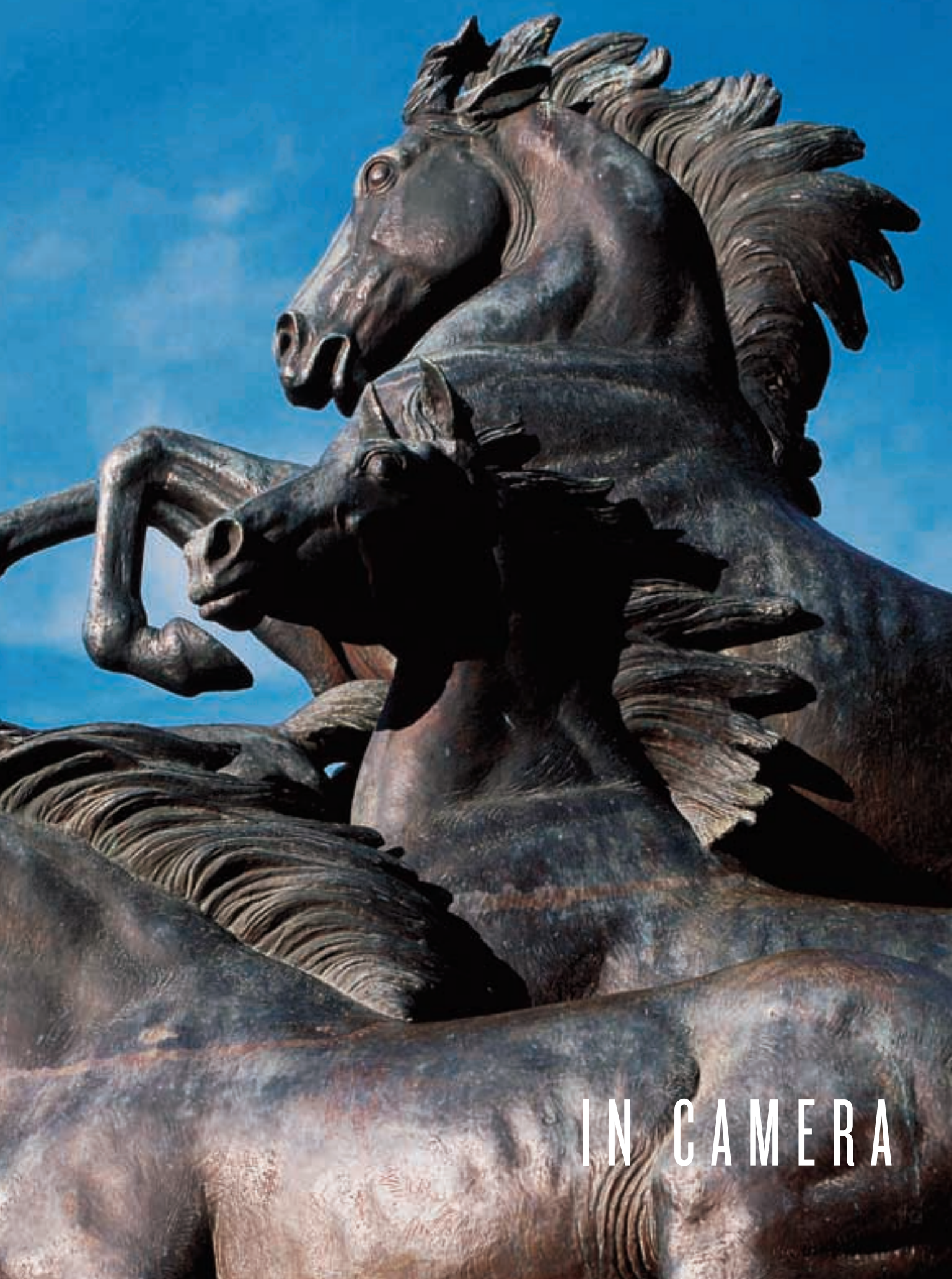
## WESTERN FRONTIERS

Texas, home of the nation's largest horse population, now has the only U.S. course on the horse industry's legal issues taught by a full-time law professor. Professor Bob Dawson and his wife, prominent equestrian and attorney Jan Dawson, '83, debuted the class this spring. Not even Kentucky, home of the Derby, provides such an option.

PHOTOGRAPH OF  
UT AUSTIN'S *THE SEVEN MUSTANGS*  
BY WYATT MCSADDEN







IN CAMERA





## CASE HISTORY

Throughout the Law School's history, its faculty have produced some of the nation's best-known treatises. These include Wright's **FEDERAL PRACTICE AND PROCEDURE** and McCormick's **EVIDENCE**. Shown here are a few of UT Law's contributions to the understanding of our law. Story on p. 11.

PHOTOGRAPH BY  
WYATT MCSADDEN



IN CAMERA



SCOTT  
ON  
TRUSTS

PRATCHER  
ASCHER  
ASCHER

1984  
SUPPLEMENT

WILLIAM S. WATSON  
AND COLLEagues

SCOTT  
ON  
TRUSTS

PRATCHER  
ASCHER  
ASCHER

1988  
SUPPLEMENT

WILLIAM S. WATSON  
AND COLLEagues

COMMENTARY  
ON THE  
CONFLICT  
OF  
LAWS

FOURTH  
EDITION

WEINTRAUB

FOUNDATION  
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COMMENTARY  
ON THE  
CONFLICT  
OF  
LAWS

WEINTRAUB

Foundation  
Press

FEDERAL  
PRACTICE  
AND  
PROCEDURE

WRIGHT  
AND  
GOLD

EVIDENCE  
SECTIONS  
6111  
to  
6230  
RULES  
608 to 613

28

West

FEDERAL  
PRACTICE  
AND  
PROCEDURE

WRIGHT  
AND  
GOLD

EVIDENCE  
SECTIONS  
5001  
to  
110  
RULES  
to 607

28

West

# A New Look

*Building upon the foundation of traditions that have served us well.*

WITH THIS ISSUE OF OUR ALUMNI MAGAZINE, we inaugurate a new look and a new name. We hope the new look will keep you better informed about what is happening at your Law School. We have increased our frequency of publication, from two to three times a year. We offer a somewhat shorter magazine, although we hope it will contain more pertinent information. There will be more color and more pictures. And our new name—UT Law—better reflects the way the Law School is currently known throughout the state and nation, and indeed around the world. But even with these changes, we will forever be mindful of our long and rich heritage, and of our wonderful tradition.

As we come to the close of another school year, we come to a time of celebration. Of course, the celebration of graduation is a special time for our students. But we also celebrate our alumni in the Spring at Reunion Weekend. I invite you to this year's revamped Reunion on April 13. Please join your classmates. We will have entertainment and fun, show you plans for our new, renovated classrooms, and give you a chance to visit with faculty and friends.

A lot is going on around the Law School to make it an even better place to learn, teach, and serve. During this past year, a special Long Range Planning Committee has been meeting on a variety of issues. We have looked at how to improve the curriculum, how we serve alumni, how we can provide students with a more meaningful experience, how we can give students a better taste of law practice in all of its forms, how we can attract and retain the finest faculty, and a host of other issues that affect the quality of our Law School. The Committee is composed of faculty, alumni, and students. We have gathered information from a variety of sources, including several alumni focus groups. We are dedicated to the task of making our great Law School even greater.

We have also instituted a new Advisory Council for Non-Practicing Alumni. Conventional wisdom holds—correctly—that a legal education is valuable in a variety of fields—such as business, government, social work, or even theology. But we seem to lose track of our alumni who do not practice law. Lorne Bain is a 1969 graduate of the Law School who has been successful in business. He has worked tirelessly to help us set up the Advisory

Council so that we can reconnect with our non-practicing alumni. The Council is also going to help us better meet the needs of our students who come to the Law School but do not intend to practice law. We are extremely grateful to Lorne.

We continue to hire great young members of the faculty. We are especially happy that six of our last 13 additions to the faculty are women: Lynn Blais, Sarah Cleveland, Lee Fennell, Patricia Hansen, Susan Klein, and Wendy Wagner. In addition, Horatia Muir-Watt from the Sorbonne has agreed to come to UT annually as a regular visitor. These women join the seven young men who have joined our faculty to form an extremely strong cohort of young teachers and scholars. The future of our Law School is very bright!

More than ever, lawyers need to learn skills and knowledge from other disciplines, such as business, government, statistics, philosophy, and much, much more. And more than ever, lawyers serve clients whose problems cross national boundaries. We continue to work with other departments in the University and with great universities abroad to meet these needs.

In short, we are constantly striving to meet the changing needs of our students and the changing challenges for scholarship. And all the while, we are mindful that some things about legal education do not change, especially the value of rigorous education in the basic building blocks of legal reasoning and substantive law.

So we keep an anchor in traditions that have served us well, and we strive for changes that will build and improve on that foundation. And we do that with the new look, and new name, for UT Law. We keep what is precious, and we build toward the future.

Sincerely,



Bill Powers  
Dean



**REUNION** APRIL 13

Dean Bill Powers invites alumni and their families to attend the **Annual Reunion** on Saturday, April 13. Graduates of classes ending in "2" and "7" will be specially honored, but everyone is encouraged to return to the Law School for this redesigned, one-day event.

The program offers a full day of activities for alumni and those accompanying them. Events include a **barbecue** with live music, "**Remember When?**" **classes** taught by members of the faculty, **tours of the Law School**, **CLE courses**, and more. An all-school party will be held at the University Club on Saturday evening, with rooms for individual classes to gather off the main hall.

For more information on how you get involved in Reunion 2002, or to register, please contact the Law Alumni Association at (512) 232-1118, or visit our Web site at [www.utexas.edu/law/depts/alumni](http://www.utexas.edu/law/depts/alumni).

**MARCH 18 - APRIL 12**

The **2001 Western Books Exhibit** features the best in fine printing and book arts in the western United States during 2001. The pieces were selected by a panel of judges in the annual competition sponsored by the Rounce & Coffin Club of California. This annual exhibit, located in the Townes Hall Atrium, is a favorite of the Law School community and book lovers across the UT-Austin campus. For more information, please contact Mike Widener at (512) 471-7263 or [mwidener@mail.law.utexas.edu](mailto:mwidener@mail.law.utexas.edu).

**MARCH 18 - 22**

Texas Law Fellowships' last week of their annual **Spring Pledge Drive**

will conclude with a party on March 22 as a "thank you" for all those participating in the pledge drive. For more information, please contact Texas Law Fellowships at (512) 232-1099 or [tlf@mail.law.utexas.edu](mailto:tlf@mail.law.utexas.edu).

**APRIL 5 - 7**

Alumni are invited to judge the initial rounds of the first-year **Hutcheson Moot Court Competition** held at the Law School. Each round lasts no more than one hour, including the argument and the judges' feedback. The Friday rounds run from noon through 7 p.m., starting every hour on the hour. Saturday rounds are at 9 a.m., 10 a.m., 11 a.m. and noon. Sunday rounds are at noon and 1 p.m. Alumni interested in helping judge should contact Christy Nisbett at (512) 232-1263 or [cnisbett@mail.law.utexas.edu](mailto:cnisbett@mail.law.utexas.edu).

**MAY 18**

The **Sunflower Ceremony** will be held on Saturday, May 18 at 3:30 p.m. in the Erwin

Center. A separate graduation luncheon for LL.M.s and guests will be held at 1 p.m. in the law school's Sheffield Room. For more information on LL.M. graduation, please contact Mary Mikeska at (512) 232-1262. For more information about the Sunflower Ceremony, please contact Student Affairs at (512) 232-1313.

**SPRING CLE**

UT's Office of Continuing Legal Education sponsors **important conferences** on health law, family law, oil and gas, labor law, computer law, appeals, and more. Please visit <http://www.utexas.edu/law/cle> for specific conference information, or call (512) 475-6700 for registration information.

*Compiled by Sarah Gainer,  
B.A. '01*

**JOIN DEAN BILL POWERS  
AT THE LAW SCHOOL'S  
REUNION ON APRIL 13**



## AROUND THE

## Two for Townes

**A**S PART OF A MAJOR Townes Hall renovation, two classrooms were dedicated to **Gibson Gayle Jr.** and **Charles Alan Wright** on Nov. 9, 2001. Gibson Gayle Jr., Mrs. Custis Wright, Judge William Wayne Justice, '42, Joe Jamail, '53, Harry Reasoner, '62, and many other members of the Law School community attended the ceremony.

The Law School will renovate four of its largest classrooms, equipping

them with improved audio-visual equipment, better lighting, improved seating and new wiring for Internet access.

"Our classrooms will now reflect the world-class professors and students who work in them," said **Dean Bill Powers.**

**Associate Dean Alex Albright, '80,** is directing the project. She estimates the first two classrooms, the Charles Alan Wright Classroom and the Gibson Gayle Jr. Classroom, should



**Dean Powers congratulates Gibson Gayle, Jr. at the dedication.**

be ready for use in 2003.

This project is part of Dean Powers' commitment to modernize Townes Hall.

This past fall, the Tom Clark Lounge and the ground floor cafeteria were updated.

## Terrorism, Treason and Espionage



*The Hyder Collection's At Rennes depicts the Dreyfus trial, which initially focused on military secrets.*

Enrollment in the Law School's "U.S. Law and National Security" course, taught by Adjunct Professor and Assistant U.S. Attorney Ron Sievert, jumped 30 percent according to Steven Goode, associate dean for Academic Affairs. "The students registered a month after the September 11 attacks, and the effects are obvious. Every seat in the classroom is filled," Goode said.

Sievert discusses, among other topics, terrorism, treason and espionage, and the rules governing obtaining and using evidence in national security-related matters. Student enrollment has increased 240 percent since 1999.



# LAW SCHOOL

## Non-Practice Makes Perfect

**D**EAN BILL POWERS AND Lorne Bain, '69, have initiated a new non-practicing alumni advisory council. The advisory council seeks to provide support and services to non-practicing alumni and current students.

If you are interested in joining the council or know someone who is, please send the person's



Dean Powers (l.) and Lorne Bain.

name, address, phone number, fax number and e-mail address to:

*Fran Chapman*  
*Director of External Relations*  
*The University of Texas School of Law*  
 727 East Dean Keeton Street  
 Austin, TX 78705-3224  
 Email: [FChapman@mail.law.utexas.edu](mailto:FChapman@mail.law.utexas.edu)  
 Fax: (512) 471-6987



## THE TREATISE WRITERS

This year, the Law faculty continues its distinguished contributions to legal scholarship with several faculty members producing high-profile treatises: Professor Mark Ascher is now the primary author of *Scott on Trusts*; Professor Susan Klein was awarded a contract to co-author six volumes on criminal procedure for Charles Alan Wright's *Federal Practice and Procedure*; and Professor Basil Markesinis' treatise on German Torts was called by the former president of the Supreme German Court, "a remarkable success among jurists the world over."

This history of practical scholarship has deep roots. Dean Charles Tilford McCormick's treatise on evidence remains one of the two leading treatises in the field, nearly 50 years after publication. Page Keeton's treatise on torts (with Prosser) enjoys a similarly prominent position. Perhaps the most famous of all treatises is Wright's *Federal Practice and Procedure*.

Currently, the UT faculty produces the best-selling treatises on trusts, conflicts of law and various areas of Texas law. Their treatises include:

**MARK ASCHER**, *Scott on Trusts*, *Federal Income Taxation of Estates, Trusts, & Beneficiaries*

**STEVEN GOODE, MICHAEL SHARLOT and O. GUY WELLBORN III**, *Guide to the Texas Rules of Evidence: Civil and Criminal*

**BASIL MARKESINIS**, *German Law of Torts: A Comparative Treatise*

**LINDA MULLENIX**, *State Class Actions: Practice And Procedure*

**BILL POWERS**, *Texas Products Liability Law*  
**DAVID ROBERTSON**, *Admiralty and Federalism*

**ERNEST SMITH**, *Texas Law of Oil & Gas*  
**RUSSELL WEINTRAUB**, *Commentary on the Conflicts of Law*

# AROUND THE LAW SCHOOL

## APPLICATIONS UP!

*Since 1999, applications to UT Law have increased 35 percent, which is nearly three times the average increase nationwide.*

WYATT MCSFADDEN



## BOOK OF DEEDS

In just one year, the Jamail Center's staff:

- Assisted 13,415 patrons at the reference desk
- Shelved 55,000 books
- Checked out 20,080 books
- Supported 132,978 student logins
- Supported 130,845 searches in online catalogs
- Conducted 184 training sessions at the Computer Learning Center
- Taught 42 classes in six legal research courses
- Bound 4,717 volumes

*Source: Jamail Center for Legal Research Annual Report, 1999-2000.*

## The Dean's Office Reaches Out

**L**AST FALL, THE OFFICE of the Dean sponsored 12 members of the Chicano/Hispanic Law Student's Association attendance at the National Latino Law Students' Conference in Berkeley, Calif. The conference was hosted by Boalt Hall's La Raza Law Student's Association on October 26-28, 2001. UT Law sent more members to the conference than any other law school outside of California.

CHLSA members in attendance included: Michael Duran, '02, CHLSA president; Christina Garcia, '02, secretary; Louis Martinez, '02, alumni relations; Rochelle Acevedo, '03, fundraising; Christopher Ybarra, '04, treasurer; Susana Carbajal, '04, 1L rep; Stephen Perez, '04, 1L rep; Alberto Mesta, '02; Gil Saenz, '02; Liz Molina, '04; Robyn Pullio,

'04; and Lisa Picardi, '04.

The Office of the Dean sponsors numerous student conferences and events, including "The Future of Music" symposium sponsored by the Texas Intellectual Property Journal, Federalist Society

speakers, new student orientation, Public Interest Law Center speakers, an Out Law panel discussion, Texas Law Republicans lunch series, Thurgood Marshall Legal Society events and conference travel, Texas Law

Fellowships events, the National Lawyers Guild reception, the Muslim Law Students' Association reception, and a two-day stress break for students, providing a table of cookies during the last days of classes.






# New Hope for Battered Women

**F**OR HER CLASS PROJECT IN Professor Sarah Buel's "Domestic Violence and the Law" class, student Joyce Chen, '03, wrote a business plan to create self-sufficient businesses to support Austin's SafePlace, a shelter for battered women and their children.

According to Buel, Chen is enlisting the help of UT-Austin faculty at three schools (Law, Business, and Social Work), to help establish a restaurant, day care, and other enterprises to be run by the shelter's women. The businesses will train new employees with marketable skills, and the profits will help improve shelter services. The ten-year project will be based on the successful Delancey Street Foundation for ex-convicts in San Francisco.

"The potential for this project is enormous, not only for the positive impact it can have on abused women and their children, but because of the venue it provides for UT-Austin to make a difference in people's lives," said Professor Buel. 

*Reports compiled by Allegra Young.*



Joyce Chen, '03

## Orange You Proud?

UT Law students and alumni pitched in for another winning mock trial, moot court and advocacy fall season. "We would like to thank all of our alumni who donated both time and money to help us continue this winning tradition," said Tracy McCormack, Lecturer and Director of Inter-Scholastic Advocacy.

**Alumni Coaches: 18**  
**Alumni Assistant Coaches: 7**  
**Attorneys judging rounds: 175**  
**Intramurals: 206 students**  
**Interscholastics: 33 students**

### Competition Results

#### INTRAMURAL

**Novice Mock Champions:** Jessica Dean (also Best Advocate), Amin Omar  
**Senior Mock Champions:** Mark Santos (also Best Advocate), Geoff Gannaway  
**Moot Court Champions:** Dan Mangis (also Best Oralist), Matt Handley  
**Moot Court Best Brief:** Andrea Patterson, Tyler Gilman  
**Moot Court Best Prelim Oralists:** Daniel Knight, Debbie Bryant  
**Negotiation Champions:** Lance Clack, Christina Mann

#### INTERSCHOLASTIC

**Tournament of Champions Finalists**  
 (2nd place nationally): Mark Santos, Chari Kelly, Kelly Graul and Sommer Bender

#### TEXAS FALL INVITATIONAL

**Semi-finalists:** Brian Carter, Amy Saberian, Mollie Harmon and Amin Omar  
**Quarter-finalists:** Erin Anderson, Katrina Daniels, Carolyn Gebhard and Matt Williamson  
**Best Advocate Preliminary Rounds:** Matt Williamson  
**Negotiation: Regional Champs** Brent Bull and Tom Breen  
**National Moot Court Competition:** Gretchen Sween, Best Oralist Preliminary Rounds

Source: Board of Advocates



MARSHA MILLER



# Philip Bobbitt

## THE INDIAN SUMMER

*Last autumn's onslaughts herald further savagery and create an historic opportunity.*



other than counterterrorism the U.S. has little in common. Such coalitions, whose precise composition will shift from time to time and threat to threat, can be created and managed to fight a new epochal war composed of interventions against a variety of challenges that include terrorism—both within the State, as in the example of Serbia, and against a State, as in the case of the September attacks on the United States, and even by one “rogue” or outlying state against its neighbor, as in the case of Iraq’s aggression toward Iran and Kuwait or Serbia’s aggression against Bosnia.

The United States, at the time of the assaults, had recently attempted in

**Bobbitt served on the U.S. National Security Council from 1997-99; from '98 he was a senior director.**

**W**AR IS A CONDITION of the State, not a pathology that, with proper hygiene and treatment, can be prevented. In that regard, it is like death, which, while it can be postponed, will come when it will come and cannot be finally avoided. It is also like death in

that its modality can often be chosen.

The September attacks on the United States provide this country and its allies with an historic opportunity, even while they have dealt America an historic wound. That opportunity is the context within which to organize a grand coalition of states, with many of whose policies

the aborted Marshall Report to confront what is sometimes called in the “ABC Problem.” Very roughly, this problem consists of three choices: whether to configure American forces to meet challenges from peer competitors (the “A” list) through the use of high technology, including missile defenses, and on through



the entire spectrum of new weapons and tactics made available by the revolution in military affairs; or whether to continue the force structure the United States has maintained since the rearmament following Pearl Harbor, which enables warfighting in two, major regional conflicts against hostile regional powers like Iraq or North Korea (the "B" list); or whether to change radically its defense posture to deal with new threats such as asymmetric attacks from apparently stateless challengers (like the Osama bin Laden network), humanitarian crises in stricken states (like Rwanda), and internecine violence in collapsing states (like Bosnia.) Advocates of the "A" list strategy had to overcome the continental inertia of the military bureaucracy by exaggerating the threat from China, the only peer competitor with whom political relations could possibly suggest imminent hostilities. "B" list advocates, mostly in the Pentagon and in Congress, had the successful precedents of World War II and the Gulf War to cite in fending off efforts to scrap what has been an enormously successful strategy even if it yielded a force structure vastly too expensive and unwieldy for the menaces it was now called upon to respond to. "C" list advocates sounded like boutique reformers whose radical ideas would leave the nation bereft of defenses in the only conflicts that could truly prove mortal for her while chasing after conflicts in which the national interest was only marginally implicated.

A partial answer to this problem lies in translating the separate lists into one another, much as the partial answer to the fundamental forces question in physics lay in seeing the weak nuclear force and electromagnetism as a single electroweak force. An "A/C" solution would use high technology—like *shared* missile defense, and *shared* intelligence and surveillance information—to forestall "A" list peers from becoming adversaries, and deploy reconfigured forces from

# PROFESSOR'S CHOICE

**MICHAEL HOWARD**, *The Invention of Peace* (Yale, 2001)

**JOHN KEEGAN**, *The History of Warfare* (Knopf, 1993)

**MARTIN VAN CREVELD**, *The Rise and Decline of the Nation-State* (Cambridge, 1999)

**CHARLES L. BLACK, JR.**, *A New Birth of Freedom* (Yale, 1997)

**CZESLAW MILOSZ**, *New and Collected Poems 1931-2001* (Penguin, 2001)

**HOMER**, *The Iliad* (trans. Robert Fagles) (Viking, 1990)

secure, defensible bases in coalition with American peers and local indigenous troops, to fight the 21st century wars of the "C" list. This would not necessarily enable the United States to maintain its two-major-regional-conflicts capability, but it would hardly entirely do away with the force structure the United States currently maintains, because conventional ground forces are indispensable in terminating war by occupying territory. It was the imminent threat of NATO ground troops in Kosovo, we should bear in mind, that enabled the high-tech bombing strategy to succeed and forced Milosevic to surrender.

The September attacks on New York and Washington should bring some clarity to this debate, as well as an historic opportunity to pursue international terrorism by means of coalitional warfare. This opportunity allows the United States and her allies to pursue a form of war that could forestall the cataclysmic conflicts among great powers that modern technology makes possible. Viewed with this opportunity in mind, these attacks can be understood as the first battle in a new war.

The multinational mercenary terror network that Osama bin Laden

and others have assembled is a new and mutated organ of the market State, rather like a malignant non-governmental organization (NGO) or multinational corporation. Like states, it has a standing army; it has a treasury and a consistent source of revenue; it has a permanent civil service; it has an intelligence collection and analysis cadre; it even runs a rudimentary welfare program for its fighters, and their relatives and associates. It has a recognizable hierarchy of officials; it makes alliances with other states; it promulgates laws that it enforces ruthlessly; it declares wars. What it lacks is a contiguous territory. This network, of which al Qaeda is only a part, is not a geographical state. It is, however, a juridical entity nevertheless—a new kind of virtual state made possible by advances in international telecommunications and transit, rapid computation, and weapons of mass destruction. The virtual market state means that our classical strategies of deterrence based on retaliation will have to be rethought. That is another way of saying that even when Afghanistan is conquered and pacified, the war against terrorism will go on.

Deterrence, assured retaliation, and overwhelming conventional force enabled victory for the coalition of parliamentary nation-states in the war that began in 1914 and only finally ended with the Charter of Paris in 1990. These capabilities cannot provide a similar victory at present because what threatens the states of the world now is too easy to disguise and too hard to locate in any one place. We cannot deter an attacker whose identity or location is unknown to us, and the very massiveness of our conventional forces makes it unlikely we will be challenged openly. As a consequence, we are just beginning to appreciate the need for a shift from the sole reliance on target, threat-based strategies to defensive, vulnerability-based strategies.

Realizing that we are fighting a virtual state and not just a stateless

gang helps clarify our strategy. For one thing, it suggests that controlling and diminishing the revenue stream to bin Laden's network is far more important than capturing or killing any individual.

The United States is at war no less than when a conventional state launched a surprise attack in 1941, and the assault this time has come for much the same reason. Now, as then,

satellite, and futuristic nanosensors under American leadership, and information-sharing, often at American expense.

The phrase "Indian summer" usually evokes a pleasant sensation of warm autumn weather that gives us a second chance to do what winter will make impossible. The origin of this phrase, however, is more menacing. The early American settlers were

virtual state because a virtual state is the neighbor of all. States whose relations with the United States have been fraught in the past could now become valuable partners; states whose relations with the United States have been warm and trusted can be even more relied upon for their counsel now that our fates are more closely tied. Even the vexing problem of identifying terrorism—a

The United States is at war no less than when a conventional state launched a surprise attack in 1941, and the assault this time has come for much the same reason. . . . Then, as now, the Alliance led by the States faces a long and bitter struggle.


the United States aroused fear that her global presence would threaten the ambitions of a messianic state bent on regional subjugation and domination. Then, as now, the Alliance led by the United States faces a long and bitter struggle.

The world community faces its own historic challenge in creating a constitution for the international order that will emerge from this war. Will that community—the society of states—use the discredited multilateral institutions of the nation-state as a way of frustrating action in order to control the acts of its strongest member, the United States? Or will that society simply permit every state to defend itself as best it can, spiraling into a chaos of self-help, ad hoc interventions and sabotage? Or will that community consist of islands of authoritarianism, whose institutions focus only inward in an attempt to prevent violence by harsh police methods? And here again, the partial solution lies in recombining these options to facilitate the entrepreneurial production of collective goods—like missile defense, intelligence sharing, surveillance by

often forced to take shelter in stockades to protect themselves from attacks by tribes of Native Americans. These tribes, however, went into winter quarters once autumn came, and this allowed the settlers to return to their farms. If there was a break in the approaching winter—a few days or weeks of warm, summer-like climate—then the tribal attacks would be resumed, and the defenseless settlers became their prey. Once again the settlers were forced to band together or to become victims, attacked one by one.

The onslaughts in the autumn of 2001 on a warm, summer-like day on the East Coast of the United States are both the herald of further savagery and the call for defenses that, if they are sustained, offer the world's best hope of avoiding a world-rending cataclysm. States that otherwise might find themselves in a violent competition can take this opportunity to cooperate in a new security structure. States that otherwise have little in common in their foreign policies have this in common: all are subject to attacks by a

problem captured in the cliché "One man's terrorist is another man's freedom fighter"—can be ameliorated by coalitions whose membership shifts, depending on the threat to be parried.

*The Shield of Achilles: War, Peace and the Course of History* (Knopf, 2002) was completed well before September 11th, but the terrible events of that day were not unexpected nor even unprecedented, as the text of that book discloses. Rather one hoped that we might be spared a little longer. If those horrors inspire us now to deal realistically and creatively with the threats we face, then the sacrifice of innocents on that day may yet yield a stronger and more resilient society of the survivors. 

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*Philip Chase Bobbitt, the A.W. Walker Centennial Chair in Law, celebrated his twenty-fifth year on the UT Law faculty this spring. This material is largely taken from The Shield of Achilles: War, Peace and the Course of History (forthcoming this spring from A.A. Knopf, Publisher, New York).*



## The University of Texas School of Law

wishes to extend its sincere thanks to the following

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In *Townes Hall Notes Winter 2001–2002 Special Contributors Report*, our valued Clark Fellows and Townes Hall Society members appeared in listings by class and as annual fund donors. They were not properly credited as Clark Fellows and Townes Hall Society members in the "Gifts by Fund" section. One valued law firm, our valued Keeton Fellows, and one valued annual fund donor were inadvertently omitted. We regret our administrative error and offer our sincere apologies. Your gifts make a difference and we are grateful for them.

# Scott J. Atlas

## LAW FIRM PRO BONO: A TEN-STEP PROGRAM

*Thoughtful planning and organization  
make it easier than you think.*

**T**HE AVERAGE ANNUAL number of pro bono hours reported by lawyers at the law firm where I work, Vinson & Elkins L.L.P. ("V&E"), has almost tripled in ten years, from less than 18 hours per lawyer in 1991 to slightly more than 50 hours last year. We have won numerous awards for our pro bono efforts, including the W. Frank Newton Award from the State Bar of Texas in June 2001 in recognition of our outstanding pro bono program.

Several dozen other large U. S. law firms (at least 50 attorneys) have also experienced significant increases in pro bono activity. Many of these firms have adopted similar strategies to create successful pro bono programs. Using V&E as an example, this article identifies ten steps taken by many of these firms to organize their pro bono program, communicate management support, and encourage lawyer involvement.

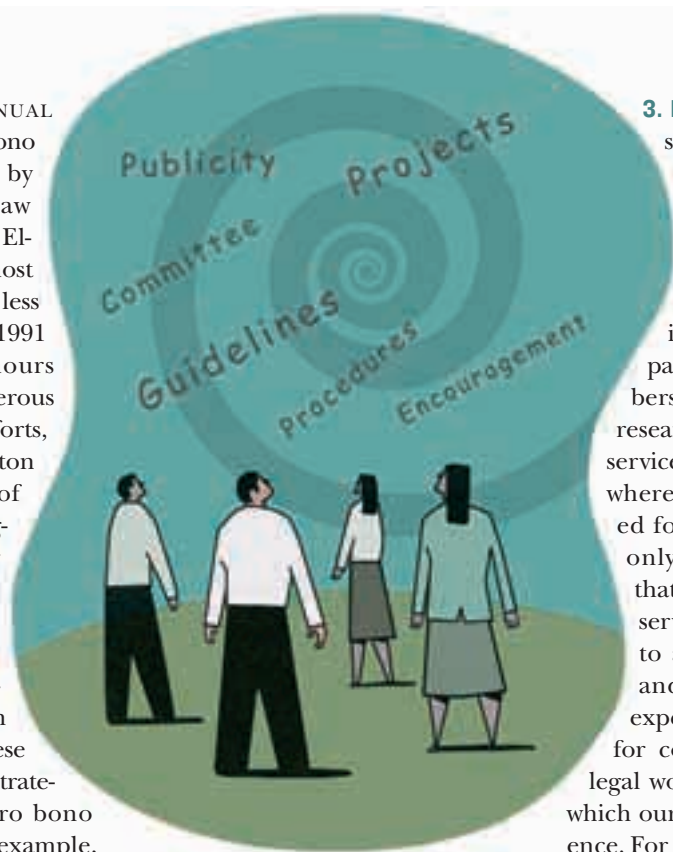
**1. Form a Committee.** V&E's Managing Partner formed a pro bono committee, appointing highly-regarded, civic-minded partners and associates from every domestic office and many of the firm's practice groups. Each year, he consults with the committee chair to determine who to appoint. Having a committee of respected lawyers devoted to organizing our pro bono program sends the message that

the firm takes seriously each lawyer's duty to perform pro bono legal work.

**2. Develop Written Guidelines and Procedures.** As its first major project, the committee developed policies and procedures and reduced them to writing in a manual distributed to all firm attorneys. The manual outlines firm policies concerning pro bono work, describes the steps necessary to obtain approval to open a new pro bono matter, and provides forms to facilitate the process. Eventually, we placed the manual and the forms online for easier accessibility.

**3. Identify Useful Projects.** To simplify each attorney's ability to find a pro bono project, we added to the manual information about nonprofit organizations sponsoring projects in which our lawyers could participate. Committee members divided responsibility for researching dozens of pro bono service providers in the U.S. cities where we have offices. We selected for inclusion in the manual only nonprofit organizations that (a) effectively use the legal services of volunteer attorneys to accomplish their mission, and (b) provide training and experienced attorneys available for consultation, if the type of legal work needed is not one with which our lawyers have much experience. For each entity meeting our criteria, we added to the manual not only a description of the types of legal work needed and a contact at the organization, but also the name of at least one V&E attorney familiar with the organization and available to answer questions. We attempt to update this information annually.

**4. Promote the Program and New Projects.** Each year during V&E's general orientation for new attorneys, we give a presentation on the firm's pro bono policies and procedures and on how to find a project. We also periodically distribute firmwide e-mails advertising new





projects and describing where to find instructions on opening a new matter. Most new projects, even those with seemingly limited appeal, attract volunteers.

**5. Frequently Communicate Support from Top Leadership.** Our manual begins with a statement from the Managing Partner encouraging attorney involvement in pro bono matters. At firm meetings, members of management repeatedly express support of the program and explain how it reflects one of V&E's core values: giving back to the community.

**6. Adopt and Implement Policies and Procedures Communicating the Message that the Firm Supports Pro Bono.**

**Give Billable Credit:** The Management Committee decided several years ago to give full billable credit for pro bono work. On every firm-wide report that lists individual attorney billable hours, billings, or collections, we treat pro bono hours as if they had been billed and collected at standard hourly rates. Including not only the number of hours but also the dollar value of pro bono hours in billing and collection totals is especially important. Otherwise, the statistics of any attorney who has spent substantial time on a pro bono project would reflect lower dollar collections than one would expect from the hours reported, giving the appearance of collection problems. Crediting time spent on pro bono matters as billable time generates enormous goodwill from firm lawyers, increases pro bono involvement, and provides a useful recruiting tool.

**Include Pro Bono in the Criteria on Which Lawyers Are Evaluated:** Management includes in the annual attorney evaluation form a category for pro bono and community service. Requests for self-evaluation solicit similar information.

**Publicize Successes:** In emails, at firm meetings, and in internal newsletters, we publicize successful pro bono representations and awards won by V&E or by firm personnel. When appropriate, we also communicate this information to the trade press

## NEXT STEPS

For information on pro bono policies and procedures adopted by large law firms around America and cross-references to the Web sites of other pro bono groups, see [www.probonoinst.org](http://www.probonoinst.org). For general information about pro bono, a directory of many pro bono programs, and a link to numerous pro bono sites, see [www.abanet.org/legalservices/probono.html](http://www.abanet.org/legalservices/probono.html). To read about pro bono efforts in corporate legal departments and find in-house counsel seeking to partner with lawyers in private practice on a pro bono project, visit [www.corporateprobono.org](http://www.corporateprobono.org). To learn more about V&E's pro bono program, visit [www.velaw.com](http://www.velaw.com) and click on "Community Service."

and general-purpose publications.

**Create a Firm Award for Outstanding Work:** Each fall, the V&E Pro Bono Committee selects several firm lawyers who deserve special recognition for outstanding pro bono work during the preceding twelve months. At an annual meeting attended by almost every V&E lawyer worldwide, the Managing Partner presents these attorneys with an appropriate award and describes and praises their accomplishments. We publicize the award recipients' deeds in V&E publications.

**7. Constantly Seek Interesting and Varied Opportunities.** We constantly search for local, statewide, and nationwide pro bono service providers and other organizations that provide new and interesting pro bono opportunities. Each summer, we ask V&E lawyers to identify nonprofit groups for which they are providing legal or nonlegal assistance. The database created from this information provides lawyers with another vehicle for finding organizations that might have interesting pro bono work and identifying firm lawyers with contacts at those organizations.

**8. Ascertain the Types of Pro Bono Work Desired by Attorneys; Then Identify Worthwhile Projects to Match**

**Those Preferences.** Each summer, we ask each V&E attorney to select, from a lengthy, written list of litigation and transactional pro bono topics, the kinds of pro bono work that might interest them. We then provide nonprofit groups offering that kind of work with the names of lawyers interested in their mission, and we provide the lawyers with the names of organizations to which their names have been given. Invariably, this system leads to many matches. The matches increase work satisfaction by catering to attorney interests.

**9. Provide Resources and Mentors.**

We are currently creating on the Firm's intranet page a site containing pertinent laws, forms, and other resources for several subject areas (e.g., family law) in which many lawyers regularly seek volunteer opportunities. The same site will also list firm attorneys with experience in each area and facilitate e-mail communication with them. Additionally, we encourage young lawyers taking a project to request assignment of a partner-mentor, who can provide guidance and year-end reviews.

**10. Partner with Clients.** As much as possible, we encourage our clients' lawyers to partner with our lawyers on projects. This enhances participation among lawyers at both entities.

The essential ingredients of any successful pro bono program are visible and genuine support from firm management, a variety of interesting projects, and convenient and easily understood procedures. The rest is detail. ✍

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*Scott Atlas (J.D. 1975), a partner in the Litigation Section of Vinson & Elkins L.L.P. in Houston, has chaired the firm's Pro Bono Committee since 1991. He won the 1986 American Bar Association Pro Bono Award and the 2000 UT Law Alumni Association's Distinguished Alumnus for Community Service Award. Last August, he was elected Chair-Elect of the ABA Section of Litigation. He was Editor-in-Chief of the Texas Law Review and a chancellor.*

# FOR THE RECORD

## FACULTY ACTIVITIES AND PUBLISHED WORKS

# RECORD

### MAJOR LAW SCHOOL EVENTS

**AUSTIN, DECEMBER:** At the Tarlton Law Library's Language and the Law Conference **Roy Mersky** spoke on "The 'Jamail' Rastell Dictionary"; **Norma Cantú** moderated a session on "The Language of the Law"; **Sanford Levinson** was the commentator for a session on "The Law in Context"; **Gerald Torres** presented "Translation and Stories: The Construction of Knowledge" in a session on "Storytelling in Law" moderated by **Lee Fennell**; and **Mike Widener** spoke on "The 'Jamail' Rastell Dictionary and Its Hidden Surprises" as part of a session he moderated on "The Age of Rastell." See feature story.

**AUSTIN, NOVEMBER:** The faculty for "The Law of the New Economy" for U. St. Gallen's Executive Master of European and International Business Law, hosted by the Law School, included **Carl Baudenbacher**, the founder and director of the program, **Steve Bickerstaff**, **Edward Cavazos**, **Neil Netanel**, **Jonathan Pratter**, **Anthony Reese**, and **John Robertson**.

**BRAZIL, AUGUST:** An international conference on torts in Rio de Janeiro was sponsored by the School for Judges of the State of Rio de Janeiro and organized by **Antonio Benjamin**. **Dean Bill Powers** spoke on products liability, **John Robertson** discussed ethical and legal issues in reproductive technology, and **Patrick Woolley** spoke on U.S. class action law. At the "Introduction to U.S. Law" course, at the Universidad Federal do Rio Grande do Sul in Porto Alegre, Brazil, the speakers included **Steven Goode** on "Criminal Law"; **Patricia Hansen** on "U.S. Civil Procedure"; **H. W. Perry** on "American Constitutional Law"; **Dean Powers** on "Torts" and "Products Liability"; **Alan Rau** on

"Contract Law"; **John Robertson** on "Ethical and Legal Issues in New Reproductive Technologies"; and **Patrick Woolley** on "Class Action Law." The Brazilian House of Representatives Committee on Consumer Affairs, Environment, and Indian Affairs heard testimony from **Antonio Benjamin** on product recalls, from **Patricia Hansen** on regulation of genetically modified food, and from **Dean William Powers** on product liability. Powers also testified concerning product liability and product recalls before the Brazilian House of Representatives Committee on Consumer Affairs, Environment, and Indian Affairs in Brasilia. Additionally, Powers spoke on access to justice for consumers at a Consumer Law Conference in Resistencia, Argentina. **Patricia Hansen** testified on the regulation of genetically modified food before the Brazilian House of Representatives Special Commission on Genetically Modified Foods in Brasilia.

### FACULTY NEWS

#### ALEX ALBRIGHT

**PUBLICATIONS** Handbook on Texas Discovery Practice: The New Rules Governing Discovery (St. Paul: West, 2000) (with Charles Herring Jr. and Robert H. Pemberton). ¶ Texas Courts Pretrial: Cases and Materials (Dallas: Grail & Tucker Legal Publishing, 6th ed. 2001).

**ACTIVITIES** At the 25th Annual Page Keeton Products Liability and Personal Injury Law Conference, Nov. 29-30, in Austin, Albright presented "Procedure Update." ¶ Albright was a panelist on "What I Wish My Dean Knew About Tech" at the Suffolk University School of Law Conference for Law School Computing on June 21-23. The event was sponsored by the Center for Computer-Assisted Legal Instruction.

#### DAVID ANDERSON

**ACTIVITIES** Anderson spoke to the Central Texas Civil Liberties Union on Nov. 30 on the topic of "Media Privacy."

#### MARK ASCHER

**PUBLICATIONS** The Law of Trusts, 4th Edition: 2001 Supplement [Scott on Trusts] (New York: Aspen Law & Business, 2001) (with Margit T. Rigney) ¶ Selected Statutes on Trusts and Estates (2001 ed.; St. Paul: West, 2001) (with Grayson M. P. McCouch). ¶ Federal Income Taxation of Trusts and Estates: 2002 Supplement (Carolina Academic Press, 2001).

#### LYNN BAKER

**PUBLICATIONS** *Putting the Safeguards Back into the Political Safeguards of Federalism*, 46 Vill. L. Rev. 951 (2001). ¶ *The Spending Power and the Federalist Revival*, 4 Chapman L. Rev. 195 (2001) (Symposium on "The Spending Clause: Enumerated Power or Blank Check?"). ¶ *Conditional Federal Spending and States' Rights*, 574 Annals Am. Acad. Pol. & Soc. Sci. 104 (2001) (Symposium on "The Supreme Court's Federalism: Real or Imagined?")

**ACTIVITIES** Baker spoke at the Annual Meeting of the National Council of State Legislatures in San Antonio as part of a panel on the "Separation of Powers in State Government." ¶ She also presented a paper at Oxford University entitled "Toward a Federalism for the Twenty-First Century: A Role for Nonparametric Judicial Review Under the Spending Clause?" ¶ Baker's team won the 2001 U.S. Women's Bridge Championship in Las Vegas, and was one of two women's teams to represent the United States in the World Bridge Championships in Bali in October. The team finished second to France in the Round-robin portion of



the championships, but lost in the quarter-final round to Germany, the eventual winner.

## CARL BAUDENBACHER

**PUBLICATIONS** *Erschöpfung von Immaterialgüterrechten*, in *Neueste Entwicklungen im Europäischen und Internationalen Immaterialgüterrecht I* (Carl Baudenbacher and Jürg Simon, eds.; Basel: Helbing & Lichtenhahn, 2001). ¶ *Immaterialgüterrecht und Handel-*

on the comparative analysis of U.S.-Brazil environmental law at the "Introduction to U.S. Law" course in Porto Alegre, Brazil in August. (See Major Events.)

## MITCHELL BERMAN

**PUBLICATIONS** *Coercion Without Baselines: Unconstitutional Conditions in Three Dimensions*, 90 Geo. L.J. I (2001).

**ACTIVITIES** Berman presented a paper on the

Mitch Berman was promoted to full professor during the fall of 2001. Last year, he was appointed to the editorial board of the journal *Legal Theory*.

MITCHELL BERMAN



rick patrick

*spolitik* [Intellectual Property Law and Trade Policy], 120 Zeitschrift für Schweizerisches Recht (N.F.) 207 (2001). ¶ *The European Commission's Reform Proposal Seen from the Point of View of the EEA/EFTA Countries, the EFTA Surveillance Authority and the EFTA Court*, in *European Competition Law Annual 2000: The Modernisation of EC Antitrust Policy* 521 (Claus-Dieter Ehlermann and Isabela Atanasiu eds.; Oxford, U.K.: Hart Publishing, 2001).

**ACTIVITIES** Baudenbacher has been appointed Judge of the Court of Justice of the European Free Trade Association for a second six-year term by the governments of the EFTA States.

## ANTONIO BENJAMIN

**PUBLICATIONS** *Introdução à Lei do Sistema Nacional de Unidades de Conservação*, in *Direito Ambiental das Áreas Protegidas: O Regime Jurídico das Unidades de Conservação* 276 (Antonio Benjamin ed.; Rio de Janeiro: Forense Universitária, 2001). ¶ *Objetivos do Direito Ambiental*, in *O Futuro do Controle da Poluição e da Implementação Ambiental / The Future of Pollution Regulation and Enforcement* 57 (Antonio Benjamin and José Carlos Meloni Sicoli eds.; São Paulo: IMESP, 2001).

**ACTIVITIES** Benjamin spoke at the ABA Foreign Legal Education Conference in San Francisco on Oct. 26-27. ¶ He also spoke

commercial speech doctrine at the University of San Diego School of Law on Oct. 30.

## SARAH BUEL

**ACTIVITIES** Buel spoke at the University of Nevada-Las Vegas, Boyd School of Law, Nov. 30, on "Law School and Community Collaboration: Discourse, Pedagogy and Practice in Domestic Violence Law," as well as to their first-year torts students on "Domestic Violence and Tort Litigation: Law As Remedy for Victims." ¶ She gave a keynote presentation to the U.S. Attorney's Office in New York City on Oct. 26 on "The Criminalization of Domestic Violence: Federal Laws and Policy." ¶ On Oct. 27, she gave a keynote presentation, "Sarah Buel on Domestic Violence: What Appellate Judges Need to Know," to the annual conference of New York State Appellate Judges.

¶ Buel also presented "Homes to Run To or Homes to Run From: Dissonance in Protecting Children of Domestic Violence" on Sept. 28 to the Maine State Bar Association in Portland, Maine. ¶ On Oct. 5, Buel spoke on "Examining the Intersections of Domestic Violence and Mental Health Law: Recommendations for Practice" to the Texas Psychological Association. ¶ Buel was interviewed for the PBS documentary "Breaking the Silence: Journeys of Hope," which was broadcast nationally in October as part of National Domestic Violence Awareness Month. ¶ Buel also received the 2001 ABA

Young Lawyers Division Fellows Award at the annual meeting of the American Bar Association in Chicago for her significant public service to the legal profession and to society in the field of domestic violence. Past recipients of the award include Hillary Rodham Clinton, Warren Christopher, and Marian Wright Edelman.

## AMON BURTON

**ACTIVITIES** Burton has been appointed to a five-year term on the Multistate Professional Responsibility Examination (MPRE) Drafting Committee. This National Conference of Bar Examiners committee is responsible for drafting the MPRE that state bars use as the ethics component for the admission of lawyers.

## NORMA CANTÚ

**PUBLICATIONS** *On Campus* spotlighted Cantú in a feature article on Nov. 28.

## MICHAEL J. CHURGIN

**PUBLICATIONS** *Using the Tom Clark Papers for a Seminar: A Faculty Member's Perspective*, 20 Legal Reference Services Quarterly 135 (2001).

**ACTIVITIES** Churgin was appointed by the president of the federal Legal Services Corp. to a negotiated rulemaking working group to develop a proposed regulation concerning the provision of legal assistance to non-citizens by legal-services programs.

## SARAH CLEVELAND

**PUBLICATIONS** *Of Laws and Wars: Professor Sarah Cleveland on the U.S.' Pursuit of (Finite) Justice Abroad*, Texas Observer, Dec. 7, 2001, at 10 (with Sandra Spicher, interviewer). ¶ *Human Rights Sanctions and the World Trade Organization*, in *Environment, Human Rights and International Trade 199* (Francesco Francioni ed.; Oxford, U.K.: Hart Publishing, 2001).

**ACTIVITIES** Cleveland spoke on "Does Social Change Come Through the Courts?" for a panel discussion sponsored by the UT chapter of the National Lawyers Guild on Oct. 16. ¶ Cleveland was a panelist for an open forum on the Sept. 11 terrorist attacks, which was sponsored by the Austin Chronicle on Oct. 11. ¶ On June 23, she presented a paper on "U.S. and EU Trade Sanctions to Promote Human Rights Abroad" at a conference on "The European Union and Global Commerce" at the University of Siena, Italy.

¶ Cleveland participated as an observer at the 72nd Meeting of the United Nations Human Rights Committee in Geneva, Switzerland, July 14-19.

### JANE COHEN

**PUBLICATIONS** *Genophobia: What Is Wrong with Genetic Discrimination?*, 149 University of Pennsylvania Law Review 1439 (2001) (with Colin S. Diver).

### FRANK CROSS

**PUBLICATIONS** *Strategic Institutional Effects on Supreme Court Decisionmaking*, 95, Northwestern University Law Review 1437 (2001) (with Blake J. Nelson).

### GEORGE DIX

**PUBLICATIONS** Vol. 40-43B Texas Practice: Criminal Practice and Procedure (6 vols.; St. Paul: West, 2nd ed. 2001) (with Dawson).

### ROBERT DAWSON

**PUBLICATIONS** *Editor's Foreword*, State Bar Section Report: Juvenile Law, July 2001, at 4. ¶ 40-43b Texas Practice: Criminal Practice and Procedure (6 vols.; St. Paul: West, 2nd ed. 2001) (with George Dix).

### JOHN DZIENKOWSKI

**PUBLICATIONS** *Professional Responsibility Standards, Rules & Statutes* (2001-2002 ed.; St. Paul: West, 2001) (editor). *Professional Responsibility Standards, Rules & Statutes* (2001-2002 abridged ed.; St. Paul: West, 2001) (editor).

**ACTIVITIES** Dzienkowski spoke at the State Bar of Texas Health Law Conference on "Ethical Issues for In-House Counsel." ¶ He participated as a commentator at the 2001 Hofstra Law School Conference on Legal Ethics. ¶ Robert Peroni and he presented a work in progress, "The Decline of Lawyer Independence: Trading Legal Services for Equity Interests," at a faculty colloquium workshop at Hastings College of Law. ¶ He was the Roger Traynor Summer Research Professor of Law for July/August at UC-Hastings. The Traynor Professorship provides research funds for study and research in fields related to Justice Traynor's work.

### KAREN ENGLE

**PUBLICATIONS** *From Skepticism to Embrace: Human Rights and the American Anthropological Association from 1947-1999*, 23 Human Rights Quarterly 536 (August 2001).

### LEE FENNELL

**PUBLICATIONS** *Beyond Exit and Voice: User Participation in the Production of Local Public Goods*, 80 Texas Law Review 1 (2001). **ACTIVITIES** Fennell presented a work-in-progress entitled "Death, Taxes, and Cognition: A Behavioral Look at the Estate Tax," at the Midwest Law & Economics Association at the U. Indiana School of Law.

### JOHN FLEMING

**ACTIVITIES** Fleming was part of a panel presentation "Alternative Dispute Resolution and the States" at the American Conflict Resolution annual conference in Toronto. ¶ Fleming and Bob Patterson, Associate Dean, UT School of Architecture, made a presentation on issues, such as dispute-resolution applications and land use, to the American Planning Association.

### FRANCESCO FRANCIONI

**PUBLICATIONS** *International Law as a Common Language for National Courts* [Symposium Honoring Hans Baade], 36 Texas International Law Journal 587 (2001). ¶ *Environment, Human Rights and the Limits of Free Trade*, in *Environment, Human Rights and International Trade I* (Francesco Francioni ed.; Oxford, U.K.: Hart Publishing, 2001). ¶ "The Antarctic Treaty Secretariat: What Will be its Role and Responsibilities," a paper presented at the Wilton Park Conference, in the U.K., which was organized by the British Foreign Office and the Tinker Foundation, Nov. 13-15. ¶ "The Protection of Intangible Cultural Heritage: A New Challenge for UNESCO and International Law," a paper presented at an international conference at Kyoto University, Nov. 9-11. ¶ "Integrating Science into International Environmental Law," a paper presented at an international conference on science and environmental policy in the European Union, Florence, Dec. 11-13. ¶ "The Destruction of the Buddhas of Bamian and International Law," a study commissioned to Francioni by the Director General of UNESCO to assess the legal consequences of the deliberate destruction of pre-Islamic cultural heritage by the Taliban government in Afghanistan, Jan. 11. **ACTIVITIES** Francioni continued his tenured position in 2001 as the chair of international law and as the Jean Monnet Chair in European Law at U. Siena Law School. ¶ He was appointed by the UNESCO Director General to chair a working group on the legal definitions and to draft a new international

instrument for the protection of intangible cultural heritage. ¶ In July, he participated as legal counsel of the Italian delegation to the Antarctic Treaty Consultative Meeting in St. Petersburg, Russia. ¶ In October-November, he was visiting professor at the law faculty of the U. of Oxford, U.K., where he taught a course in international environmental law.

### JAMES GAMBRELL

**PUBLICATIONS** *The Evolving Interplay of Patent Rights and Antitrust Restraints in the Federal Circuit*, 9 Texas IP Law Journal 137 (2001). **ACTIVITIES** Gambrell spoke on "Inequitable Conduct and Inventorship" at UT Law's 6th Annual Advanced Patent Law Institute.

### MARK GERGEN

**PUBLICATIONS** *What Renders Enrichment Unjust?*, 79 Texas Law Review 1927 (2001).

### JACK GETMAN

**ACTIVITIES** Getman gave a talk at an event sponsored by the U. of Maine's history department to commemorate the 10th anniversary of the paper workers' strike at Jay, Maine. ¶ Getman attended a conference on union organizing in Washington, D.C., sponsored by the Economic Policy Institute. ¶ He delivered a paper entitled "Fiction as Fieldwork" at the Law and Society Association's annual meeting in July at Central European U. in Budapest.

### STEVEN GOODE

**PUBLICATIONS** *Courtroom Evidence Handbook* (St. Paul: West, 4th ed. 2001) (with Wellborn). ¶ *Courtroom Handbook on Federal Evidence* (St. Paul: West, 2001 rev. ed.) (with Wellborn). ¶ *Courtroom Handbook on Texas Evidence* (St. Paul: West, 2001 rev. ed.) (with Wellborn & Sharlot). ¶ *Guide to the Texas Rules of Evidence: Civil and Criminal* (St. Paul: West, 2d ed. vols. 1 and 2, 1993) (2001 Supplements) (with Wellborn & Sharlot). **ACTIVITIES** Goode presented "Evidence Update at the 25th Annual Page Keeton Products Liability and Personal Injury Law Conference." ¶ He also spoke at the State Bar's 24th Annual Advanced Civil Trial Course.

### LINO GRAGLIA

**PUBLICATIONS** *'Affirmative Action' is Anti-Democratic*, *Austin American-Statesman*, July 2, 2001, on A11. ¶ *Segregation in Schools Since the Brown Decision*, Letter, *The Journal of Higher Education* (Dec. 14, 2001) on B22. **ACTIVITIES** Graglia spoke on "Judicial



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Review: Wrong in Principle, a Disaster in Practice" at Mississippi College School of Law Symposium on Judicial Selection, Jackson, Mississippi. ¶ He spoke on "Civil Liberties in Wartime" at UT-Austin, Texas students' Tejas Club. ¶ "Originalism in Constitutional Interpretation" was delivered to the Annual Convention of Judges of Ohio Courts of Common Pleas, Columbus, Ohio. ¶ He debated Eugene Volokh on "The USA Patriot Act: A Violation of Our Civil Liberties?" before New York City Lawyers Chapter of Federalist Society, New York City, New York. ¶ Graglia gave a luncheon talk on "The Supreme Court's October 2000 Term: The Myth of a Conservative Court" to the Houston Federal Bar Association. ¶ He gave a two-hour interview about the Supreme Court on the Dan Corwin program, on the Temple, Texas radio station, KTEM.

### ANNE GRIFFITHS

**ACTIVITIES** Griffiths was co-convenor of an international workshop on the anthropology of law in Halle, Germany sponsored by the Max Planck Institute for Social Anthropology. She also gave a paper entitled "Betwixt and Between: Continuities and Discontinuities in a Future Anthropology of Law."

### ROBERT HAMILTON

**PUBLICATIONS** Cases and Materials on Corporations: Including Partnerships and Limited Liability Companies (St. Paul: West, 7th ed. 2001). ¶ Statutory Supplement to Cases and Materials on Corporations: Including Partnerships and Limited Liability Companies (St. Paul: West, 7th ed. 2001). ¶ Teacher's Manual to Accompany Cases and Materials on Corporations: Including Partnerships and Limited Liability Companies (St. Paul: West, 7th ed. 2001).

**ACTIVITIES** Hamilton resigned in May as chairman of the Board of Directors of the University Cooperative Society, a position he held from 1990 to 2001. During the eleven years of his service as chair, the Co-op grew dramatically in terms of sales and profitability. Annual gifts by the Co-op to components of UT and to student groups grew significantly during this period.

### PATRICIA HANSEN

**PUBLICATIONS** *The Interplay between Trade and Environment in the NAFTA*, in *The Protection of the Environment in a Context of Regional Economic Integration* 244 (Tullio Scovazzi ed.; Milan: Giuffrè Editore 2001). ¶

*The Interplay Between Trade and the Environment Within the NAFTA Framework*, in *Environment, Human Rights and International Trade* 313 (Francesco Francioni ed.; Oxford, U.K.: Hart Publishing, 2001).

**ACTIVITIES** Hansen spoke in Brazil, and testified before the Brazilian House of Representatives. (See Major Events.)

### PATRICK HAZEL

**ACTIVITIES** *Texas Lawyer* featured Hazel in its Sept. 3 issue; the feature included a quote from Michael Sharlot.

### BARBARA HINES

**ACTIVITIES** Hines appeared on KLRU-TV on Sept. 23, to discuss current immigration issues. ¶ She also was quoted in *The Daily Texan* on recent proposals to grant amnesty to undocumented immigrants. ¶ Hines lectured on U.S. immigration law as part of a post-graduate course on Argentine and comparative immigration law at the Universidad Litoral in Santa Fe, Argentina. ¶ She spoke at a seminar on "Advanced Family Immigration Issues" in Tucson, which was sponsored by the Immigration Project of the National Lawyers Guild.

### HENRY HU

**ACTIVITIES** Hu was quoted in *The Wall Street Journal*, Dec. 19, and *The Wall Street Journal Europe*, Dec. 20, on financing issues relating to Optical Cable. ¶ Canada Stockwatch and Canada NewsWire reported on Dec. 17, that Goldcorp had been added to the "HUI" of the American Stock Exchange and that the company believed that inclusion in this index would increase the visibility and liquidity of its shares. ¶ Hu discussed Credit Suisse First Boston's possible settlement with the Securities and Exchange Commission in respect of CSFB's handling of initial public offerings in the *Los Angeles Times*, Dec. 12. ¶ Hu was quoted on the Private Securities Litigation Reform Act of 1995 in relation to a lawsuit against pcOrder in the Dec. 10, *Austin American Statesman*. ¶ Hu discussed leveraged buyout strategies and prospects for private equity ventures in a Dec. 9, *The Dallas Morning News* story about Hicks, Muse, Tate & Furst, a leading "LBO" firm. ¶ Hu was quoted on the securities lawsuit brought by a bank against 29 current and former Enron executives and directors in the Dec. 8, *Houston Chronicle* and in the corresponding Dec. 9, Knight-Ridder wire service story. ¶ Hu was quoted on the possible

impact on Enron of certain U.S. Securities and Exchange Commission enforcement policies in the Nov. 28, *Houston Chronicle*, and of these policies and of the new SEC chairman in a Nov. 28, Knight-Ridder wire service story. ¶ Hu was quoted on Wall Street stock analysts, related court rulings and arbitration proceedings and on the impact of the Sept. 11 attacks in a Nov. 15, Reuters story. ¶ He also was quoted in a Nov. 15, *Financial Times* story appearing on its Web site on the role of securities analysts and possible regulatory and judicial scrutiny of this role. ¶ Hu was quoted in the October issue of *Money Magazine* on current investor lawsuits against their brokers in the wake of the \$4-trillion loss in paper wealth since the stock market peak in March. ¶ He has been appointed to the founding Executive Committee of the new "Institute for Law and Technology," intended to become a global forum for technology-related legal issues. ¶ Hu was quoted in an Aug. 22 Reuters story on certain legal and economic implications of Judge Milton Pollack's ruling in a securities fraud lawsuit against Morgan Stanley. ¶ Hu was quoted in *Newsday*, Aug. 19, on investor lawsuits relating to the recommendations of analyst Mary Meeker of the investment bank Morgan Stanley. ¶ Hu was quoted in the July 23 *Dallas Morning News* on investor beliefs about stocks and on such alternatives as Treasury Inflation Protected Securities, Series I Savings Bonds, and CDs. ¶ Hu's article, *Faith and Magic*, was selected as one of the "Best Corporate and Securities Articles of 2000" in a poll of fellow academics. ¶ Hu was quoted in the July 21 *Los Angeles Times* and July 21 *Seattle Times* on Merrill Lynch's settlement of an arbitration relating to Henry Blodgett, the noted Internet securities analyst.

### STANLEY JOHANSON

**PUBLICATIONS** Johanson's *Texas Probate Code Annotated* (St. Paul: West, 2001 ed.). **ACTIVITIES** Johanson spoke at UT Law's 49th Annual Taxation Conference. Mark Ascher was a panelist for an "Estate Planning Workshop" moderated by Johanson. Johanson also spoke on "Recent Developments Affecting Estate Planning." ¶ He was given the Distinguished Service Award by the Wills, Probate and Trust Section of the Houston Bar Association on Aug. 28. At the meeting, he spoke on "Recent Developments—2001 Texas Legislature."



## OWEN D. JONES

**PUBLICATIONS** *Time-Shifted Rationality and the Law of Law's Leverage: Behavioral Economics Meets Behavioral Biology*, 95 Northwestern University Law Review 1141 (2001). ¶ *Proprioception, Non-Law, and Biolegal History*, 53 Florida Law Review 831 (2001) (The Dunwoody Distinguished Lecture in Law). ¶ *Realities of Rape: Of Science and Politics, Causes and Meanings*, 86 Cornell Law Review 1386 (2001) (review essay). ¶ *Evolutionary Analysis in Law: Some Objections Considered*, 67 Brooklyn Law Review (2001 DNA Symposium Issue). ¶ *The Evolution of Irrationality*, 41 Jurimetrics 289 (2001). ¶ *Science and Human Behavior: A Reply*, 41 Jurimetrics 371 (2001).

## SUSAN KLEIN

**PUBLICATIONS** *Identifying and (Re)Formulating Prophylactic Rules, Safe Harbors, and Incidental Rights in Constitutional Criminal Procedure* [Symposium: The Future of Confession Law], 99 Michigan Law Review 1030 (2001).

**ACTIVITIES** Klein presented "Apprendi and Related Matters" to the Federal Judicial Center's workshop for federal district judges on Dec. 3 (with Nancy J. King). She presented this program again on Dec. 4. ¶ She present-

tem." ¶ Her paper, "Commentary: Apprendi and Plea Bargaining," made the top 10 hit list (most frequently downloaded papers) for the "Constitutional Law," "Criminal Law and Procedure," "UT Law School-Public Law & Legal Theory," and "Vanderbilt University Public Law & Legal Theory" series in the Social Science Research Network database. ¶ She served on the committee of district judges that revised The Fifth Circuit Pattern Jury Instructions (Criminal) (West 2001). ¶ She was a presenter at the Supreme Court Roundup (with Mitchell Berman, Lynn Blais, George Dix, and Ernest Young), a faculty colloquium at UT Law on August 31, 2001.

## DOUGLAS LAYCOCK

**PUBLICATIONS** *Affirmative Action: A Real-World Solution*, *Austin American-Statesman*, July 13, 2001, on A15.

**ACTIVITIES** Laycock was elected to the Council of The American Law Institute at ALI's annual meeting in Washington, D.C. on May 15.

## LEON LEBOWITZ

**ACTIVITIES** Lebowitz was honored with a Lifetime Achievement Award by the Business Law Section of the State Bar of Texas at its recent convention "for his contribution to the development of the business laws of the State of Texas."

## TERRI LECLERCQ

**PUBLICATIONS** *The Nuts and Bolts of Article Criteria and Selection*, 30 Stetson Law Review 437 (2000).

**ACTIVITIES** LeClercq was televised to IRS estate and gift tax agents throughout the country on Aug. 3, speaking on clear and effective writing techniques. She and AALS executive director Carl Monk spoke on the issue of "Can the World's Law Faculties Work Together?" at the Law and Society Association's meeting. ¶ LeClercq participated in the national meeting of the Association of Legal Writing Directors in Minneapolis. ¶ LeClercq was reappointed to the Texas Bar Journal Committee and was selected for the editorial board.

## BRIAN LEITER

**PUBLICATIONS** *Classical Realism*, 11 Philosophical Issues 244 (2001) [Symposium issue on "Social, Political, and Legal Philosophy"]. ¶ *The Law School Observer*, 4 Green Bag (2d ser.) 447 (2001). ¶ *Moral Facts and Best Explanations*, 18 Social Philosophy & Policy 79 (2001). [Reprinted

in *Moral Knowledge* (Ellen Frankel Paul et al. eds.; Cambridge: Cambridge University Press, 2001). ¶ *The Naturalistic Turn in Legal Philosophy*, American Philosophical Association Newsletter on Philosophy & Law, Spring 2001, at 142. ¶ ed. *New Directions in Analytic Jurisprudence* [symposium issue], American Philosophical Association Newsletter on Philosophy & Law, Spring 2001. ed. (with Richardson). *Nietzsche* (Oxford: Oxford University Press, 2001).

**ACTIVITIES** Leiter's paper "Asceticism and Perspectivism" was one of three featured presentations at a one-day conference on "Nietzsche on Truth" organized by the Institute for Advanced Studies at the U. London on Oct. 19. Leiter's paper was presented by Dr. Ken Gemes of Birkbeck College, U. London. ¶ Blackwell Publishers released Leiter's new "Philosophical Gourmet Report, 2001-2002" online at the Blackwell Web site, [www.blackwellpublishers.co.uk/gourmet/](http://www.blackwellpublishers.co.uk/gourmet/), on the morning of Oct. 3. Within the first 24 hours online, the report received more than 2,300 visits. ¶ Leiter has accepted an honorary appointment as visiting professor in the Department of Philosophy at U. College London for the period June 2001 through June 2006. ¶ Leiter presented a paper on "Adjudication as Craft" at a research workshop on "The Judicial Craft" sponsored by the Institute for Humane Studies at George Mason University. Faculty from George Mason, BYU, and George Washington universities participated, along with Chief Judge Douglas Ginsburg from the D.C. Circuit. ¶ A short review of the 900-page *Philosophy of Law: An Encyclopedia* (Garland, 1999) by Mark Thornton (Toronto) in the July Canadian Journal of Law & Jurisprudence singles out Leiter's article on *Legal Realism* as "a real gem."

## SANFORD LEVINSON

**PUBLICATIONS** *What is the Constitution's Role in Wartime?: Why Free Speech and Other Rights Are Not As Safe As You Might Think*, *Writ: FindLaw's Legal Commentary*, Oct. 17, 2001. ¶ *Commentary: "Democracy in a New America": Some Reflections on a Title* [symposium issue, "Democracy in a New America"], 79 North Carolina Law Review 1559 (2001). ¶ *Designing an Amendment Process*, in *Constitutional Culture and Democratic Rule 271* (John Ferejohn, Jack N. Rakove and Jonathan Riley eds.; Cambridge, U.K.: Cambridge University Press, 2001). ¶ *Understanding the Constitutional Revolution*,



GRANT GUERRERO

Professor Klein was recently awarded the contract to co-author six criminal procedure volumes of Charles Alan Wright's *Federal Practice and Procedure* treatise.

ed "Norm-Independent Federalism in the Criminal Law" to the U. San Diego School of Law Faculty Workshop. This essay was commissioned by the California Law Review for a symposium issue (forthcoming 2002) entitled "Community in the Criminal Justice Sys-

87 Virginia Law Review 1045 (2001) (with Jack M. Balkin). ¶ *Abraham Lincoln, Benjamin Curtis & the Importance of Constitutional Fidelity*, 4 Green Bag (2d ser.) 419 (2001). ¶ *Installing the Insular Cases into the Canon of Constitutional Law*, in *Foreign in a Domestic Sense: Puerto Rico, American Expansion, and the Constitution* 121 (Christina Duffy Burnett and Burke Marshall eds.; Durham, NC: Duke University Press, 2001). ¶ *Structuring Intimacy: Some Reflections on the Fact that the Law Generally Does Not Protect Us Against Unwanted Gazes*, 89 Georgetown Law Journal 2073 (2001).

**ACTIVITIES** Levinson moderated a discussion, "The Composer as Performer, the Composer as Listener," with composer Philip Glass and Dean Robert Freeman of UT's College of Fine Arts.

### BASIL MARKESINIS

**PUBLICATIONS** *Introduction: The Life and Work of Hans Wolfgang Baade* [Symposium Honoring Hans Baade], 36 Texas International Law Journal 403 (2001). ¶ *Tortious Liability for Negligent Misdiagnosis of Learning Disabilities: A Comparative Study of English and American Law* [Symposium Honoring Hans Baade], 36 Texas International Law Journal 427 (2001) (with Adrian R. Stewart). ¶ *Plaintiff's Tort Law or Defendant's Tort Law? Is the House of Lords Moving Towards a Synthesis?*, 9 Torts Law Journal 168 (2001). ¶ *Réflexions d'un comparatiste anglais sur et à partir de l'arrêt Perruche*, Revue Trimestrielle de Droit Civil, January-March 2001, at 77.

### RICHARD MARKOVITS

**PUBLICATIONS** *On the Relevance of Economic Efficiency Conclusions*, 29 Florida State University Law Review 1 (2001).

### TRACY MCCORMACK

**PUBLICATIONS** *Texas Courts: Trial & Appeal, Cases and Materials* (Dallas: Grail & Tucker Legal Publishing, 7th ed. 2001) (with Jack Ratliff & Alex Albright).

**ACTIVITIES** At the 25th Annual Page Keeton Products Liability and Personal Injury Law Conference, McCormack spoke on "The Weakest Link: Pitfalls in Legal Ethics." ¶ She presented a paper, "Advocacy in the New Millennium," for the State Bar of Texas Advanced Personal Injury Seminar in Dallas, in San Antonio, and in Houston. McCormack

has been elected chair of the State Bar's Consumer Law Council for 2001-2002.

### THOMAS MCGARITY

**PUBLICATIONS** *Deflecting the Assault: How EPA Survived a "Disorganized Revolution" by "Reinventing" Itself a Bit*, 31 Environmental Law Reporter: News & Analysis 11249 (2001). ¶ *Breeding Distrust: An Assessment and Recommendations for Improving the Regulation of Plant Derived Genetically Modified Foods* (Consumer Federation of America Foundation, Jan. 2001), at www.biotech-info.net/Breeding\_Distrust.html.

**ACTIVITIES** McGarity presented "Beyond Buckman: Wrongful Manipulation of the Regulatory Process in the Law of Torts" at the Washburn U. Torts Seminar. ¶ He made a presentation on the federal regulation of genetically modified foods at a meeting of stakeholders assembled by the Pew Initiative on Food and Biotechnology in Sundance, Utah. ¶ McGarity has been appointed to the National Academy of Sciences/National Research Council Committee on Air Quality Management in the United States, which is mandated by Congress to write a report on the implementation of the Clean Air Act.

### ROY M. MERSKY

**PUBLICATIONS** *Revisiting the Vignettes*, The Scrivener, Summer 2001, at 42 (reviewing *Vignettes of Legal History, Revised Series*, by Julius J. Marke). [Reprinted from New York Law Journal, May 22, 2001, at 2.] (with Holly Lakatos). ¶ *Revisiting the Vignettes*, Experience, Summer 2001, at 42 (reviewing *Vignettes of Legal History, Revised Series*, by Julius J. Marke).

**ACTIVITIES** Mersky has been appointed to the following positions in the Senior Lawyers Division of the American Bar Association: vice chair of the Legal Education/Mentoring Committee, and member of the Experience Board of Directors, the Finance Committee, and the Book Publishing Committee. ¶ He also presented the 2001 Spirit of Law Librarianship Award at the annual meeting of the American Association of Law Libraries in Minneapolis. The award was established by Mersky and Richard Leiter in lieu of royalties for their 1991 book, *The Spirit of Law Librarianship*, to recognize law librarians who have demonstrated a commitment to public service. ¶ Mersky accepted several appointments for the American Bar Association's Senior Lawyers

Division for the 2001-2002 year, including co-chair of the Book Publishing Committee, member of the Experience Editorial Board, vice chair of the Finance Committee, and vice chair of the Legal Education/Mentoring Committee. Also see Major Events.

### LINDA MULLENIX

**PUBLICATIONS** *Making Contact*, 11 Securities Reform Act Litigation Reporter 951 (2001). [Reprinted from National Lawyer, 23 July 2001.] ¶ *Re-Interpreting American Class Action Procedure: The United States Supreme Court Speaks*, 5 Zeitschrift für Zivilprozeß International 337 (2000). ¶ *The Practice: Making Contact*, National Law Journal, July 23, 2001, at B11. ¶ *Lessons From Abroad - Complexity and Convergence*, 46 Villanova Law Review 1 (2000) (the Harold Gill Reuschlein Distinguished Visiting Chair Lecture, Villanova Law School). ¶ *Master Class - Class Communications*, National Law Journal at B11 (Oct. 15, 2001). ¶ *State Class Actions: Practice and Procedure* (CCH Annual Updates No. 1 July 2001).

**ACTIVITIES** Mullenix was a commentator on "Judge Jack B. Weinstein, Tort Litigation, and the Public Good," Nov. 9, at the Brooklyn Law School Roundtable in honor of the 80th birthday of Judge Weinstein. ¶ She served as a panelist for the "Rules-Based Approaches to the Problems and Issues relating to Proposed Amendments to Fed. R.



**The Rockefeller Foundation will host Professor Mullenix as a Scholar in Residence this summer in Bellagio, Italy.**

Civ. P. 23," a class action conference sponsored by the Committee on Rules of Practice and Procedure of the Judicial Conference of the U.S., U. Chicago Law School. ¶ She spoke on "A 'Predominancia' e a 'Superioridade' Na Class Action for Damages



Norte-Americana," IV Jornadas Brasileiras de Direito Processual Civil, sponsored by the Instituto Brasileiro de Direito Processual and Instituto Brasiliense de Ensino e Pesquisa in Fortaleza, Brazil. ¶ She spoke to the Federal Bar Association of San Antonio on "The Proposed Amendments to Federal Rule of Civil Procedure 23, The Class Action Rule." ¶ Mullenix commented on "Perspectives on Dispute Resolution in the 21st Century," a conference held at the William S. Boyd School of Law, U. Nevada. ¶ She was appointed to the Morris and Rita Atlas Chair in Advocacy. ¶ In December, the Rockefeller Foundation selected her to be a Scholar-in-Residence at the Foundation's Bellagio, Italy Study and Conference Center for summer 2002.

### NEIL NETANEL

**PUBLICATIONS** *Cyberspace Self-Government: A Skeptical View from Liberal Democratic Theory*, in Law, Information and Information Technology 173 (Eli Lederman and Ron Shapira eds.; The Hague: Kluwer Law International, 2001). [Reprinted from 88 California Law Review 395 (2000).] ¶ *Locating Copyright Within the First Amendment Skein*, 54 Stanford Law Review 1 (2001).

**ACTIVITIES** Neil Netanel spoke on "Copyright and the First Amendment" at Stanford Law School as part of the Stanford Law Review Speaker Series. Stanford professors Kathleen Sullivan, Paul Goldstein, and Larry Lessig commented on Netanel's talk. ¶ He presented a paper at the TPRC 29th Annual Research Conference on Information, Communications, and Internet Policy, in Washington, D.C., arguing that the mass media has a continuing Fourth Estate role despite possibilities for peer-to-peer dissemination of information and opinion.

### CHRISTY NISBETT

**ACTIVITIES** Nisbett spoke at the National Association of Administrative Law Judges Annual Meeting and Conference, Nov. 5, 2001, on "The Use of Logic in Legal Writing." ¶ Nisbett attended meetings of the LexisNexis Legal Research and Writing Advisory Board in Orlando, April 27-29, 2001, and in Santa Fe, Aug. 2-5, 2001. ¶

### CATHERINE PÉDAMON

**PUBLICATIONS** *La contractualisation de l'arbitrage: le modèle américain*, 2001 Revue de l'Arbitrage 451 (with Alan Rau).

### H. W. PERRY

**ACTIVITIES** Perry taught an intensive course to law professors on interactive teaching methods at the Fundação Getulio Vargas in São Paulo, Brazil. ¶ He presented his paper "Judicial Independence, Rule of Law, and Democratic Accountability" at Oxford University as a part of an exchange between the law faculties at UT and Oxford. ¶ Perry was an invited panel participant at the Conference on Constitutional Courts at Washington U. ¶ He conducted a "Short Course" on elite interviewing for the American Political Science Association Annual Meeting in September.

### SCOT POWE

**PUBLICATIONS** Book review, 18 Constitutional Commentary 259 (2001) (reviewing *Division and Discord: The Supreme Court Under Stone and Vinson, 1943-1953*, by Melvin I. Urofsky).

**ACTIVITIES** The Warren Court and American Politics (2000) was one of the books reviewed in D. Grier Stephenson, Jr., *The Judicial Bookshelf*, 26 Journal of Supreme Court History 279 (2001), at 285. ¶ Powe spoke on "Does Social Change Come

Through the Courts?" for a panel discussion sponsored by the UT chapter of the National Lawyers Guild. ¶ At the American Society for Legal History annual meeting in Chicago, Powe spoke about the relationship of the "new" political science to Supreme Court history as part of a roundtable on "Political Science and the New Supreme Court Histories." ¶ Powe's *The Warren Court and American Politics* (2000) was recognized for the C. Herman Pritchett Award at the American Political Science Association convention as one of the two best books published last year by a political scientist on law and courts. Powe was ineligible for the award, however, because of his lack of a Ph.D. in political science. ¶ Powe's *The Warren Court and American Politics* (2000) was reviewed in *The Federal Lawyer*, July 2001, at 55. ¶

### WILLIAM POWERS

**PUBLICATIONS** Restatement (Third) of Torts: Liability for Physical Harm (Basic Principles), Council Draft No. 3 (Philadelphia: ALI, 2001) (reporter, with Gary T. Schwartz and Michael D. Green). ¶ *Apportionment of Liability* [symposium on the Restatement (Third) of Torts], 10 Kansas Journal of Law



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& Public Policy 30 (2000) (with Michael Green). ¶ *ALI Apportionment of Liability Reporters' Response* [symposium on the Restatement (Third) of Torts], 10 Kansas Journal of Law & Public Policy 203 (2000) (with Michael Green).

**ACTIVITIES** Dean Powers presented a "Products Liability Update" at the 25th Annual Page Keeton Products Liability and Personal Injury Law Conference. Dean Powers also spoke in Brazil and testified before the Brazilian legislature. (See Major Events.)

## MICHAEL SEAN QUINN

**PUBLICATIONS** *The Eleven Commandments of Professional Responsibility: A Gallimaufry*, Book II in *The Ethics Course* (4th ed.; Austin: Texas Center for Legal Ethics and Professionalism, 2001). ¶ Insurance and Bankruptcy, 36 Tort & Insurance Law Journal 1025 (2001).

## JACK RATLIFF

**PUBLICATIONS** *Texas Courts: Trial & Appeal, Cases and Materials* (Dallas: Grail & Tucker Legal Publishing, 7th ed. 2001) (with Tracy McCormack and Alex Albright).

**ACTIVITIES** Ratliff was quoted in *Texas Lawyer*, Sept. 10, on a Texas Supreme Court decision on how a court certifies a class in class-action lawsuits.

## STEVEN RATNER

**PUBLICATIONS** *U.N. Can't Impose a New Government on Afghanistan*, *Dallas Morning News*, Oct. 24, 2001, on 21A. ¶ *Drawing a Better Line: Uti Possidetis and the Borders of New States*, in *International Law and the Rise of Nations: The State System and the Challenge of Ethnic Groups* 250 (Robert J. Beck and Thomas Ambrosio eds.; New York: Chatham House Publishers, 2002). ¶ *Terrorism and the Laws of War, September 11 and Its Aftermath: Expert Analysis*, Crimes of War Project, (2001) ¶ *Corporations and Human Rights: A Theory of Legal Responsibility*, 111 Yale Law Journal 443 (2001).

**ACTIVITIES** Ratner was interviewed on Public Radio International's "To the Point" on Nov. 30, about the legal ramifications of the killing of Taliban detainees by Northern Alliance and American forces in Afghanistan. ¶ He was quoted in the Oct. 21 *New Orleans Times Picayune* on options for bringing Osama Bin Laden to justice in the United States. ¶ He was quoted in the *San Francisco Chronicle*, Nov. 4, on the legality

of U.S. actions in Afghanistan. ¶ In the Nov. 19 *Philadelphia Inquirer*, he commented on international law's requirements regarding the handling of the remains of the hijackers of the plane that crashed into the Pentagon on Sept. 11. ¶ Ratner was quoted in the *Newsday's* Dec. 9 issue on the dilemmas facing U.S. policymakers concerning bringing Taliban leaders to trial.

¶ The *San Francisco Chronicle*, Nov. 4, quoted him on the legal aspects of the U.S. use of force against Afghanistan. ¶ The *New Orleans Times-Picayune*, Oct. 21, quoted him about the difficulties of bringing Osama Bin Laden to trial in the United States. ¶ Ratner delivered a paper entitled "The United States and the 'International Community': The Inevitability of Multiple Visions" at the U. Gottingen Institute of International Law Symposium on the United States and International Law (Gottingen, Germany), Oct. 26, 2001. ¶ Ratner delivered a presentation entitled "Failed States and Governance: Lessons Learned" at the "Roundtable on Afghanistan: Governance Scenarios and Canadian Policy Options," sponsored by the Canadian Centre for Foreign Policy Development, part of the Canadian Department of Foreign Affairs and International Trade, in Ottawa. ¶ Ratner appeared on Australia TV's "Dateline" on Aug. 29 to discuss the prospects for trials of Khmer Rouge leaders in Cambodia under recent legislation passed by the Cambodian government.

## ALAN RAU

**PUBLICATIONS** *La contractualisation de l'arbitrage: le modèle américain*, 2001 *Revue de l'Arbitrage* 451 (with Catherine Pédamon). ¶ *Processes of Dispute Resolution: The Role of Lawyers* (3rd edition) (with Sherman and Peppet).

## R. ANTHONY REESE

**PUBLICATIONS** *Federal Trademark Protection for Product Configurations and Product Colors in U.S. Law*, in *Neueste Entwicklungen im Europäischen und Internationalen Immaterialgüterrecht* 185 (Carl Baudenbacher and Jürg Simon, eds.; Basel: Helbing & Lichtenhahn, 2001). ¶ *The Public Display Right: The Copyright Act's Neglected Solution to the Controversy over RAM "Copies"*, 2001 *Illinois Law Review* 83. ¶ *State Accountability for Violations of Intellectual Property Rights: How to "Fix" Florida Prepaid (And How Not To)*, 79 *Texas Law Review*

1037 (2001) (with Mitchell N. Berman and Ernest A. Young). ¶ *Copyright and Internet Music Transmissions: Existing Law, Major Controversies, Possible Solutions*, 55 *University of Miami Law Review* 237 (2001).

**ACTIVITIES** Reese's paper, "Copyright and Internet Music Transmissions: Existing Law, Major Controversies, Possible Solutions," made the top 10 hit lists (most frequently



Professor Reese was elected chair-elect of the Law and Computers Section of the AALS in January.

downloaded papers) for the "Cyberspace Law," "Intellectual Property Law," "Law School Research Papers - Public Law & Legal Theory," and "UT Law School - Public Law & Legal Theory" series in the Social Science Research Network database. ¶ Reese was quoted in *Legal Times*, Aug. 13, on the spread of law and technology research centers in law schools. ¶ Reese's remarks at the Law School's recent Computer and Technology Law Conference, on the U.S. Supreme Court's *New York Times v. Tasini* decision about online copyright, were reported at length in the *BNA Electronic Commerce & Law Report*, July 6. ¶ Reese moderated a panel discussion about the future of music on Nov. 1 at the Law School, which was organized by the Texas Intellectual Property Law Journal.

## DAVID ROBERTSON

**PUBLICATIONS** *Admiralty and Maritime Law in the United States* (Durham, NC: Carolina Academic Press, 2001) (with Michael Sturley and Steven F. Friedell). ¶ *Eschewing Ersatz Percentages: A Simplified Vocabulary of Comparative Fault*, 45 *St. Louis U. L.J.* 831 (Summer 2001).



**ACTIVITIES** At the Law School's 8th Annual Admiralty & Maritime Law Conference in Houston, Robertson spoke on "Recent Developments in Admiralty and Maritime Law at the National Level and in the Fifth and Eleventh Circuits."

## JOHN ROBERTSON

**ACTIVITIES** Robertson was quoted in the Nov. 30 *Wall Street Journal* on the legality of the successful human cloning experiments by a Massachusetts biotechnology company, and in the Dec. 2 *New York Times* on arguments in favor of allowing human cloning. ¶ Robertson was quoted in the *New York Times*, Sept. 28 on an opinion issued by the American Society for Reproductive Medicine's ethics committee that approved of embryo sex selection in some circumstances. ¶ Robertson spoke on "Is There a Case for Human Cloning?" at a National Academy of Sciences workshop in Washington, D.C., on Aug. 7. ¶ He was also named as chair of the Ethics Committee of the American Society of Reproductive Medicine.

## LAWRENCE SAGER

**PUBLICATIONS** *The Birth Logic of a Democratic Constitution*, in *Constitutional Culture and Democratic Rule* 110 (John Ferejohn, Jack N. Rakove and Jonathan Riley eds.; Cambridge, U.K.: Cambridge University Press, 2001). ¶ *Panel One: Free Exercise After Smith and Boerne, Commentary*, 57 *New York University Annual Survey of American Law* 9 (2001).

## JOHN SAMPSON

**PUBLICATIONS** *Uniform Parentage Act (2000)* (with Unofficial Annotations by John J. Sampson, reporter), 35 *Family Law Quarterly* 83 (2001). ¶ *The Top 10 Things That Happened in Family Law*, 64 *Texas Bar Journal* 764 (2001).

**ACTIVITIES** Sampson was part of the faculty for Sampson & Tindall's 6th Biennial Family Law Legislative Update, sponsored by the Law School on July 13 in Houston; July 19, in Austin; and July 20 in Dallas.

## WAYNE SCHIESS

**PUBLICATIONS** *Meet ALWD: The New Citation Manual*, 64 *Texas Bar Journal* 911 (Oct. 2001) ¶ *Collaborating with the Opposition*, 15 *The Second Draft: Bulletin of the Legal Writing Institute* 12 (June 2001) ¶ *When Your Boss Wants it the Old Way*, 80 *Michigan Bar Journal* 68 (June 2001) ¶ "Writing a Brief the George Orwell Way," is featured

on the LexisONE Professional Development Web site as part of its Legal Writing Series. Two other articles he wrote will be part of the series as well.

**ACTIVITIES** Schiess spoke on legal writing at the UT System Legal Conference on Sept. 19 to attorneys from the UT System's Office of General Counsel and from UT-System component institutions. ¶ Schiess spoke on "Statutory and Contractual Interpretation" at the State Bar's 24th Annual Advanced Civil Trial Course in Dallas, Houston, and San Antonio.

## JOSÉ SERNA DE LA GARZA

**PUBLICATIONS** *Reflexiones en torno a las resoluciones del Tribunal Electoral del Poder Judicial de la Federación, relativas a los casos Tabasco y Yucatán*, 100 *Boletín Mexicano de Derecho Comparado* 311 (2001).

## MICHAEL SHARLOT

**PUBLICATIONS** *Have Faith in the Constitution* [Letter to the Editor], *Texas Lawyer*, Oct. 8, 2001, at 47.

## RONALD SIEVERT

**PUBLICATIONS** *Urgent Message to Congress - The Case for Immediate Reform of Our Outdated, Ineffective, and Self-Defeating Export Control System*, 37 *Texas International Law Journal* 89 (2002).

## PAMELA SIGMAN

**ACTIVITIES** Sigman spoke at "Criminal Procedure Affecting Juvenile Proceedings," the Juvenile Law Specialization Review Course, sponsored by the Juvenile Law Section of State Bar of Texas and the Texas Juvenile Probation Commission. ¶ She spoke on "Ethical Issues Facing the Juvenile Attorney" at the Travis County Juvenile Law Certification Seminar. ¶ She spoke on "Psychological Issues in Certification Proceedings" at Judging Risks and Competence in the Juvenile Justice System, sponsored by Capacity for Justice. ¶ Sigman and her Juvenile Justice Clinic students spoke to approximately 240 students in the 7th grade classes at Fulmore Middle School in Austin on Nov. 16.

## CHARLES SILVER

**PUBLICATIONS** *Just What the Patient Ordered: The Case for Result-Based Compensation Arrangements*, 29 *Journal*

of Law, Medicine & Ethics 170 (2001) (with David A. Hyman).

**ACTIVITIES** Silver was quoted in the July 22 editions of the *New York Times* and *Austin American-Statesman* regarding a recent \$12-million judgment awarded under the "junk fax" provision of the Telephone Consumer Protection Act. ¶ Silver was quoted in *Texas Lawyer* on Sept. 10 on a Texas Supreme Court decision on how a court certifies a class in class action lawsuits.

## ERNEST SMITH

**ACTIVITIES** Smith spoke on "Wind Energy in Texas" at the State Bar's 19th Annual Advanced Oil, Gas & Energy Resources Law Course in San Antonio. ¶ Smith participated in a workshop in Granbury that was sponsored by the Texas Historical Commission. He presented a paper on "Conservation Easements: How a Landowner Can Protect Rural and Historical Heritage."

## JORDAN STEIKER

**PUBLICATIONS** *Habeas Corpus*, in *Encyclopedia of Crime and Justice* (4 vols.; Joshua Dressler ed.; New York: Macmillan Reference USA, 2nd ed. 2002).

**ACTIVITIES** Steiker was interviewed on the *CBS Evening News* on Aug. 8 about the Andrea Yates capital murder case.

## MICHAEL STURLEY

**PUBLICATIONS** *Admiralty and Maritime Law in the United States* (Durham, NC: Carolina Academic Press, 2001) (with Steven F. Friedell and David Robertson).

**ACTIVITIES** Sturley was quoted in the Aug. 13 issue of the *American Journal of Transportation* on the implications of Congressional delays in updating the Carriage of Goods by Sea Act. ¶ At the Law School's 8th Annual Admiralty & Maritime Law Conference, Sept. 21 in Houston, Sturley was one of the presiding officers. ¶ He was elected as a "Titular Member" of the Comité Maritime International (CMI) at the CMI's 37th Conference in Singapore. CMI is an international non-governmental organization dedicated to the improvement of maritime law. He is the youngest American in living memory to be elected to Titular membership, and the first full-time academic. ¶ In the Comité Maritime International (CMI), he is the rapporteur of the International Subcommittee on Issues of Transport Law and its associated Working Group, which serves as

a steering committee for the larger group. As rapporteur, he attended meetings of the International Sub-Committee and Working Group in London, Madrid, and Vienna. ¶ Sturley attended the MLA's fall meeting in San Diego. He was the lead speaker in the MLA's annual CLE program, discussing the international effort to reform transport law. ¶ He attended a meeting of the World Shipping Council and the National Industrial Transportation League in Washington, D.C., to discuss an industry compromise proposal on the future of cargo-liability law. ¶ On Jan. 9, 2002, he attended a meeting of the Secretary of State's Advisory Committee on Private International Law, which was held in Washington, D.C., to discuss the U.S. government's negotiating strategy at next April's session of the UNCITRAL Working Group on Transport Law. After the meeting, he was invited to be the senior adviser to the U.S. delegation.

### TERESA SULLIVAN

**PUBLICATIONS** *Une prospérité précaire: Sur les situations financières critiques dans la classe moyenne*, 138 *Actes de la Recherche en Sciences Sociales* 19 (2001) ¶ *Young, Old, and In Between: Who Files for Bankruptcy?* Norton Bankruptcy Law Adviser, issue 9A, (September): I-II (lead article).

¶ *The Future Network and the Social Sciences: Topic, Data, and Theory*, pp. 83-85 in Association of Research Libraries, *The Future Network: Transforming Learning and Scholarship*, Proceedings of the 132nd Meeting (Washington, D.C.: ARL, 2001). ¶ *The New Immigrants*, reprinted in Ralph Rotte and Peter Stein, eds., *Migration Policy and the Economy*. (Muenchen: Hanns-Seidel-Foundation, studies and comments no. 1, 2001.)

**ACTIVITIES** *The Fragile Middle Class: Americans in Debt* (2000), was reviewed at 75 *American Bankruptcy Law Journal* 145 (2001); 17 *Bankruptcy Developments Journal* 425 (2001); and 30 *Contemporary Sociology* 249 (2001). ¶ She was the Provost's Distinguished Lecturer at Notre Dame University. ¶ She gave a public lecture on "The Fragile Middle Class." ¶ Sullivan was elected president of the Association of Graduate Schools for 2001-2002. Her paper, "Who Uses Chapter 13?" (with Warren and Westbrook) was delivered to the Law and Society Association in Budapest. ¶ Sullivan lectured on "Affirmative Action and Its Alternatives," at the Workshop

for New Department Chairs, American Sociological Association, Anaheim, Aug. 17. ¶ She also spoke on "Getting the Mentoring You Want and Need" at a professional workshop for the American Sociological Association, Anaheim, Aug. 18. ¶ She also delivered the annual address on "Debt and the Fragile Middle Class" for the Sociological Research Association, Anaheim, Aug. 19.

### GERALD TORRES

**PUBLICATIONS** *Who Owns the Sky?* [Seventh Annual Lloyd K. Garrison Lecture on Environmental Law], 18 *Pace Environmental Law Review* 227 (2001).

### HORATIA MUIR WATT

**PUBLICATIONS** *Evidence of an Emergent European Legal Culture: Public Policy Requirements of Procedural Fairness Under the Brussels and Lugano Conventions* [Symposium Honoring Hans Baade], 36 *Texas International Law Journal* 539 (2001).

### LOUISE WEINBERG

**PUBLICATIONS** *Of Sovereignty and Union: The Legends of Alden* [Annual Federal Courts Issue], 76 *Notre Dame Law Review* 1113 (2001) ¶ *Choosing Law, Giving Justice*, 60

*vision sets*. The *Legal Times* reports that, after this, the e-mail list fell silent. ¶ Weinberg's letter to the President of the American Trial Lawyers' Association, distributed to the Federal Courts professors' e-mail list, is being used by Tom Grey of Stanford University in his torts class. Weinberg was responding to a letter from the ATLA president, urging lawyers not to rush to the scenes of recent terrorist attacks on America. Weinberg argued that litigation against the aviation industry could not give the aggrieved survivors a full measure of justice anyway. But she pointed out "the responsible and uniquely effective role that honorable and resourceful civil litigation can play" in the struggle against terrorism by striking at the terrorists themselves, as well as their networks.

### RUSSELL WEINTRAUB

**PUBLICATIONS** *Lex Mercatoria and the UNIDROIT Principles of International Commercial Contracts* in *International Conflict of Laws for the Third Millennium: Essays in Honor of Friedrich K. Juenger*, 141 (Patrick J. Borchers and Joachim Zekoll eds) (Transnational Publishers, Ardsley, N.Y. 2001).

**ACTIVITIES** Weintraub is the chair of the Conflict of Laws section of the Association

RICK PATRICK



LOUISE WEINBERG

**Professor Weinberg was elected program chair and chair-elect of the Federal Courts section of the AALS in January. She will organize the section program for 2003 and will chair the section in 2003-2004.**

*La. L. Rev.* 1361-65 (2001) (festschrift issue).

**ACTIVITIES** Weinberg gave a faculty colloquium at the Law School on Oct. 19. Her talk was entitled, "When Courts Decide Elections: Was Bush v. Gore Constitutional?" ¶ A letter by Weinberg was published in the *Austin American-Statesman* on Nov. 18, 2001, on J14, captioned "New Values." ¶ An article in the Sept. 17 *Legal Times* quotes in full Weinberg's email to the Constitutional Law list shortly after the attacks of Sept. 11, describing the attacks and urging list members to go to their tele-

of American Law School. ¶ During the 2001 fall semester, Weintraub taught "International Commercial Dispute Settlement" at the Australian National University School of Law in Canberra, Australia.

### OLIN GUY WELLBORN III

**PUBLICATIONS** *Courtroom Evidence Handbook* (with Steven Goode) (St. Paul: West, 4th ed. 2001). ¶ *Courtroom Handbook on Federal Evidence* (St. Paul: West, 2001 rev. ed.) (with Steven Goode). ¶ *Courtroom*



Handbook on Texas Evidence (St. Paul: West, 2001 rev. ed.) (with Steven Goode and Michael Sharlot). ¶ Guide to the Texas Rules of Evidence: Civil and Criminal (St. Paul: West, 2d ed. vols. 1 and 2, 1993) (2001 Supplements) (with Steven Goode and Michael Sharlot).

## JAY WESTBROOK

**PUBLICATIONS** *International Bankruptcy Approaches Chapter 15*, New York Law Journal, Aug. 23, 2001, at 1. ¶ *Managing Defaulting Multinationals within NAFTA*, Ch. 30 in Foundations and Perspectives of International Trade Law (I. Fletcher, L. Mistelis and M. Cremona eds.; London: Sweet & Maxwell, 2001). ¶ *Systemic Corporate Distress: A Legal Perspective*, in Resolution of Financial Distress: An International Perspective on the Design of Bankruptcy Laws 47 (S. Claessens, S. Djankov, and A. Mody eds.; Washington, D.C.: World Bank Institute, 2001). ¶ *Une prospérité précaire: Sur les situations financières critiques dans la classe moyenne*, 138 Actes de la Recherche en Sciences Sociales 19 (2001). ¶ *Japan's New Cross-Border Insolvency Law*, 112 Kinyu Shoji 86 (2001) (in Japanese).

**ACTIVITIES** Westbrook was quoted on the Enron bankruptcy in the Nov. 29 editions of the *New York Times* and the *Houston Chronicle*, and in the Nov. 30 *Newsday*. ¶ Westbrook was a panelist for a session on "What Bankruptcy Lawyers and Judges Should Know about International Law and Multinational Cases" at the annual meeting of the National Conference of Bankruptcy Judges in Orlando. ¶ Westbrook was one of the panelists addressing "The Elimination of Section 304 by the Passage of Chapter 15 and Its Effect upon Practitioners and the Judiciary" at the fall meeting of the ABA's Business Bankruptcy Committee in Orlando. ¶ On Oct. 20, 2001, at the U. Toronto Faculty of Law, Westbrook was a commentator on the proposed Canadian Insolvency Law Reform, as part of the 31st Annual Workshop on Commercial and Consumer Law. ¶ Westbrook and Elizabeth Warren spoke on "Recent Developments in Bankruptcy" at the Law School's 20th Annual Bankruptcy Conference, Nov. 15-16. ¶ Westbrook's *The Fragile Middle Class: Americans in Debt* (2000), was reviewed at 75 *American Bankruptcy Law Journal* 145 (2001); 17 *Bankruptcy Developments Journal* 425 (2001); and 30 *Contemporary Sociology* 249 (2001).

## PATRICK WOOLLEY

**ACTIVITIES** Woolley gave a talk entitled "Introduction to Class Action Law in the United States" at the 1st Congress on Consumer Rights of the State of Rondonia, Aug. 9, 2001, in Porto Velho, Brazil. (See Major Events.)

## ERNEST YOUNG

**PUBLICATIONS** *The Balance of Federalism in Unbalanced Times: Should the Supreme Court Reconsider Its Federalism Precedents In Light of the War on Terrorism?*, Writ: FindLaw's Legal Commentary, Oct. 10, 2001.

¶ *Dual Federalism, Concurrent Jurisdiction, and the Foreign Affairs Exception*, 69 *George Washington Law Review* 139 (2001). **ACTIVITIES** Young presented a paper entitled "Activism, Conservatism, and the Federalist Revival" at the Ninth Annual Ira C. Rothgerber, Jr. Conference on "Conservative Judicial Activism," at U. Colorado School of Law. ¶ Young was one of four commentators in the Federal Judicial Center's video-taped wrap-up of the Supreme Court's 2000 Term for federal judges and their clerks. ¶ Young delivered his paper "Protecting Member State Autonomy in the European Union: Some Cautionary Tales from American Federalism" at Oxford University.

## LAW SCHOOL STAFF AND LIBRARY ACTIVITIES

## HOLLY LAKATOS

**PUBLICATIONS** *Revisiting the Vignettes*, Experience, Summer 2001, at 42 (reviewing *Vignettes of Legal History*, Revised Series, by Julius J. Marke). ¶ *Revisiting the Vignettes*, The Scrivener, Summer 2001, at 42 (reviewing *Vignettes of Legal History*, Revised Series, by Julius J. Marke). [Reprinted from *New York Law Journal*, May 22, 2001, at 2.]

## JUNE LIEBERT

**PUBLICATIONS** *10 Great Ways to Use a Palm (or Other Handheld/PDA)*, LLRX.com, June 15, 2001 [www.llrx.com/features/pda2.htm](http://www.llrx.com/features/pda2.htm). **ACTIVITIES** Liebert presented "How Many People Does it Take to Change a Web site?" at the 2001 Conference for Law School Computing sponsored by the Center for

Computer-Assisted Legal Instruction at Suffolk U. School of Law.

## TOBE LIEBERT

**PUBLICATIONS** *Electronic Filing: Is Its Time Finally Here?* ["Best of ABA Sections" issue], GP Solo, Sept. 2001, at 32. [Reprinted from Experience, Spring 2001.] ¶ *Abortion in the United States: A Compilation of State Legislation* (2000 Supplement; Buffalo, NY: William S. Hein & Co., 2001).

## KUMAR PERCY

**PUBLICATIONS** *User Fees in Academic Law Libraries*, 19 *Legal Reference Services Quarterly* 181 (2001).

## BRIAN QUIGLEY

**ACTIVITIES** At the 2001 Conference for Law School Computing sponsored by the Center for Computer-Assisted Legal Instruction at Suffolk U. School of Law, Quigley spoke on "Outsourcing IT on Campus."

## ALLEGRA YOUNG

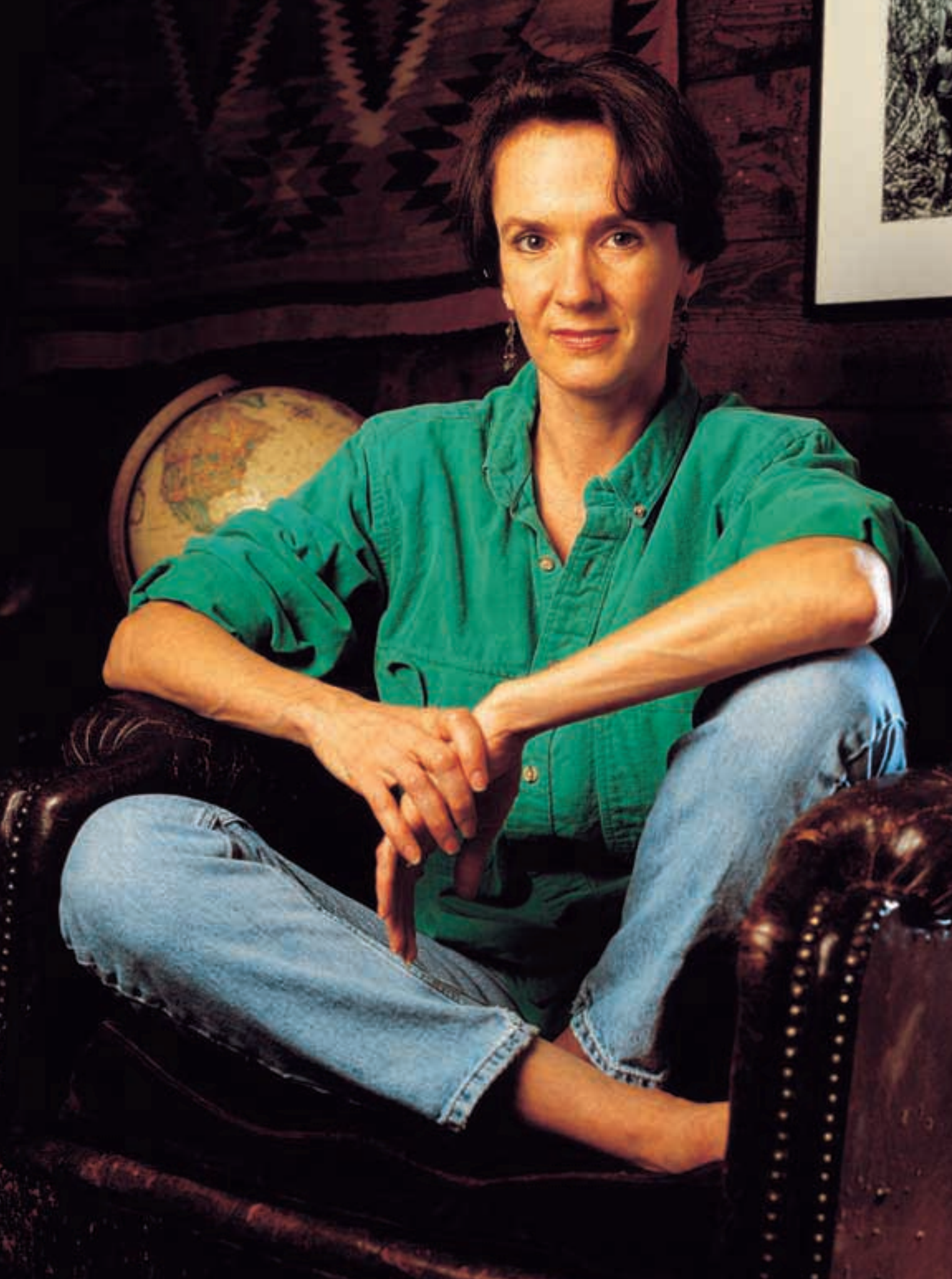
**PUBLICATIONS** *Even Pirates Play Role in Tech Cycles*, *Solutions*, USA Today, Oct. 29, 2001, on 9B (reviewing *Ruling the Waves: Cycles of Discovery, Chaos, and Wealth from the Compass to the Internet*, by Debora L. Spar).

## MICHAEL WIDENER

**PUBLICATIONS** *Access to the Working Papers of State Supreme Court Justices: A Case Study from Texas*, 20 *Legal Reference Services Quarterly* 139 (2001). ¶ *Bibliography on Rare and Archival Law Materials*, 20 *Legal Reference Services Quarterly* 79 (2001) (with Mark W. Lambert). ¶ *Public Services Issues with Rare and Archival Law Materials: An Introduction*, 20 *Legal Reference Services Quarterly* 1 (2001). ¶ *Public Services Issues with Rare and Archival Law Materials* (New York: Haworth Information Press, 2001) (editor).

**ACTIVITIES** Widener moderated a session entitled "An Introduction to Legal Archives and Manuscripts" at the American Association of Law Libraries annual meeting in Minneapolis.

**LAW SCHOOL NEWS** *Courtesy of Michael Widener. For the most recent Law School Faculty news, please go online to [www.law.utexas.edu/lsn/](http://www.law.utexas.edu/lsn/)*





# Fighting the Good Fight

HOW LAW FACULTY  
MEMBERS PROMOTE  
THE COMMON GOOD

BY LAURA CASTRO TROGNITZ, '97

PHOTOGRAPHS BY WYATT MCSPADDEN

WHILE MANY LAWYERS LINE their office walls with diplomas and awards, UT School of Law professor Sarah Cleveland displays a 14-inch carbon steel machete near her desk.

"It's pretty sharp," she announces, sliding her fingers along the lethal-looking blade. The machete, with its rough wooden handle, is similar to those once used by thousands of Caribbean immigrants in Southern Florida to cut sugar cane, dangerous work often resulting in lost fingers and eyes. The tool was a gift to Cleveland for her efforts to help some of those former sugar cane cutters recover lost wages and belongings in a difficult legal war against politically powerful sugar companies.

The machete is mounted on a plaque bearing a quote from one of her clients, which Cleveland, an expert in international human rights law, reads aloud. "I thank God for good people like you to help we poor cane cutters," she says. The machete is a reminder of poor black Jamaicans who lost their jobs and how much she values being their advocate, says Cleveland, who joined UT's law faculty in 1997, a week after taking a case to trial on behalf of workers.

Cleveland, like many of her colleagues at UT Law who work with students or on their own to help improve lives and society, has always had a passion for social justice. "Serving the common good is an effort to give meaning to the principle of equal jus-

tice under the law for all people," she says. "The function of public interest lawyers is to even out the socioeconomic disparities, somewhat, using the tools that are available to us." For Cleveland, that tool has been not a machete but litigation.

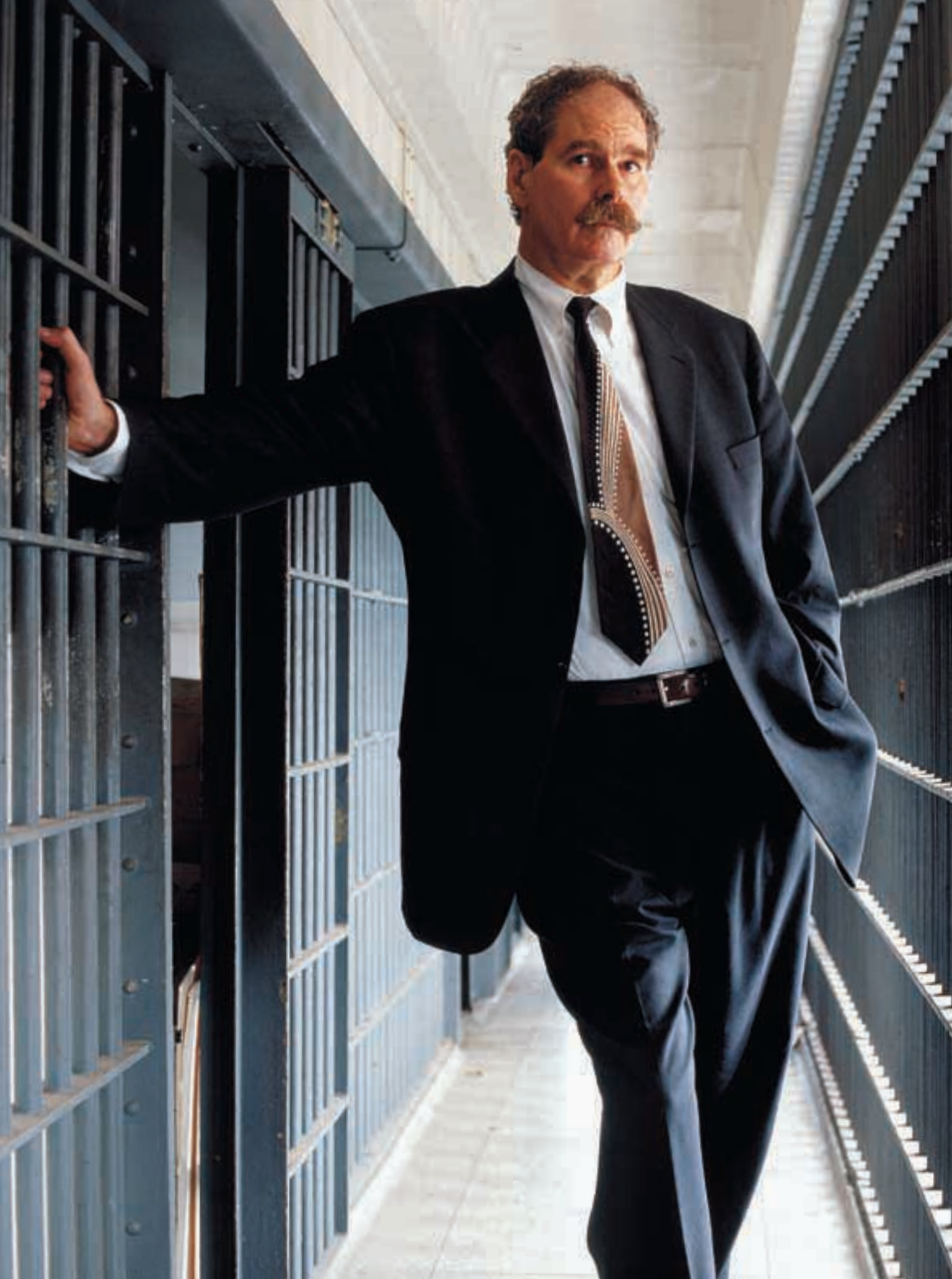
Cleveland explains that for almost fifty years—from 1944 to 1993—Florida's largest sugar companies imported cheap Caribbean labor to harvest cane amid ash-laden air and alligator-infested ponds. "For decades, workers complained that they weren't being paid for the hours they worked," says Cleveland, a former Rhodes Scholar who clerked for U.S. Supreme Court Justice Harry Blackmun.

Finally, in the late eighties, public interest attorneys brought class action suits against the sugar industry, seeking to collect damages in the millions of dollars. Cleveland joined that legal team in 1994 as a Skadden Fellow for Florida Legal Services, supervising several cases, including one she settled for 355 immigrants who were deported without their belongings or their paychecks. Her husband, Edward Tuddenham, has been representing 30,000 former workers in class action suits for more than a decade.


*Vanity Fair* magazine ran an article in February 2001 describing their David and Goliath story—brilliant legal-aid attorneys with limited resources versus Cuban-American sugar moguls with ties to then-president Bill Clinton. The story even included a love angle: Cleveland married Tuddenham at an eighteenth-century sugar plantation house called the Good

"I thank  
God for good  
people like  
you to help  
we poor cane  
cutters," wrote  
Cleveland's  
client.

SARAH CLEVELAND







"To end a person's wrongful incarceration is a real thrill," says Allison, who last year was named Outstanding Criminal Defense Lawyer of the Year by the Texas State Bar.

BILL ALLISON

Hope in the mountainous interior of Jamaica, where they spent their honeymoon taking depositions.

Cleveland continues to fight the good fight despite the odds and personal expense. The first class action case that she won at trial in 1997 was reversed on appeal. Since leaving Florida, Cleveland and her husband have borne the costs of ongoing cases. She has often traveled twisted one-lane Jamaican roads to talk to clients with no phones or fax machines because the mail is too slow. Meanwhile, the sugar companies have mechanized the industry, leaving few jobs for workers to reclaim.

Cleveland's crusade for the common good is only one in an array of projects spearheaded by faculty and staff at the Law School. "It's extremely important for students to have role models who do public service work," Cleveland says.

Eden Harrington, director of the Law School's Public Interest Law Center, coordinates opportunities to educate students about public service, no matter what career path they choose. Harrington says lawyers have a responsibility to help individuals and communities that are under-represented. "And there are as many ways to do that as there are lawyers to think of those ways," she says.

## Monumental Achievements

ADJUNCT PROFESSORS BILL ALLISON, '71, AND David Sheppard, '74, took on that responsibility by pooling their research and investigative efforts with the Travis County District Attorney's Office to obtain the release and exoneration of three Texas prisoners. As supervising attorneys at UT Law's Criminal Defense Clinic, both have spent hundreds of hours, for little or no pay, freeing innocent people.

Allison, a criminal defense practitioner, was asked in September 2000 to take on two innocence cases by attorney Barry Scheck of the Cardozo Law School Innocence Project in New York. Allison estimates he worked 300 hours, with no compensation, to prove Chris Ochoa and Carlos Lavernia innocent.

Allison asked Sheppard, also a criminal defense attorney, to represent a third inmate, Richard Danziger, who spent 12 years in prison based on the false testimony of a co-defendant and suffered severe brain damage from an attack by another prisoner. The two faculty members used DNA testing and, in one case, a confession

from the real murderer to aid in the release of the three men.

"To end a person's wrongful incarceration is a real thrill, a very good use of a lawyer's time," says Allison, who last year was named Outstanding Criminal Defense Lawyer of the Year by the Criminal Law Section of the Texas State Bar. Allison recently began working on his third exoneration case, filing a motion to request DNA testing under a new state law that he played a role in creating.

Other faculty members who engaged in statutory reform include Professor Robert Dawson, who assisted in drafting and testified in support of a statute designed to improve the criminal defense representation of the poor. The Texas Fair Defense Act, which went into effect January 1, provides state standards, monitoring, and financial assistance for the defense of indigents charged in criminal or juvenile courts.

"This is a monumental achievement," says Dawson, who adds that Texas was one of only four states that did not provide such standards. Texas state Senator Rodney Ellis, '79, authored the bill, which includes secure funding for an additional \$1 million per month for the defense program. Texas counties currently spend \$94 million per year on indigent defense, says Dawson, an expert in criminal law and procedure, with a special focus on juvenile justice issues.

Dawson, who founded the Criminal Defense Clinic in 1974, says he has always taught students to provide high-quality legal representation to the clinic's clients—the poor. He has worked with the legislature for the past 30 years, helping to write most of the juvenile laws in Texas.

## Strengthening the Family

TEXAS DEPUTY ATTORNEY GENERAL CYNTHIA Bryant, '76, a co-founder of UT Law's Children's Rights Clinic, has committed herself to helping children grow into healthy, productive adults. First as a lecturer and now as a government lawyer, she protects the legal rights of children. After 21 years of training law students to be advocates for children in court, Bryant recently became head of the Attorney General's Child Support Division, where she manages 2,600 employees and an annual budget of almost \$240 million.

"One of the most important legal rights of children is the right for families to have financial means to support them," she says. Last year, her division collected child sup-

port payments of more than \$1.2 billion.

"If you want to improve the lives of citizens, be a lawyer for the government," says Bryant. "You have the chance to make changes in the law and procedure and policy from the inside." Bryant says she has worked on various initiatives to address important social issues such as providing job-training opportunities to poor families, particularly fathers.

Professor Gerald Torres is also on a mission to improve the lives of children. Torres developed and directs an education reform project that works with families to encourage students to pursue higher education.

Texas LEADS (Local Empowerment for Accessible and Diverse Schools) began in 1998 with funding from the Soros and Rockefeller foundations. Torres launched Texas LEADS at Fulmore Middle School, an Austin school that reflects the demographics of Texas. "Kids are in a position by middle school to make decisions that have a lifelong impact," Torres says. At Fulmore, a Dad's Club gets fathers involved in the school, and LEADS is developing a program to encourage local businesses to offer internships to teach students about various careers. Torres also sits on the board of Fulmore's magnet program in government, law, and humanities. "We are providing a link among parents, teachers, and students for academic reasons. But we also want to create a sense that the school is an asset to the whole community, including those who do not themselves have children in the school."

Texas LEADS is just part of the work Torres does on behalf of children. He also serves as board president of the Austin Children's Museum, where he is working to create a partnership to train middle schoolers to teach younger children about technology.

## Keeping the Peace

PROFESSOR DOUGLAS LAYCOCK'S PUBLIC INTEREST goals over the past decade have led him to save a private educational institution in Austin and to protect religious liberties in courts and in Congress.

Laycock, also Associate Dean for Research, has served for nine years as president of St. Francis School in Austin, an interfaith and multi-ethnic school serving pre-kindergarten through eighth grade. In 1995 the school had lost its lease and had no credit history, but within six months he persuaded a bank to lend \$1 million to turn

a burned-out office building into a school. Enrollment has grown to 310 students, and the school is thriving, Laycock says.

A national authority on the law of remedies and the law of religious liberty, Laycock has also done pro bono work on cases involving religious freedoms, including two he argued before the U.S. Supreme Court. Most cases involve religious speech and regulation of religious practices. Laycock's clients have included the ACLU, the American Jewish Congress, the National Association of Evangelicals, and the National Congress of Catholic Bishops. Sometimes he represents disparate groups together as amici in the same case. "It's like running the United Nations trying to keep them all on board," he says.

"The real importance of religious liberty cases is to protect people with the most intensely religious beliefs and the most intensely secular beliefs," says Laycock. "When we interfere with their religious practices, they experience enormous pain. When we protect them, we keep the peace. Many societies have not solved the problem of getting people of fundamentally different religious beliefs to co-exist."

International law professor Steven Ratner takes a strong interest in encouraging UT Law students to participate in international public service work, either through careers or internships. He set up the Law School's internships with the United Nation's war crimes tribunals for the former Yugoslavia in The Hague, Netherlands, and for Rwanda in Arusha, Tanzania. By helping students gain these experiences, Ratner says, he hopes to "change them as people and expose them to international law."

Ratner says his own experiences demonstrated the importance of human rights and justice. He visited Cambodia three times and toured an old school in Phnom Penh used by the Khmer Rouge to torture and kill nearly 20,000 people. Outside the capital city, he walked in the "killing fields," where shreds of clothing from murdered Cambodians are still visible in the soil.

His own commitment to human rights and public service was strengthened when he worked for the U.S. State Department between 1986 and 1993 on the Cambodia peace negotiations and other issues. During that time, Ratner says, he developed an interest in the United Nations and helping shattered states, which later led to advising governments and international organiza-

"If you want to improve the lives of citizens, be a lawyer for the government."

Bryant oversees a staff of 2,000 employees working for children's rights and support.

CYNTHIA BRYANT





# Going CONNECTING STUDENTS WITH Public

## PUBLIC SERVICE OPPORTUNITIES

THE CAREER SERVICES OFFICE (CSO) HELPS students incorporate public service in their professional lives. About 25 percent of our graduates accept employment in the public sector, including public interest organizations, government agencies, the judiciary, academic institutions and other non-profit organizations.

In the fall, we host Public Interest Table Talk, an opportunity for students to meet with practitioners. Every spring, the CSO coordinates Public Service Career Day, the largest legal public interest interviewing event in Texas. All Texas law schools participate, and the list of employers invited is extensive. Throughout the year the CSO presents programs and panels providing information on careers in public service.

The CSO provides financial assistance to students who attend public interest conferences, including the annual National Association for Public Interest Law Career Fair, the largest national interviewing event for students interested in public service. Third-year Deena Kalai writes, "Sending students to events like the NAPIL Conference signals a commitment to diversifying career options promoted by the CSO and Dean Powers."

The CSO disseminates information on public service opportunities with both the Public Interest and Judicial Clerkship listservs. We also maintain an online Public Interest Mentor Directory. Additionally, UT Law School is a founding member of PSLawNet, a database of public interest opportunities available to law students.

These are a few examples of how we support public service minded students. Our goal is to assist students pursuing public service careers by connecting them with practitioners and employers.

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*Kathryn Holt Richardson, '95, is Assistant Dean for CSO.*

tions on issues of national reconciliation and addressing past human rights atrocities.

## A Fighting Chance

LECTURER BARBARA HINES HAS ALSO HELPED people from different parts of the world. Hines, an immigration attorney for 26 years, started UT Law's Immigration Clinic, which represents asylum seekers and immigrants, including children attempting to reunite with their families in the United States. The clinic also represents battered immigrant women and permanent residents facing deportation for criminal convictions.

Outside the clinic, one of her most notable cases was that of champion boxer Jesus "The Matador" Chavez, who became the subject of a documentary about being caught between two worlds. Chavez came to the United States from Mexico with his parents when he was seven. At age 17, he committed armed robbery in Chicago and was deported to Mexico. By that time, the rest of his family had obtained legal residency in America, but he had not. Chavez soon made his way back to his home in Chicago. He became a professional boxer and turned his life around, performing community services and working with at-risk youth, says Hines. However, in 1997, he was reported to the U.S. Immigration and Naturalization Service and deported for a second time.

Three years later, Hines successfully represented Chavez in his deportation case, which allowed him to return legally as a permanent resident. Hines says she's become Chavez's biggest fan, and in February 2001, when he fought for the first time in Austin since his deportation, Chavez asked Hines to carry his championship title belt into the ring. "She cleared the way for me to accomplish my dreams," says Chavez about Hines.

Every day UT Law faculty members do great work on behalf of others, for little or no personal gain. Chavez isn't the only one who voiced his appreciation. Last year, Professor Cleveland received an email from a UT undergraduate student who was disillusioned with the legal profession but inspired after reading the *Vanity Fair* article. "You made me believe in the importance and traditions of the law," he wrote. "You made me re-realize what a difference one person can make." ✍

---

*Lydia Davila, BA '02; Sarah Gainer, BA '01; Waliya Lari, BA '03; and Jenna Zebrowski, BS/BJ '03, contributed to this story.*

**"The school is an asset to the community," says Torres. He launched a middle school empowerment program in 1998.**

GERALD TORRES





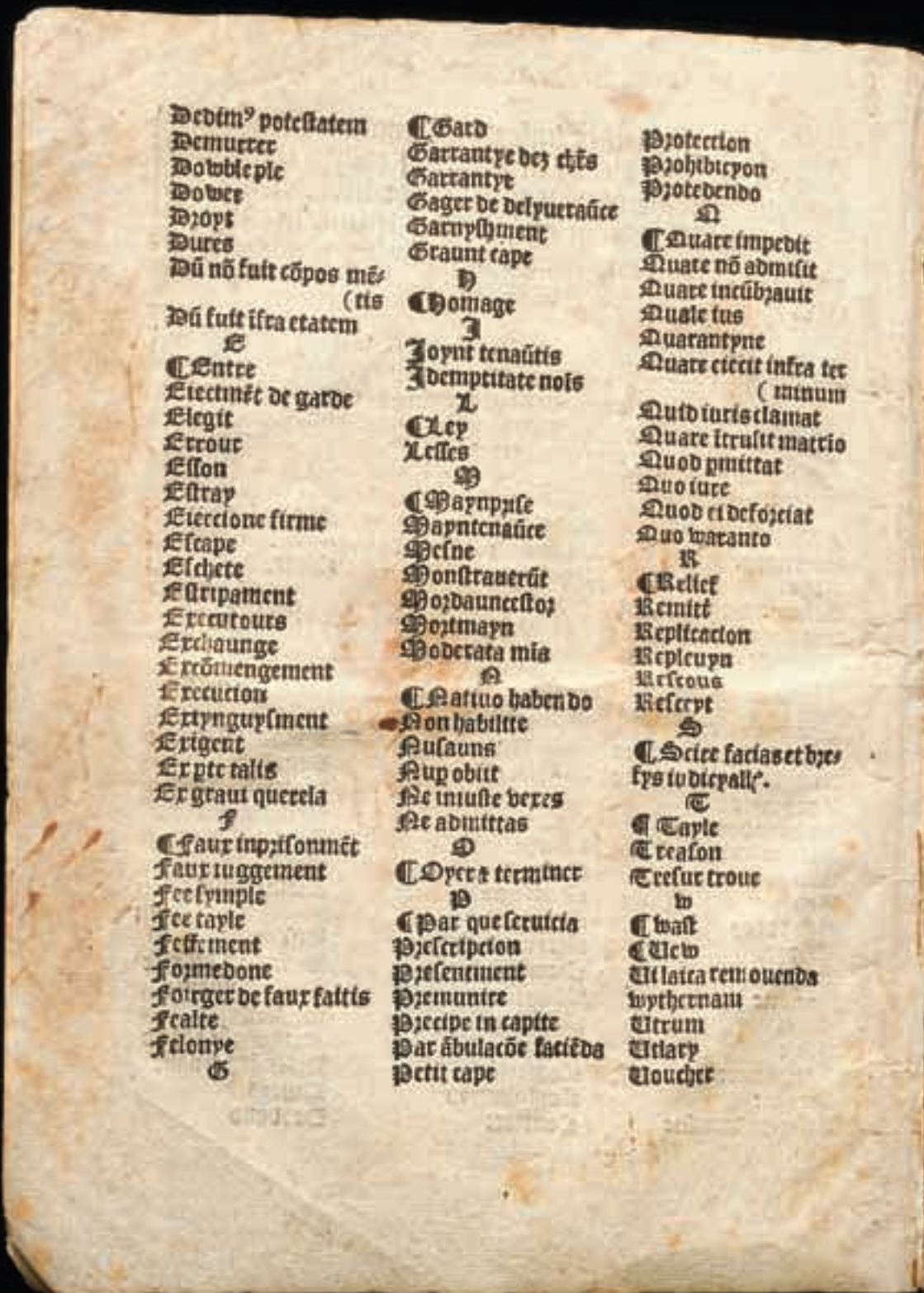


# One in a

THE ACQUISITION OF THIS RARE 1523 RASTELL LAW DICTIONARY BRINGS OUR TOTAL TO ONE MILLION VOLUMES—AND COUNTING.  
BY ROY M. MERSKY

THE JAMAIL CENTER OF Legal Research celebrated the acquisition of the Millionth Volume in its collection in December of last year. The acquisition of this unique volume adds to the Library's deserved reputation as one of the premier academic law libraries in the world. As any alumnus of The University of Texas at Austin School of Law will surely agree, it is only fitting that such a prestigious law school be complemented by an extraordinarily successful library.

This milestone was made possible thanks to generous donations from a number of alumni over the years. To mark this especially memorable occasion, Joseph D. Jamail, '53, donated funds that enabled the acquisition of a rare dictionary as the symbolic Millionth Volume. The Library also purchased a significant Million-and-First volume, *Vocabularius Utriusque Juris*, with the generous support of: Pan and Bryan A. Garner, '84,





# Ma i l l i o n

## Prologus Johannis Rastell.

As the vniuersall worlde can ne-  
uer haue hys continuance but only by p<sup>r</sup>o-  
p<sup>r</sup>tye & lawe of  
nature whych compelleth every thyng to do his kind/so  
there is no multitude of pepull in no Realme p<sup>r</sup>o-  
p<sup>r</sup>tye in vniuersall & peas without they be thereto compellyd  
by some good order & lawe. wherfore a good Lawe obseruyd causeth euer  
good people and a good reasonable comenlaw maketh a good comen/peas  
& a comen welth among a grette comenaltie of peple & one good gouernour  
whych causeth one lawe to be obseruyd among diuers & many peple by  
gethe diuers & many peple to one good vniuersall but by diuers rulers and  
gouernours & diuers orders and lawes one contrary to a nother & wher  
that euery gouernour will haue p<sup>r</sup>o-  
p<sup>r</sup>tye lawe after his mynde bygeth one mul-  
titude of peple to variours and deuyfion/so as euery man is variat  
from other in visage so they be varyable in mynde & condycion/ therfore  
one lawe and one gouernour for one realme & for one peple is most nece-  
sary And also lak of lawe causeth many wroghts to be comytted wyllygly  
And lak of knowlege of p<sup>r</sup>o-  
p<sup>r</sup>tye lawe causeth diuers wroghts to be done by ne-  
cessite/therfor such lawe is necessary to be had & a vertuous & a good thyng  
ergo to haue knowlege therof is necessary & a vertuous & a good thyng & that  
that is vertuous & good is good for euery man to vse/ ergo it foloweth  
it is a good thyng for euery man to haue p<sup>r</sup>o-  
p<sup>r</sup>tye knowlege of p<sup>r</sup>o-  
p<sup>r</sup>tye lawe/ And syth  
that it is necessary for euery realme to haue a lawe reasonable & sufficient  
to gouerne the grette multitude of the peple/ ergo it is necessary p<sup>r</sup>o-  
p<sup>r</sup>tye  
multitude of p<sup>r</sup>o-  
p<sup>r</sup>tye peple haue p<sup>r</sup>o-  
p<sup>r</sup>tye knowlege of the same lawe/ to the which they  
be bound/ ergo it foloweth p<sup>r</sup>o-  
p<sup>r</sup>tye the lawe in euery realme shuld be so publy-  
shyd declaryd and wyrtten in such wyse p<sup>r</sup>o-  
p<sup>r</sup>tye the peple so bound to p<sup>r</sup>o-  
p<sup>r</sup>tye same  
might sone and shortly come to the knowlege therof/ or els such a lawe  
so kept secretly in p<sup>r</sup>o-  
p<sup>r</sup>tye knowlege of a few persones and from the knowleg  
of the grette multitude may rather be callyd a trap and a net to byng/  
the peple to be racyon & trobille than a good order to byng the to peas  
& quietnes & for as mych as the lawe of thys realme of england is ordeyn  
nyd & deuyd for the augmentation of iustyce & for the quietnes of the  
peple & for the comen welth of the same/ ergo it is couenient p<sup>r</sup>o-  
p<sup>r</sup>tye euery one  
with this realme bound to the same may haue p<sup>r</sup>o-  
p<sup>r</sup>tye knowleg therof & not re-  
sonable p<sup>r</sup>o-  
p<sup>r</sup>tye any such weye shuld be had or vsyd whereby p<sup>r</sup>o-  
p<sup>r</sup>tye peple shuld be  
ygnorant of the lawe/ or shuld be excludyd or restraynyd from the knowlege  
therof. ¶ Therefore consideringe these foresayde causes haue takyn vppon

¶

Jenkins Garrett, '37, the  
Hon. Joe R. Greenhill, Sr.,  
'39, Chauncey D. Leake, Jr.,  
'55, and Jenni Parrish, '78.

The Language & the  
Law Conference, held in  
December 2001 to cele-  
brate the acquisition of  
these landmark volumes,  
attracted prominent legal  
scholars from around  
the world to discuss the  
dynamic relationship be-  
tween the development  
of lexicography and the  
development of legal sys-  
tems in the English-speak-  
ing world. Speculation on  
that relationship and its  
effect on the nature of law  
libraries and the tasks of  
law librarians fueled  
discussions that will have  
an impact on the future  
development and growth  
of law libraries. The pub-  
lication of the Conference  
proceedings will be an  
important reference work  
for scholars interested in  
the ever-evolving relation-  
ship between language and  
the law. The prestige and  
reputations of the Confer-  
ence participants ensure  
that the proceedings will  
influence thinking and  
decision-making in the  
field for years to come.

But the Tarlton Law  
Library is far more than  
a collection of books. Its  
growth in quantitative  
measures is rivaled, if not  
surpassed, by its growth in  
the breadth and depth of

John Rastell's *Termes of the Law*  
enjoyed a long print life, with 29  
editions published from 1523 to 1819.





Clockwise, from top: The Jamail Rastell; Rastell's printer's insignia; the leather case; the Duke of Sussex' bookplate. The Duke, a son of King George III, owned both this Rastell and UT's Gutenberg Bible.



services provided to a diverse group of patrons. We've consistently maintained Tarlton's position in the top tier of academic law libraries in the United States and, indeed, in the world. We routinely exceed even our high expectations in this respect as well.


Professional law librarians at Tarlton continue to serve as information detectives for patrons, answering a variety of questions from faculty, students, and members of the general public. Outstanding patron service increasingly requires a knowledge and understanding of traditional and electronic resources. Finding the right tool for the right patron at the right time in an information-rich environment is a challenge that our librarians continue to meet. Instructional services offered by Tarlton staff enable patron groups to efficiently utilize all the resources made available to them at the Library and Law School.

Long ago, the Tarlton Law Library established a reputation for excellence in interlibrary lending policies and procedures; the Library

continues its role as a national and international resource of stature and reliability. Our special collections continue to flourish and deserve special recognition in their own right, although space does not permit me to do justice to them now. Apart from its tradition of service to students, faculty, lawyers, and the public at large, the Library is justly recognized by the legal community for its outstanding collections and by the general public for the beauty of its facilities and furnishings. The award-winning Tarlton Web site



highlights the best of the Tarlton Law Library and we look forward to an even more exciting future.

But I suppose this isn't really news since—as everyone knows—everything is bigger and better in Texas. 

Roy M. Mersky is Harry M. Reasoner Regents Chair in Law and Director of Research at the Tarlton Law Library, Jamail Center for Legal Research, The University of Texas at Austin.





# Language and The Law

THE JAMAIL CENTER FOR LEGAL RESEARCH  
HOSTED A GATHERING OF SOME  
OF THE WORLD'S LEADING SCHOLARS AT  
THE LANGUAGE AND THE LAW CONFERENCE,  
HELD IN CELEBRATION OF THE  
ACQUISITION OF THE LIBRARY'S SYMBOLIC  
ONE MILLIONTH VOLUME.

Clockwise, from top left: Sir David Williams, Vice-Chancellor Emeritus of Cambridge University, receives a key to the city of Austin; Anthony Taussig, one of the world's leading private collectors of rare English law books and UT Law Professor Roy M. Mersky; U. Minnesota's Katherine Hedin and Danish librarian Per Teglborg; UT Law's rare book expert Mike Widener discusses the Rastell; UT-Austin President Larry Faulkner and Dean Bill Powers; UC-Berkeley's Tom Reynolds and Widener; Black's Law Dictionary Editor Bryan A. Garner, '84.



# TEXAS



## Recruit the best.



Kathryn Holt Richardson  
Assistant Dean for Career Services

The University of Texas School of Law  
Career Services Office  
727 East Dean Keeton Street  
Austin, Texas 78705  
(512) 232-1150

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### Recruitment Opportunities

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OCI Coordinator  
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Job Bank and  
Recruit-By-Mail

Deb Freeman  
Publications Coordinator  
[dfreeman@mail.law.utexas.edu](mailto:dfreeman@mail.law.utexas.edu)

Job Fairs, interviewing  
opportunities throughout  
the U.S.

Lisa Sparks  
Director of Career Services  
[lsparks@mail.law.utexas.edu](mailto:lsparks@mail.law.utexas.edu)

Small and Mid-Size  
Firm Reception  
March 20, 2002

Donna Davis  
Career Counselor  
[ddavis@mail.law.utexas.edu](mailto:ddavis@mail.law.utexas.edu)

Additional opportunities  
to meet UT Law Students  
include:

Corporate Counsel Day

Public Service Career Day

Careers in Government  
Reception

Public Interest Table Talk

Mock Interview Program

Mentor Reception



# TOWNES HALL NOTES



**"A SPORTING  
LAWYER,"  
JOHN GEORGE  
WITT**

PUBLISHED IN  
VANITY FAIR,  
MARCH 17, 1898.  
MR. WITT WAS  
"A LONG, LEAN  
ADVOCATE"  
WHO KNEW THE  
LAW, THE STOCK  
EXCHANGE,  
AND THE RACE-  
COURSE. HE  
WAS "AS WELL  
ABLE TO TAKE  
CARE OF HIS  
CLIENTS AS  
OF HIMSELF."  
COURTESY OF  
MICHAEL HORN,  
CURATOR, AND  
THE ELTON M.  
HYDER, JR.  
COLLECTION.

**46 NOTEWORTHY**

*Sen. Lloyd M. Bentsen, '42*  
*Gregory Coleman, '92*  
*Terri LeClercq*  
*Basil Markesinis*  
*Carolyn Mauzy, '87*  
*Michael W. "Mike" Perrin, '71*  
*David M. Rabban*

**50 CLASS  
NOTES**

**62 IN  
MEMORIAM**

# David M. Rabban

## UT TOWER LIT TO HONOR NEW ACADEMY MEMBERS

**P**ROFESSOR DAVID M. RABBAN WAS inducted into UT's prestigious Academy of Distinguished Teachers during the University's 118th birthday celebration last fall. Rabban is the fourth law professor to receive this coveted recognition for teaching excellence.

Rabban, a leading scholar of free speech in American history and labor law, holds the Dahr Jamail, Randall Hage Jamail and Randall Lee Jamail Regents Chair in Law. He is the author of the critically acclaimed 1997 book, *Free Speech in Its Forgotten Years*, which received awards from the *Journal of the History of Ideas* and the American Library Association. Rabban has also served as

general counsel for the American Association of University Professors since 1998.

The Academy of Distinguished Teachers, founded in 1995, was one of the first of its kind in the nation. Each year, ten professors are chosen campus-wide on the basis of outstanding teaching, personal commitment to students and the learning process, and their ability to inspire and motivate students in the classroom. There are now 70 members, and each serves an eight-year term.

"Being selected is a clear expression of the high regard colleagues hold for the new members' dedication and contributions to teaching and to our students' intellectual development," Provost Sheldon Ekland-Olson said.

Rabban joins Professors Goode, Johanson and Powers in the Academy.





# BRIEFS

**Michael W. "Mike" Perrin, '71,** has been named president-elect of the University of Texas School of Law Alumni Association. His term as president begins Sept. 1, 2002.

"Our alumni association has prospered under Jim Derrick and Eduardo Rodriguez's leadership," Dean Bill Powers said. "We're delighted that

Mike will be our next president. He's already helped create innovative programs for our alumni, and we look forward to working with him."

Perrin received his undergraduate degree in mathematics from UT in 1969 and his law degree from the Law

School in 1971. Perrin participated in several law school organizations including Phi Delta Phi fraternity, an international legal fraternity and Legal Eagles, an intramural football team. He also made the highest grade in the State of Texas for the Bar Examination administered in February 1972.

Perrin is the managing partner of the Houston office of King & Spalding. He joined the firm in 1996, having previously maintained a broad-based civil litigation practice throughout Texas since 1972. His current practice includes the defense of oil and gas royalty cases, pipeline cases, products liability matters, commercial litigation, and tort cases. He has tried cases in federal and state courts, including a wide range of personal injury actions arising from oil field activities, transportation and industrial plants.



ANN BUTLER

TEXAS STUDENT PUBLICATIONS



LeClerc has been selected to create a plain-language set of notices in class-action lawsuits.

## Terri LeClerc

NATIONALLY KNOWN WRITING EXPERT  
RECEIVES SIX-FIGURE GRANT

**A**FTER A NATIONWIDE search, a group of plaintiff attorneys have selected Terri LeClerc, to create a plain-language set of notices in class-action lawsuits. LeClerc, a Senior Lecturer and Director of International Programs at the Law School, will receive a \$100,000 stipend to fund the project.

The stipend comes out of settlement funds awarded in *Hayden v. Atochem*, a class-action lawsuit. Lacking standardized notice forms, both sides' attorneys struggled to draft readily-comprehensible notices to class members. The plaintiffs' attorneys decided that something must be done to ensure that, in the future, notices to class members serve their purpose. When U.S. District Judge Lynn N.

Hughes suggested that the attorneys set aside a portion of their settlement fees to hire a nationally recognized expert to create standardized forms, they jumped at the idea.

LeClerc will coordinate her investigation with the Federal Judicial Center, which has proposed an amendment to Rule 23 that would require plain-language notice. Eventually, she plans to place the materials online, link to other Web sites and translate the forms into Spanish.

LeClerc is the author of several authoritative books on writing including *Expert Legal Writing* (1995) and *Guide to Legal Writing Style* (2000). A former English professor, she has taught writing and editing at the Law School for 19 years and has served as an expert witness on language in numerous cases.

# Lloyd M. Bentsen

## BENTSEN CHAIR ESTABLISHED

**T**HE FRIENDS OF SEN. Lloyd M. Bentsen, '42, donated \$1 million to fund a chair in his name. The chair's income will be used to attract and retain outstanding teachers and scholars. In selecting a holder, the dean will consider outstanding members of the current faculty or use the position to attract a leading faculty member outside the University.

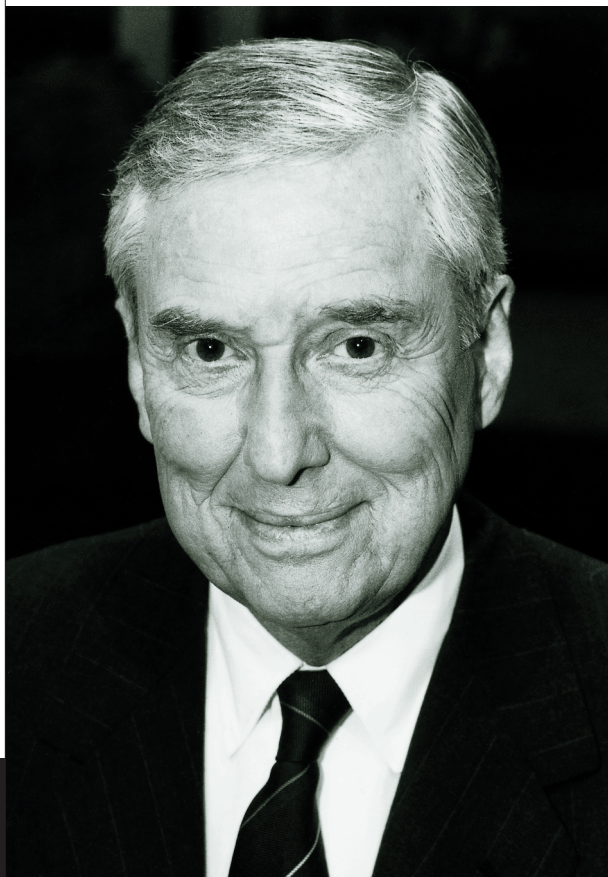
Bentsen was one of the most pow-

erful members of the U.S. Senate, where he served from 1971 until his appointment as Secretary of the Treasury in 1993. He began his career in public service as a Texas county judge and went on to be elected to the U.S. House of Representatives. In 1988, he was the Democratic Party nominee for Vice President of the United States. Bentsen received his law degree in 1942, and then volunteered for the Army. He flew combat missions from southern Italy with the 449th Bomb Group. At age 23, he

was promoted to major and a squadron commander. He was awarded the Distinguished Flying Cross, one of the Army Air Corps'—now the Air Force's—highest commendations for valor. He was also awarded the Air Medal with three oak leaf clusters. The medal and each subsequent cluster represents specific campaigns for which he was decorated. He was promoted to colonel in the Air Force Reserves before completing his military service. He joined the firm of Verner Liipfert Bernhard McPherson and Hand as a shareholder in February 1995.

Bentsen received the Law School's 2001 Lifetime Achievement Award in April.

Bentsen received a law degree from the Law School in 1942.



COURTESY OF LLOYD BENTSEN

## BRIEFS

UT Law's **Roy Mersky** and **Alex Albright**, '80, brunched with First Lady Laura Bush at the White House on Sept. 9 to celebrate the successful conclusion of the National Book Festival. The festival is patterned on the Texas Book Festival, founded by Laura Bush, then Texas' first lady. Mersky is a member of the Texas Book Festival's advisory committee; Albright serves on its executive committee.

**Albright and Mersky in D.C. with Laura Bush after the National Book Festival.**

COURTESY WHITE HOUSE PHOTOGRAPHY



## Gregory Coleman and Carolyn Mauzy

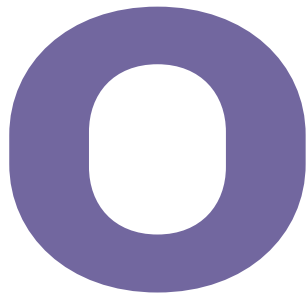
**Family law attorney Catherine Mauzy**, '87, has a unique interest in the outcome of a Texas Supreme Court case—*Bost v. Low Income Women of Texas*—involving the state's funding restriction on "medically necessary" abortions for poor women.

In addition to serving as counsel to the party that brought the suit, Mauzy is the daughter of the late Oscar H. Mauzy, '52, a former Texas Supreme Court justice and Texas



# Basil Markesinis

FIRST FOREIGNER TO DELIVER A PUBLIC LECTURE AT FRENCH COURT



ON NOV. 15, PROFESSOR BASIL Markesinis became the first foreigner to give a public lecture at the highest French court, the Cour de Cassation, in Paris. The lecture, "Unity or Division: The Search for Similarities in Contemporary European Law," was attended by 567 top judges, civil servants, professors, and ministers.

In his speech, Markesinis linked the need to find a methodology for comparing systems and using each country's experience by examining litigated situations. By focusing on specifics, he said, "One realizes that the problems are the same and that the solutions tend to be similar or analogous. If and when they are not, it's because the problem confronting the lawyer is, at its core, a philosophical, moral, economic or political one, often incapable of a right answer or even one answer only. But at that stage one realizes that the problem is no longer French, English, or American, Christian, Jewish or Muslim, but a universal one and, what is more, one to which lawyers alone cannot supply the solution. The search for an answer requires an interdisciplinary effort, and all that the lawyer

does is, in the end, formulate in legal terms the solution that society has chosen to adopt."

Markesinis is the world's leading English-language authority on European private law. In addition to holding the Jamail Regents Chair in Law and directing UT Law's Institute of Transnational Studies, he is a member of the American Law Institute, and an elected Fellow of the British Academy, the Royal Belgian Academy, the Academy of Athens, and the Royal Dutch Academy. His work has been honored with the highest national awards from the presidents of Germany, Greece, Italy, and France and from the Queen of England. He holds a joint appointment at UT and the University College London.

Markesinis: "Different outcomes in similar cases reflect profound social differences."



COURTESY COUR DE CASSATION



Catherine Mauzy, '87

state senator who co-sponsored the 30-year-old Texas Equal Rights Amendment (ERA).

Mauzy says before her father died, he requested his headstone list his three favorite achievements, including the ERA. "It makes me realize what an important contribution he made, particularly to the lives of women," says Mauzy.

Now she is wielding the ERA, arguing that Texas Medicaid sexually discriminates by applying a higher eligibility standard to a health service sought only by women.

Texas law allows only those medical services for the poor that the federal government subsidizes, incorporating the Hyde Amendment, which limits federal funds to aborting pregnancy resulting from rape and incest and when it endangers the woman's life, not only her health.


The Third Court of Appeals in Austin held the Texas Medicaid funding scheme "effects an impermissible form of sex discrimination against pregnant women."

Texas Attorney General John Cornyn appealed to the Supreme Court in November, contending that the Texas Medicaid law is neutral on its face, predates the abortions-rights controversy, and should not have to meet a "compelling state interest" test because the funding

limitation doesn't harm all women.

"To make a claim under the ERA, you've got to demonstrate that a legislature has acted with discriminatory intent," says Gregory Coleman, '92, an appellate attorney who wrote the state's brief as Solicitor General. "You can't ascribe discriminatory intent to that statute."

"Even if you believe the state intended to hinder abortion funding, that would be its prerogative," Coleman adds.

A decision in the high-profile case is expected this spring. 



Gregory Coleman, '92

# C L A S S N O T E S

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 join or become more involved in the Law Alumni Association? Have questions about the Law School's Annual Fund, including online 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

**Katie Quigley**

Assistant Director, Law Alumni Association  
(512) 471-6314  
kquigley@mail.law.utexas.edu

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

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smolina@mail.law.utexas.edu

**Irma Santana**

Administrative Associate  
(512) 471-6150  
isantana@mail.law.utexas.edu

## 1945

The State Bar of Texas Real Estate, Probate and Trust Law Section has awarded **Charles A. Saunders**, retired partner with Fulbright & Jaworski, L.L.P., the Distinguished Probate Lawyer Lifetime Achievement Award. Saunders wrote and edited the book *How to Live — and Die — With Texas Probate*, now in its seventh edition. He was also the editor of *Texas Estate Administration*, a publication of the State Bar of Texas, and wrote legislation relating to the Texas Probate Code.

## 1950



**Hubert W. Green** of the Kleberg Law Firm in San Antonio was honored by the San Antonio Bar Association with its 2001 Joe Frazier Brown Sr. Award of Excellence, an annual award given for excellence in the legal profession.

## 1957

UT Press is publishing a book of memoirs by **David Richards** in April 2002 entitled *Once Upon a Time in Texas: A Liberal in the Lone Star State*. In his book, Richards remembers the liberal activists in Texas from the 1950s to the 1990s. Richards has served previously as head of litigation in the Texas Attorney General's Office, as general counsel for the Texas AFL-CIO and as cooperating attorney for the Texas Civil Liberties Union. Currently, he resides in Mill Valley, Calif. and is in private practice.



## 1958

**Howard I. Hatoff**, prior to retiring, taught a "Labor-Management Relations" course as an adjunct lecturer in the evening undergraduate program at the Wharton Business School at the University of Pennsylvania during the past eight summers. Mr. Hatoff currently resides in Florida.

## 1961

**John H. Hofmann** was sworn in as a member of the State Bar of Texas Board of Directors during the State Bar Annual Meeting. Hofmann has a private practice in San Angelo.

**Joel P. Kay**, former partner with Sheinfeld, Maley & Kay, has joined the law office of Hughes, Watters & Askanase, LLP, in Houston as of counsel to the firm.

## 1962

**Broadus A. Spivey** of Spivey and Ainsworth, P.C., in Austin was sworn in as the new State Bar president during the State Bar Annual Meeting.

## 1964

**Larry York, Scott Field, '95**, and Mary Keller have left the Austin office of Baker Botts to form York, Keller & Field, L.L.P., in Austin. York had served as partner-in-charge of that office until 1994. In 1995, he served as chief negotiator for the Texans for Lawsuit Reform group, which was instrumental in significant tort reforms in Texas. Field, senior trial associate at Baker Botts, was named Associate of the Year in 1999 for the Austin office. York, Keller & Field will specialize in civil litigation and appeals and



in administrative disputes with and before government agencies.

1965

**James C. Barber** and **Douglas H. Chilton** have both become board certified as trial advocates by the National Board of Trial Advocacy (NBTA). The NBTA is the only national board certification for trial attorneys.

**Marc Grossberg**, a tax partner in the Houston office of Thompson & Knight LLP, recently received the Mental Health Association of Greater Houston President's Award for his "exemplary dedication and inspiring accomplishments." Grossberg is currently a vice president of the organization, as well as a board member.

**James M. Rhodes** is managing director of River Run Financial Advisors, LLC, in Jersey City, N.J.

1966

**Julius Glickman** has been board certified as a trial advocate by the National Board of Trial Advocacy (NBTA).

**Raymond L. Kalmans**, formerly with Neel, Hooper & Kalmans, P.C., has joined the law firm of Schlanger, Mills, Mayer & Silver, L.L.P., in Houston.

**Dudley Oldham** has been appointed chair of the American Bar Association's Standing Committee on Independence of the Judiciary.

1967

**Fred D. Rodriguez** has been board certified as a trial advocate by the National Board of Trial Advocacy (NBTA).



**J. Lindsey Short Jr.**, a partner with the Houston law firm of Short & Jenkins, LLP, has been elected president of the American Academy of Matrimonial Lawyers, an association of the nation's top 1,600 divorce and matrimonial law attorneys.

1969

**Wayne I. Fagan** has been elected chair of the ADR Section of the State Bar of Texas for the 2001-2002 term.



**The Honorable Bob Gamme**, former U.S. Congressman and Texas Supreme Court Justice, has joined the Arlington law firm, Hill Gilstrap, where he is serving as a director and specializing in appellate work, arbitration and general civil litigation.

1970

**Roger B. Greenberg**, formerly with Greenberg, Peden, LLP, has joined the law firm of Schwartz, Junell, Campbell & Oathout, LLP in Houston as partner.

1971

**William P. Allison** of Austin has been named 2001 Outstanding Criminal Defense Lawyer of the Year by the Criminal Law Section of the State Bar of Texas. (See cover story.)

**G. Thomas Boswell**, formerly managing partner of Boswell, Gordon & Karnes, P.C., has joined Winstead, Sechrest & Minick as part of the merger of those two firms. He will serve as managing shareholder for the Fort Worth office of Winstead.

1972

**W. McCauley Arnold** is board certified as a trial advocate by the National Board of Trial Advocacy (NBTA).

**Moulton S. Dowler Jr.**, formerly a shareholder at Gresham, Davis, Gregory, Worthy & Moore, P.C., has become a shareholder at Langley & Banack, Inc., in San Antonio.

**Gail Melady Evans** has been named executive director of Distance Education for the University of Houston-Downtown, where she has been a member of the faculty as a professor of business law in the College of Business since 1980.

**Kenneth R. Hoffman** has joined Blackwell Sanders Peper Martin's Kansas City office as of counsel.

**Dallas Parker**, partner in the Houston office of Thompson & Knight, L.L.P., has been appointed to the firm's executive committee.

1973

**John H. Chamberlain** is with the El Paso Corporation in Houston.

The Trustees of the Rocky Mountain Mineral Law Foundation announced the election of **Samuel D. Haas** as the 2001-2002 president of the foundation. He has been a trustee of the foundation since 1986. Haas is of counsel to the law firm of Thompson & Knight, LLP.

1974

**Andrew L. Kerr**, former shareholder at Jenkins & Gilchrist, has joined the law firm of Holland & Knight, LLP, in San Antonio. Holland & Knight and Sessions & Sessions, L.C., had recently announced the combination of their practices and the expansion of the firm's office in San Antonio.

**Dan Hedges** was profiled in the Oct. 8, 2001 Texas Lawyer. Hedges is the chair of the new Federal Judicial Evaluation Committee, a group of 35 Texas lawyers, which examines U.S. attorney candidates for Senators Phil Gramm and **Kay Bailey Hutchison**, '67.



**John H. Martin** received the Outstanding State Leadership Award from the nation's largest association of civil litigation defense lawyers, the Defense Research Institute.

**David D. Peden Jr.**, formerly with Greenberg Peden, P.C., has joined the Houston law firm of Porter & Hedges, L.L.P., as partner.

**Glenn A. Perry** was sworn in as a member of the State Bar of Texas Board of Directors during the State Bar Annual Meeting. Perry is a partner with Perry, Womack & Ward, L.L.P., in Longview.

1975

**Scott J. Atlas** was elected Chair-elect of the American Bar's Section of Litigation, the largest ABA entity with more than 63,000 members. He will become chair in August 2002.

**Luis de la Garza**, former vice president of corporate relations for Valero Energy

Corp. and PG&E Gas Transmission-Texas, has joined the law firm of Holland & Knight, LLP, in San Antonio.

**Stephen C. Maxwell** was sworn in as a member of the State Bar of Texas Board of Directors during the State Bar Annual Meeting. Maxwell is an attorney with Hill Gilstrap, P.C., in Arlington.

**Michael A. McConnell**, shareholder in the Dallas firm of Winstead, Sechrest & Minick, P.C., and chair of the bankruptcy section of the firm, was inducted into the American College of Bankruptcy as one of 36 inductees in the Twelfth Class of College Fellows.

**Mark S. Summers** is currently working on developing new book titles for Aspen Publishers, Inc., a New York-based legal publisher. He sold Summers Press, his publishing company that specialized in law books for businesses on personnel law and health and safety issues to Aspen in late 1999. At that time, Summers Press had approximately 80 employees and annual gross sales of about \$6 million.

## 1976

**Steven L. Barghols** of the law firm Gable & Gotwals in Oklahoma City, Okla. was recently elected a Fellow of the American Bar Foundation, a pre-eminent research center for the study of law, legal institutions and legal processes in society.



Oklahoma City University Law Professor **Charles L. Cantrell** has published his second and third books on Oklahoma criminal law. "Oklahoma Criminal Law: Statutes and Rules Annotated" (2001, Fifth Edition) and "Oklahoma Uniform Criminal Jury Instruction: Annotated" (2001) are in wide use throughout the state. He teaches constitutional law and criminal procedure.

**Steven C. Hilbig**, formerly of counsel with Sessions & Sessions, L.C., has joined the law firm of Holland & Knight, LLP, in San Antonio.

**Jeff B. Love**, managing partner of Locke Liddell & Sapp LLP in Houston, was honored by both the Jewish Community

Center and the Scott Department of Urology at Baylor College of Medicine for his leadership contributions to his community.

**Frank B. Rynd** was recently appointed by Gov. Rick Perry to serve as judge of the 309th State District Court in Houston. Frank will continue to specialize in family law issues. He has previously served as an Associate Family Law Judge and as General Counsel of the Houston Astros.

## 1977

**David M. Davis** was recently board certified as a trial advocate by the National Board of Trial Advocacy (NBTA). Davis is shareholder of Davis & Wilkerson, P.C., in Austin.

Austin attorney, **Paul Parsons**, has been appointed by State Bar President **Broadus Spivey, '62**, as chair of the Committee on Laws Relating to Immigration & Nationality. Parsons has also been appointed as chair of the Immigration & Nationality Law Advisory Committee for the Texas Board of Legal Specialization.

## 1978

**Louis H. Altman**, formerly with Tisdale & Nicholson LLP in Los Angeles, recently began a firm with two other partners, Altman Otto & Kong, LLP, in Long Beach, Calif.

**Blair A. Bisbey** was sworn in as a member of the State Bar of Texas Board of Directors during the State Bar Annual Meeting. He was also board certified as a trial advocate by the National Board of Trial Advocacy (NBTA). Bisbey is a partner in the law firm of Seale, Stouer and Bisbey in Jasper.

**Mark S. Cochran**, of Arlington, has been elected president of the Tarrant County Family Law Bar Association for 2001.

**George H. Tarpley**, formerly with Sheinfeld, Maley & Kay, PC, has joined the law firm of Neligan, Tarpley, Stricklin, Andrews & Foley, L.L.P., in Dallas.

**Ellen A. Yarrell**, solo practitioner in Houston, received the David A. Gibson Award for demonstrating professionalism

and excellence in the practice of family law. The award is sponsored by the Gulf Coast Family Law Specialist Organization.

## 1979

**Karen J. Cook** is a senior member, Technical Staff, with CSC/Internet Delivery Services, NASA Marshall Space Flight Center in Huntsville, Ala.

Dallas Mayor **Ron Kirk** resigned as Dallas' mayor to run for the Democratic Party nomination for U.S. Senate. Kirk's speech to UT Law students was profiled in the November-December Texas "Alcalde."



**Julie M. Paradis**, former deputy undersecretary for Food, Nutrition and Consumer Services, U.S. Department of Agriculture, was named Washington Counsel of America's Second Harvest. This national network of more than 200 regional food banks and food rescue organizations provided food assistance to an estimated 26 million low-income people last year at emergency food assistance agencies, such as church pantries, soup kitchens, homeless shelters and other agencies.

## 1980

**Alex Albright** is a member of the executive committee for the Texas Book Festival. See related story in Noteworthy, on page 48.



Alex Albright kicks up her heels with David McCullough at the Texas Book Festival.

BOB DAEMERICH



**Betty Blackwell** of Austin was sworn in as the first woman president of the Texas Criminal Defense Lawyers Association. Blackwell is the current chair of the Criminal Justice Section of the State Bar of Texas and a member of the Texas Punishment Standards Commission, which rewrote the Penal Code in 1994. She is also a member of the Committee for Representation of the Poor in Criminal Matters of the State Bar and co-author of *West's Texas Practice Service-Criminal Forms* and *Trial Manual*. She is a former UT Law adjunct professor and is a frequent lecturer on criminal law topics.

HarperBusiness has published a book by **James Chiles**, *Inviting Disaster: Lessons from the Edge of Technology*. The book explores the world of technocatastrophes and near-miss incidents by regarding them as "system fractures" that arise out of a chain of human error and mechanical malfunction. He welcomes e-mail at james\_chiles@compuserve.com

**Melinda G. Jayson** is working with Hall Financial Group in Frisco, Texas, as general counsel.

**DeMetris Sampson** received one of seven awards at the Eighth Annual Women of Excellence Awards ceremony by Women's Enterprise. Sampson is the first African-American woman to become managing partner in a majority law firm in Dallas.

1981

**Municipal Court Judge Evelyn P. McKee** was named the Texas Municipal Courts Association's Outstanding Judge for 2000-2001.

**Thomas Mengler** recently became the new dean of the St. Thomas' School of Law. He had previously served as dean of the University of Illinois College of Law.



The American Public Transportation Association has named Dallas Area Rapid Transit (DART) Board Chairman **Jesse Oliver** the Outstanding Transit Board Member. An eight-year member of the DART Board of Directors—and chairman since 1999—he has been a driving force behind the successful

debut of a multi-modal system of buses, light rail, commuter rail, paratransit and high-occupancy vehicle lanes serving the dynamic North Texas region. Oliver was also recognized for his leadership during an August 2000 campaign for \$2.9 billion in bonds to accelerate DART development. Oliver was elected to the Texas Legislature in 1982 and was appointed by Texas Gov. Mark White in 1987 as state district judge. He is currently manager of Human Resource Policy Administration and Employee Relations at the University of Texas Southwestern Medical Center at Dallas.

1983

**Michael J. Hutson** is partner with the law firm of Ainsa Hutson, LLP, in El Paso.

1984

**Sylvia K. Burks** has become partner in the law firm of Coudert Brothers in Palo Alto, Calif.

**Timothy P. Chinaris** has become law library director and associate professor

of law at Appalachian School of Law in Grundy, Va.

1985

**J. Arnold Aguilar** has been board certified as a trial advocate by the National Board of Trial Advocacy (NBTA).

**Christopher Berlew** has become partner of Altheimer & Gray and relocated to Prague, Czech Republic, from the Bucharest, Romania office. In Prague, he will be the senior Western lawyer in the 27-attorney office.

In addition to maintaining his private law practice, **David Naworski** has been a registered investment advisor since Jan. 1, 2001. He now has two daughters: Alexandria, 4 and Lauren, 1.

**Fielder F. Nelms**, formerly with Meadows, Owens, Collier, Reed, Cousins & Blau in Dallas, has joined the Dallas office of Hallett & Perrin, P.C.

**The Honorable Bonnie Sudderth** was elected president of the American



## Race to the top!

Each UT Law Annual Fund donation you make helps your class light the UT Tower in victory orange.

Top class fundraisers as of January 25, 2002:

Participation	Monetary
Class of '53: 27%	Class of '83: \$125,761
Class of '55: 19%	Class of '73: \$74,064
Class of '57: 18%	Class of '75: \$46,839

Go online to see how your class compares to others at <http://dpweb1.dp.utexas.edu/loalum/clas.WBX> or make a donation at <https://www.utexas.edu/law/depts/alumni/giving/ccform.html>.

*Alumni philanthropy funds 33% of the cost of each in-state student's education. Please give generously.*

Judges Association at that organization's recent annual meeting in Reno, Nev. Sudderth currently presides over the 352nd District Court in Tarrant County, where she has served since 1996.

## 1986

**David L. Pybus**, former shareholder with Dow, Cogburn & Friedman, P.C., has joined the Houston office of Shook, Hardy & Bacon, L.L.P., as one of their senior commercial litigation attorneys.

## 1987

**Charles Bybee**, formerly with Davis, Graham & Stubbs, LLP, in Denver, has joined the law firm of Brobeck, Phleger & Harrison, LLP, in Broomfield, Colo.

**Charles McLay Craig** is with Stewart International in Austin.

**John Muir** has joined the recently formed law firm of Connelly, Baker, Wotring & Jackson, L.L.P., in Houston as senior counsel.

**Sharon Reuler**, of Palmer, Allen & McTaggart, LLP, in Dallas, presented "A Primer on Representing Condominium and Property Owners Associations" at the State Bar of Texas' 2001 Advanced Real Estate Law Course.

**Shari Oualline Shivers** is now the chairman of the Texas State Pension Review Board, a state agency that oversees all of the public retirement systems in Texas.

**Johnny Sutton** was confirmed as U.S. attorney for Texas' Western District. The western judicial district of Texas covers 68 Texas counties in West, South and Central Texas.

## 1988

**Jordan W. Cowman**, partner resident in the Dallas law firm of Baker & McKenzie, has been selected by *Texas Lawyer* as one of the "40 Best Lawyers Under 40."

**Michael J. Fadus** has accepted a position as compliance officer at the global headquarters of Zurich Financial Services reporting to the Office of the Chair-

man. Zurich is a global leader of integrated financial services, having offices in more than 60 countries and employing approximately 70,000 people.

**Georgia Harper**, an attorney with the UT System Office of General Counsel, has been selected as fellow of the National Association of College and University Attorneys (NACUA). This is the highest honor that NACUA can bestow on an active member, and it is reserved for those attorneys who have not only made significant contributions to the NACUA but who, through their writings and other activities, have also had a broader impact on the legal educational community.

## 1989

**Demetra Bagby Koelling** moved from San Antonio, where she served as senior vice president/Labor and Employment to Clear Channel Communications, Inc., and joined the Boeing Company world headquarters in Seattle, Wash., as director in the Employee Relations Department. Her husband Peter is the King County District Courts Chief Administrative Officer. Their three daughters, Carroll, Dani and Dallas, love the Pacific Northwest!

**Versel Rush (Versel Wall)** wrote the murder mystery *A Part to Kill For*, which was performed at the Backdoor Theatre of Wichita Falls in August and September 2001. Additionally, she will be "the voice of the Bowie High School Jackrabbits" this football season, doing play-by-play on KNTX Radio for the Bowie High School Jackrabbits varsity team. Rush is an attorney in Wichita Falls and, after serving a term as a community member of the *Wichita Falls Times and Record News*, she now writes a monthly column for that paper.

## 1990

**Denise Anne Brady** was recently awarded the Travis County Women Lawyers' Association Public Interest Attorney of the Year Award (2000) and the Texas Association on Mental Retardation Humanitarian Award (2001). Brady works for the Interagency Council on Early Childhood Intervention as general counsel.

**Deborah S. Coldwell** has joined the Dallas law office of Jenkins & Gil-

christ, L.L.P., as shareholder in the firm's Franchise and Distribution Practice group.

**D'Lesli M. Davis** was elected partner in the law firm of King & Ballow in Nashville, Tenn. Davis joined King & Ballow as an associate in 1995 and was named a senior associate in 1997. She practices in the firm's Intellectual Property, Entertainment and Litigation sections.

**John Epp**, senior lecturer at the Cayman Islands Law School, an affiliated institution of the University of Liverpool, has just completed work on his first book, titled *Building on the Decade of Disclosure in Criminal Procedure*, published by Cavendish Publishing, London ([www.cavendisipublishing.com](http://www.cavendisipublishing.com)).

**Cindy Galvan** and her husband, Alan De la Houssaye, announce the birth of their daughter, Allison Grace, born on May 24, 2001. Cindy is a shareholder with Brown Sims, P.C. in Houston.

**Jerry Kyle, Jr.** was recently elected to partnership in Andrews & Kurth's Austin office.

**John Macoretta** has joined the firm of Spector, Roseman & Kodroff in Philadelphia. The firm represents plaintiffs in class-action litigation involving securities, antitrust and consumer claims.

**Ed Normand** has become board certified in civil trial law by the Florida Bar and continues his practice in personal injury law as partner with Wooten, Honeywell and Kest, P.A., in Orlando, Fla.



**Alan M. Utay** joined Alliance Data Systems Corporation as executive vice president and general counsel.

Alliance Data Systems manages more than 2.5 billion transactions and 72 million consumer accounts for North American companies.

## 1991

**Lynn Hamilton Butler**, formerly of Hamilton Butler, P.C., and former assistant attorney general in the Office of the Attorney General of Texas, has



joined the firm of Hance, Scarborough, Wright, Ginsberg & Brusilow in Austin. Butler is board certified in business bankruptcy and will continue his representation of debtors and creditors in business disputes and in conflicts with the State of Texas.

**Robert G. McCormick**, and his wife, Susan McCormick, proudly announce the birth of their second child, Anna Caroline McCormick, on July 13, 2001, at Baylor University Hospital in Dallas. At birth, Caroline weighed 6 pounds, 11 ounces, and was 19.5 inches long. Robert McCormick works in the Dallas office of Jenkins & Gilchrist, LLP.

**Maria Morris Stewart**, partner with Brown McCarroll L.L.P. in Austin, has received board certification in labor and employment law by the Texas Board of Legal Specialization.

## 1992

**Jorge G. Aristotelidis**, after practicing solo in San Antonio, has moved to Laredo where he joined the Federal Public Defender's Office for the Southern District. He now makes his home there with his wife, Cindy, and two daughters—2-year-old Rebecca Cynthia, and Julia Christina.

**Daniel Brennan** has joined the Austin office of Fulbright and Jaworski, L.L.P., as counsel in the firm's Intellectual Property Group and Technology and Emerging Company Group. Prior to joining the firm, Brennan served as associate general counsel for VerticalNet, Inc., was senior counsel with Dell Computer Corporation in Austin, and served as a senior associate with Arnold, White & Durkee.

**Carole A. Loftin** is with Yokogawa Corporation of America in Atlanta, Ga.

**Todd Piccus** has rejoined Mattel, Inc. in California as assistant general counsel. He supports Mattel's New Media, Internet, IT, Advertising Services and Real Estate groups.

**Keith A. Rowley** has been appointed an associate professor at the William S. Boyd School of Law, University of

Nevada Las Vegas, where he is teaching Contracts, Sales and Leases, and Economics and the Law. Rowley continues to write primarily in the areas of contracts and securities regulation.

## 1993

**Jeffrey G. Benz** and Kanako Benz celebrated the birth of their first child, Christopher, on Oct. 28, 2000. Jeff Benz, a longtime Olympic family member and former elite U.S. Figure Skating Team athlete, was recently appointed general counsel and managing director of Legal Affairs of the United States Olympic Committee (USOC). He also co-chairs along with Donna DeVarona the USOC's Government Relations Committee. Benz continues to practice sports law and commercial litigation with the San Francisco office of the international law firm Coudert Brothers.

**David and Margarita Coale** announce the birth of their son Caleb Steven Coale on March 10, 2001. Margarita Coale is with the Dallas office of Weil, Gotshal & Manges, LLP. David Coale is a partner with



**Caleb Steven Coale, now 1, at home in Dallas.**

Carrington, Coleman, Sloman, and Blumenthal, LLP, in Dallas.

**Bob DeCarli** and **Debra Irwin**, '94, announce their partnership, the Law Offices of DeCarli & Irwin, located in Austin ([www.AustinLawyer.com](http://www.AustinLawyer.com)).

**Joseph W. Gagnon** accepted an invitation to become a shareholder at Ramsey & Murray, P.C. in Houston. The firm focuses on defense litigation.

**Brenda Hustis Gotanda**, partner with the environmental law firm of Manko,

# 100% Giving Club

## FY 2002 100% Giving Club members as of February 1, 2002:

Arthur Andersen, *Washington, DC*  
 Andrews & Kurth, *Austin*  
 Mayor Day Caldwell & Keeton, *Austin*  
 Mounce, Green, Myers, Safi & Galatzan, *El Paso*  
 Munsch Hardt Kopf & Harr P.C., *Austin*  
 Ogden, Gibson, White & Brooks, *Houston*

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Donate online at <https://www.utexas.edu/law/dept/alumni/giving/ccform.html>

Alumni philanthropy funds 33% of the cost of each in-state student's education. Please give generously.

Gold & Katcher, LLP, has been selected to receive the Society of Women Environmental Professionals 2001 Touchstone Award. The Touchstone Award recognizes and honors outstanding women who made a significant contribution to the environmental field. Gotanda is a founder and executive board member of the Philadelphia chapter of the Society of Women Environmental Professionals, and functioned as co-chair of the organization in 1998-1999.

**Richard E. Harris** has become partner in the firm of Jones, Jensen & Harris, a civil litigation firm in Atlanta, Ga. with an emphasis on professional liability matters.

**James R. Hines**, former ethics advisor and assistant general counsel to Texas Gov. George W. Bush, has joined the Austin law firm of Brown McCarroll, LLP, as an associate in the Labor and Employment group.

**Tom Hoffman** and **Carrie Hochfelder Hoffman**, '93, announce the birth of their daughter Samantha Adele, on Nov. 6, 2001. Additionally, Carrie was promoted to partner at Gardere Wynne Sewell, L.L.P. in Dallas on April 2001.

**Jenny Hyun**, formerly with Sheinfeld, Maley & Kay, P.C., has joined Weingarten Realty Investors in Houston as associate counsel.

**Gil Melman**, formerly with Vinson & Elkins, LLP, has joined Enron Principal Investments in Houston.

**D'Ana H. Mikeska**, formerly with Thompson and Knight, P.C., has joined the law firm of McGinnis, Lochridge & Kilgore, L.L.P., in Austin.

**Martha Smith** was recently elected to partnership in Andrews & Kurth's Houston office.

**William B. Stanford** received his MBA from the Yale School of Management and will be working in Strategic Business Development for Hartford Financial Services in Hartford, Conn.

**Macey Reasoner Stokes** has become partner in the Houston law firm of Baker Botts, L.L.P.

**Robert Dartanian Thomas** has left his business development position with an Internet startup and a partnership at a well-respected Austin law firm to form his own law firm, Thomas, Hudson & Nelson, L.L.P. Thomas' business focus is representing small- to medium-sized established and high-growth companies as a business strategist and outside general counsel.

**Steven Zaleski** established The Zaleski Law Firm outside of Madison, Wisconsin. Steven had worked for a plaintiff's firm in Austin for five years prior to establishing the firm in 1999.

## 1994

**Donna Bowen**, of Slack & Davis, L.L.P., has joined the Board of Directors of Any Baby Can of Austin, a non-profit organization that provides support and education to families.

**Stephen T. Dyer** and **Roger J. Fulghum** have become partners with the Houston law firm of Baker Botts, L.L.P.

**David Genender** has become partner with the Dallas law firm of Baker Botts, L.L.P.

**Stuart Hoffer** and **C. Thomas Schmidt**, '96, will celebrate the second anniversary of the formation of Schmidt & Hoffer, LLP. The firm focuses its practice in commercial, employment, consumer and personal injury litigation on both sides of the docket.

**Richard R. Hollenbeck** and his wife Sarah announce the birth of their second child, David Russell Hollenbeck, on July 23, 2001. He weighed 8 pounds, 4 ounces, and was 20 inches long. Mother, baby, father and big sister are doing fine. Hollenbeck is staff attorney with the First Court of Appeals in Houston.

**Jamison D. Newberg** has been named partner at Vial, Hamilton, Koch & Knox, LLP, in Dallas. He works in the Tort Litigation Section, concentrating on insurance defense, insurance coverage, products liability and premises liability matters. He and his wife, Ginger, have a new daughter, Erica Emma Newberg, born June 6, 2000.

**Mike Rivera Ortega** has announced that he is running for the U.S. House of Representatives, District 24 of Texas. His Web site is [www.MikeRiveraOrtega.com](http://www.MikeRiveraOrtega.com).

**Hilary Sheard** has returned to her native England where she is with Tooks Court Chambers in London as Barrister.

**Laura Parchman Washburn** and her husband, Ray Washburn Jr., announce the birth of their first child on Nov. 2, 2000. Grayson Patrick Washburn weighed 8 pounds, 15 ounces, and was 19.5 inches long. Laura Washburn is an associate with the firm of Bradley, Arant, Rose & White, LLP, in Birmingham, Ala.

## 1995

**Sylvia Cedillo** was elected to the City of Prairie View City Council in May 2001. She and her husband Darryl Johnson, have a new daughter, Amanda Lupe-Rose, who was born March 8, 2001. Amanda has one sister, Ursula, age 5. Cedillo directs Prairie View A&M University's sexual assault and domestic violence prevention project.

**Scott Field**, formerly with Baker Botts, L.L.P., in Austin, has joined York, Keller & Field, L.L.P., in Austin.

**Kenneth Wilson Harper** has joined the law firm of Halverson & Applegate in Yakima, Wash., as partner.

**Susan Raine** received her medical degree from Baylor College of Medicine in Houston in May 2001. Raine has stayed at Baylor for her residency training in obstetrics and gynecology.

## 1996

**Lori Tullos Barta** was married on Oct. 5, 2001, to Dr. Adam Barta. They reside in Austin with their two dogs, Ben and Sydney. Tullos is assistant general counsel with the Texas State Board of Pharmacy.

**John Dapper** has joined the law firm of DeLeon, Boggins & Icenogle, P.C., in Austin as of counsel. Dapper's practice will include general corporate, securities and technology/licensing law.



**Ed Klein** was elected the district attorney for the 145th Judicial District of Texas, which is comprised of Nacogdoches County, and took office on Jan. 1, 2001, for a four-year term. After graduating in 1996, Klein served as an assistant district attorney with the Harris County District Attorney's Office and the Nacogdoches County District Attorney's Office.

**Kris M. Koziol** recently obtained his master's in business administration from the Darden School at the University of Virginia. Koziol spent the summer making an overland trek from Istanbul to Cairo and has now settled in Houston. He is an associate for Reliant Resources, Inc.

**Greg W. LePage** has joined the law firm of Wells, Anderson & Race, LLC, in Denver as an associate.

After serving as vice president, general counsel and secretary of Ashford.com, Inc., a publicly traded, Internet-based retailer of luxury goods, **Ryan Maier-son** has become associated with Baker Botts, L.L.P., in Houston, where he practices corporate and securities law. Maier-son and his wife Meredith have a son, Eli, I.

**Jason Panzer** has joined the law office of Knisely & Prehoditch, P.C., in Austin as associate.

**Christopher W. Peterson**, formerly with West, Webb, Allbritton, Gentry & Rife, P.C., has joined the firm of Meece & Associates in Bryan, Texas. Peterson and his wife, Debbie, also celebrated the birth of their second child, Caleb Allen.

**Steven M. Reback** recently announced the opening of his law office in Austin.

**Lisa Traylor Silvestri** has joined the law firm of Gable and Gotwals in Tulsa, Okla.

**Kristan Tucker** has joined the law firm of Banashek & Talkington in Boulder, Colo. Tucker will focus her practice on criminal defense. Before joining the firm, Tucker was a Deputy State Public Defender in the Denver and Boulder offices. Before that, she worked as an attorney on the Timothy McVeigh

defense team in the Oklahoma City bombing trial.

1997

**Roberto Anaya-Moreno**, formerly with Baker & McKenzie in Mexico, is working as general director for SECODAM, the Mexican Ministry of the Federal Comptroller and Administrative Development.

**Amber Anderson** has been elected to the State Democratic Executive Committee as the new committeewoman from Senate District 12. Amber has also been active with the Texas Trial Lawyers Association (TTLA), serving her second year as an advocate board member, second year on the Nominating Committee of the Advocate Board, and first year on the Nominating Committee of the TTLA Board.

**Alex Berger** married Amber Blaha at George Washington's River Farm in Alexandria, Virginia on May 5, 2002. Alex is an associate with Howrey, Simon, Arnold & White, LLP in Washington, D.C.

Amber is an attorney at Steptoe & Johnson in Washington, D.C. and graduated from the University of Virginia School of Law in 1998.

**Christopher Fisher** announced that after four years at Jones Day in Cleveland, Ohio, he has opened his own practice in Independence, Ohio, concentrating on family law.



**Boyd S. Hoekel** and **Shelly E. Mullins** joined the law firm of Shook, Hardy & Bacon L.L.P. Hoekel works with the Houston office, Mullins in Kansas City.

**Trent A. Howell**, an associate with the Albuquerque, N.M., law firm of Gilkey & Stephenson, P.A., was named Outstanding Young Lawyer of the Year.

**John Lowrie** has become associate of Ford & Harrison, L.L.P. Lowrie was an associate with Holme Roberts & Owen. He has represented employers in all types of employment litigation in state and federal courts and before administrative agen-

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cies. Lowrie will practice in Colorado, Florida and Mexico.

The Electric Reliability Council of Texas (ERCOT) in Austin is pleased to announce the addition of **Michelle Mellon-Werch** as in-house corporate counsel. Mellon-Werch formerly served as contracts manager for Hart InterCivic, Inc., and practiced law at Haynes and Boone, LLP.

**Michael S. Perez** has joined the law firm of McKool Smith in Austin.

**Jay E. Ray**, associate with the law firm of Sheinfeld, Maley & Kay, P.C., in Dallas, was elected to a two-year term as American Bar Association/Young Lawyer Division District Representative for North and West Texas.

**Luis A. Reyes** left his position as assistant attorney general for the State of Texas to accept an appointment from the White House Office of Presidential Personnel. On April 2, 2001, Reyes was sworn in as advisor to Assistant Attorney General Robert D. McCallum Jr. in the U.S. Department of Justice in Washington, D.C. Reyes serves as counsel to the assistant attorney general on a variety of legal, legislative and policy-related matters.

**Amy Sladczyk** recently joined the Houston law firm of Baker Botts, L.L.P., as the new director of Attorney Development. Sladczyk was the previous associate director of Attorney Recruiting for Clausman Legal Staffing in its Houston office.

**Laura Castro Trognitz** has been named Communications Strategy Manager at the UT School of Law. She works on news and marketing issues and manages the law alumni magazine. Her background includes reporting for many national publications including *The Wall Street Journal*, *New York Newsday*, *CNN*, and *Newsweek*. She has also written for the *American Bar Association Journal* and *The Dallas Morning News*. She and her husband, Jerry Trognitz, and their dog, Starr, reside in Austin.

**Mollie Phelan Wallace** has joined the business transactions department of the law firm of Thompson & Knight, LLP. She will be based in the firm's Houston

office. Prior to joining Thompson & Knight, Wallace was with the law firm of Patton Boggs LP.

## 1998

**Jennifer Utter Heston** and her husband, David Heston, announce the birth of their daughter, Tess Ainsley Heston, born on Dec. 14, 2001.

**Rayna Habel Jones** has joined the law firm of Brobeck, Phleger & Harrison, LLP in Austin.

**Debra Norris** joined the intellectual property litigation firm of Dry & Tassin, L.L.P., in Houston as an associate.

**Christoph G. Papenheim** has been elected partner of the law firm of White & Case, Feddersen in Frankfurt, Germany. He will be concentrating on mergers and acquisitions, and private-equity transaction.

**Royce Poinsett** has accepted a position as assistant general counsel to Texas Gov. Rick Perry. He will advise the governor on legal matters including homeland security, legislation, executive clemency, judicial appointments, ethics and executive orders. Poinsett previously practiced corporate law at the Austin office of Wilson Sonsini Goodrich & Rosati and the Dallas office of Baker Botts.

**Meredyth A. Purdy** has joined the Dallas law firm of Haynes and Boone, LLP, as associate in the Business Reorganization and Bankruptcy Practice Group. Purdy completed a two-year clerkship with **The Honorable Harold C. Abramson**, '49, United States Bankruptcy Judge for the Northern District of Texas, in August 2000.

**Kristine Peterson Rudolph** was recently named director of Public Affairs at The Edison Group in Atlanta, Ga. The Edison Group is a national consulting firm that specializes in grassroots and grassroots communication, issue advocacy, and political consulting for corporations, trade associations and nonprofit organizations.

**Brian Siegal** is currently living in Israel and serving as a Dorot Fellow through the Dorot Foundation of Providence, Rhode

Island. In the spring of 2002, he will serve as a law clerk to the Chief Justice of the Israel Supreme Court.

**Dagoberto Torres** is a senior researcher for the Institute for Liberty and Democracy in Lima, Peru.

## 1999

**Julie A. Alexander** announced the opening of her family law and civil litigation-focused law office in Austin at 2414 Exposition Boulevard, Suite D-200.

**Jennifer Boisture** began medical school this fall at University of Texas Southwestern in Dallas.

**John W. Carlson** has opened his own office in Kerrville. He has a general civil practice focusing on estate planning and probate. He and his wife now have a daughter, Rachel.

**Darrell Dexter Davila** is currently assigned to the Criminal Trial Division at the Tarrant County Criminal District Attorney's Office.

**Edmund "Skip" Davis** successfully argued in district court against the practice of sending some Travis County felons to a 180-day boot camp. Davis was profiled in the *Austin American-Statesman* in October 2001.

**Jeffrey Engerman** has joined the law firm of Liner Yankelevitz Sunshine & Regenstreif, LLP, in Santa Monica, Calif., as an associate.

**Tom Gorham** is working as a law clerk for **The Honorable Robert M. Parker**, '64, U.S. Court of Appeals for the Fifth Circuit. He was formerly a law clerk for The Honorable David Folsom, U.S. District Court for the Eastern District of Texas.

**Shoshana Paige** has joined the office of the Dallas County Public Defender as assistant public defender.

## 2000



**David DeGroot** joined the Grand Rapids, Mich., office of Warner Norcross & Judd LLP.



**Captains Steve Foster** and **Sam Kan** are practicing law as Active Duty Army JAG officers with the Second Infantry "Warrior" division. Both recently



**Captains Steve Foster and Sam Kan** took part in military exercises in South Korea.

took part in U.S. missile firing exercises in the Republic of Korea. Foster will likely be stationed at Fort Hood, Texas in the spring of 2002.

**Lewis Galloway** has joined the Labor and Employment Litigation group at Spencer Fane Britt and Browne in Kansas City, Mo.

**John Martin** has joined the National Right to Work Legal Defense Foundation in Springfield, Va., as a staff attorney.

**Susan Maxwell**, formerly judicial clerk for **U.S. District Court Judge Harold Barefoot Sanders, '50**, has joined the law firm of Bickerstaff, Heath, Smiley, Pollan, Kever & McDaniel, LLP, in Austin as associate.

**M. Elizabeth Parks** is an associate with McGuireWoods, LLP in Washington, D.C., where she is practicing securities litigation, compliance and enforcement and white-collar criminal defense and government relations.



**Jessica Scott** has become an associate in the law firm of Stahl, Martens & Bernal, LLP.

**Adrian R. Stewart**, on completing a clerkship in August 2001 with Judge Matthew F. Kennelly, U.S. District Court for the Northern District of Illinois, has

accepted a position as associate with the London office of Allen & Overy, practicing in the arena of international finance. *The Texas International Law Journal* (TILJ), also published his article *Tortious Liability for Negligent Misdiagnosis of Learning Disabilities: A Comparative Study of English and American Law* (co-authored with Professor Basil Markesinis of UT Law and University College-London) in the summer of 2001.

**Basil Umari** recently joined the litigation practice of Andrews & Kurth L.L.P.'s Houston office.

**Lt. Christopher M. Williams** began active duty in the U.S. Navy Judge Advocate General's Corps, after finishing a nine-month assignment with Texas A&M University's Division of Student Affairs in May 2001. In July 2001, he graduated with honors from Naval Justice School in Newport, Rhode Island, where he received the American Trial Lawyers' Association (ATLA) Award for Outstanding Trial Advocacy. After a brief assignment aboard the USS Hawes (FFG-53), he reported to his first permanent duty sta-

tion in August 2001. Lt. Williams is currently stationed at Naval Legal Service Office Mid-Atlantic in Norfolk, Virginia.

2001

**Theodora M. Anastaplo** is working for The Honorable Jacques L. Wiener, Jr., U.S. Court of Appeals for the Fifth Circuit, in New Orleans, La.

**Patrick Basinski** has joined the Austin law firm of Baker Botts, L.L.P., as associate.

**Andrew L. Baumgardner** has joined the law firm of Akin, Gump, Strauss, Hauer & Feld, LLP, in San Antonio.

**George H. Baxter** has joined the law firm of Thompson & Knight, LLP, in Dallas as associate in the corporate and securities department.

**Megan Berger** has joined Jenner & Block in Chicago.

**Robyn Bigelow** has joined Scott Douglass & McConico, LLP, in Austin.

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owner/designer Lowell Layne, U.T. B.A. '97

**Meredith Bjorck** and **Amy White** have joined the law firm of Vinson & Elkins, LLP, in Dallas as associates.

**Eric J. Cassidy** has joined the law firm of Clements, O'Neill, Pierce, Nickens & Wilson, LLP, in Houston.

**Sarah A. Caton** has joined the law firm of Vinson & Elkins, LLP, in Houston as associate.

**Zandra Collins** has joined the law firm Thompson, Coe, Cousins & Irons, LLP, in Dallas.

**Gwendolyn Dawson** and **Jonathan Frels** were recently married. Ms. Frels



**Gwendolyn Dawson and Jonathan Frels** were wed on Aug. 18, 2001 at St. Anne's in Houston.

works as law clerk for Chief Judge Carolyn King, U.S. Court of Appeals for the Fifth Circuit.

**Will Denham** has joined the Dallas law firm of Baker Botts, L.L.P.

**Chipman Earle** and **Mark Liu** have joined the law firm of Wilson, Sonsini, Goodrich & Rosati in Austin.

**Jay D. Ellwanger** has joined the law firm of Jenkins & Gilchrist, LLP, in Los Angeles.

**Travis Farr** has joined the public law practice of Andrews & Kurth L.L.P. in their Houston office.

**Kendyl Taylor Hanks** and **McKeever Darby** were engaged this July and will be married in Austin in December 2002.

Hanks is working with the Austin law firm of Haynes & Boone, LLP.

**Jeff M. Hearne** is working with the Legal Services of Greater Miami, Inc., in Miami.

**Alison Holland** and her husband, Greg Holland, announce the birth of their son, Braden Daith Holland, on July 23, 2001. He weighed 9 pounds, 10 ounces.

**Jeff Kitner** has joined the law firm of Jackson Walker in Dallas.

**Jonathan S. Krueger** has joined the New York law office of Vinson & Elkins.

**Bryan Lopez** has joined the law firm of Hughes & Luce, LLP, in Dallas.

**Andrew K. Maebius** has joined the law firm of Thompson & Knight LLP. He will be working in the corporate department of the firm's Austin office.

**Denise Lynn Manley** recently joined the trial department of the Houston office of the law firm of Thompson & Knight LLP.

**Timothy McConn** has joined the litigation practice of the Houston office of Andrews & Kurth L.L.P.



**Christina A. Mondrik** has become an associate in the law firm of Stahl, Martens & Bernal in Austin, Texas.

**Matthew Moscicki** has joined the law firm of Conley, Rose & Tayon, P.C., in Houston.

**John Owen** has joined the law firm of Cravath, Swaine & Moore in New York.

**Darin Sadow** has joined the corporate office of the Houston office of the law firm Thompson & Knight LLP.

**F. Xavier Pena, Douglas Stewart** and **Kathryn Still** have joined the Houston law firm of Vinson & Elkins, LLP, as associates.

**Dana Davis Paul** has joined the Houston law firm of Bracewell & Patterson, LLP, as associate.

**Jesus Payan** has joined the Dallas law

firm of Akin, Gump, Strauss, Hauer & Feld, L.L.P., as associate.

**Michael Reese** has joined the law firm Pillsbury Winthrop, LLP, in New York.

**Cicely Reid** is working as an assistant district attorney in Houston.

**L. Kristine Rogers** recently joined the law firm of Thompson & Knight in the firm's trial department and will be based in the firm's Dallas office.

**Jason Ryan** has joined the law firm of Baker Botts, L.L.P., in Houston as associate.

**Adam Schramek** and **Christopher B. Watt** have joined the law firm of Fulbright & Jaworski, LLP, in Houston.

**Z. Taylor Schultz** has joined the law firm of Seyfarth Shaw in Washington, D.C.

**Gregory Sudbury** has joined the law firm of Strasburger & Price, LLP, in Dallas.

**Sherry Lynn Talton** will be working with the law firm of Silber Pearlman, LLP, in Dallas.


**James Thompson** has joined Vinson & Elkins, LLP, in Austin, as associate.

**Lisa S. Tsai** is working for **The Honorable Samuel B. Kent, '74**, U.S. District Court Judge for Southern District of Texas, in Galveston.

**Marlen D. Whitley** has joined the law firm of Clark, Thomas & Winter, P.C., in Austin.

**Jill Williamson** has accepted a position as associate with Verner Liipfert Bernard McPherson and Hand in Washington, D.C. She will be working in the International Trade and Litigation Group.

**Thomas Yoo** has joined the corporate and securities department of the law firm of Thompson & Knight, LLP in the firm's Dallas office.

**Olivia J. Zach** and **John T. Zach** have joined the law firm of Cravath Swaine & Moore in New York. 



## CALENDAR OF UPCOMING CLE EVENTS



### ERNEST E. SMITH OIL, GAS & MINERAL LAW INSTITUTE

March 22, 2002  
Westin Oaks Hotel  
Houston



### CONFERENCE ON LABOR AND EMPLOYMENT LAW

May 9 & 10, 2002  
DoubleTree Hotel  
Austin



### HEALTH LAW CONFERENCE

April 4 & 5, 2002  
The Four Seasons Hotel  
Houston



### COMPUTER AND TECHNOLOGY LAW INSTITUTE

May 30 & 31, 2002  
The Four Seasons Hotel  
Austin

*and additionally, of related interest:*

### INFORMATION, NETWORKS AND TECHNOLOGY LAW INSTITUTE

June 13 & 14, 2002  
The Fairmont Hotel  
San Jose, California



### FAMILY LAW: ON THE FRONT LINES

April 11 & 12, 2002  
San Luis Conference Resort  
Galveston



### CORPORATE COUNSEL INSTITUTE

April 18 & 19, 2002  
The Four Seasons Hotel  
Houston  
*and*  
April 25 & 26, 2002  
Le Meridien Hotel  
Dallas



### CONFERENCE ON STATE AND FEDERAL APPEALS

June 6 & 7, 2002  
The Four Seasons Hotel  
Austin



### CONFERENCE ON CRIMINAL APPEALS

May 1-3, 2002  
Hyatt Regency Austin on Town Lake  
Austin



### PARTNERSHIPS, LIMITED PARTNERSHIPS AND LIMITED LIABILITY COMPANIES

July 18 & 19, 2002  
Westin Riverwalk Hotel  
San Antonio

# IN MEMORIAM

**Hardy Goodner Moore, '27**, died Sept. 15, 2001. He practiced of law for 65 years before retiring in 1995 from the Moore Law Firm.

**The Honorable Dorwin Wallace Suttle, '28**, died in San Antonio on Sept. 29, 2001, at the age of 95. He practiced law in Uvalde until he was appointed U.S. District Judge for the Western District of Texas. After retiring from regular active service in 1979, he continued to work as a senior U.S. district judge.

**Walter E. Rogers, '31**, died May 31, 2001, at a hospital in Naples, Fla. He was 92. Rogers practiced law in Pampa and served eight terms in the U.S. House of Representatives. Rogers was in President John F. Kennedy's motorcade in Dallas in 1963, when the president was assassinated.

**Thomas Walter Blake Jr., '34**, died Sept. 18, 2001, at the age of 91. A lifelong Houstonian, Blake helped form a small law firm in the late 1930s with George Butler and Cecil Cook and later left to go into the oil and gas business.

**Mitchel Schwartzman, '35**, of San Antonio died Sept. 5, 2001.

**Chester Bolin Stanley, '36**, of Houston, died June 23, 2001, at the age of 89.

**James Douglas Arnim, '38**, a lifelong resident of Flatonia, Texas, passed away Nov. 21, 2001, at the age of 91.

**The Honorable Robert Christian "Bob" Eckhardt, '39**, passed away in his hometown of Austin on Nov. 13, 2001. He was 88. Eckhardt served in the Texas House of Representatives from 1958 to 1966 and in the U.S. House of Representatives from 1966 to 1980. He co-founded the *Texas Observer* and co-authored

"Tides of Power: Conversations on the American Constitution."

**Jeff D. Nash, Jr., '39**, of San Antonio died Nov. 9, 2001. Born in Waco on July 24, 1913, he was 88.

**Ralph T. Rawlins, '40**, died on Sept. 6, 2001, at the age of 86. He practiced law in Edinburg for 20 years before moving to Houston, where he served as counsel to Stewart Title Guaranty Company for 32 years.

**Judge Bert W. Thompson, '40**, passed away July 27, 2001, at the age of 83. He served in a variety of positions before his appointment to the bench. Thompson served as chief U.S. bankruptcy judge from 1971–1985.

**Lester Klein, '41**, died Oct. 13, 2001. After serving in the Army during World War II, he worked for the City of San Antonio as a municipal court prosecutor and then as back-tax attorney. He practiced law with his brother, Al Klein and his nephew, Keith Klein, and later with his son, Joel Klein, '67.

**William Lyndon Storey, '41**, passed away on Nov. 15, 2001. He was 87. He was a private practitioner, retired as deputy regional counsel, GSA, then served as senior assistant city attorney for the City of Dallas for nine years.

**Virginia G. Noel, '42**, died July 11, 2001. She served as a law clerk to the Texas Supreme Court and an assistant attorney general of the State of Texas. She moved to Houston during World War II and became the first female trial lawyer at Baker Botts. Noel was also part of the initial faculty of the University of Houston Law School.

**Spruill J. Vaughan III, '42**, died Oct. 15, 2001. He was 82.

**William Rufus Choate, '46**, died June 14, 2001. He was 82. He practiced law in Corpus Christi for two years before becoming associated with Baker Botts in Houston in 1949 where he was an active partner in the firm until his retirement.

**Gilbert Greer Wright III, '47**, died on Nov. 12, 2001. Wright lived in primarily in Corpus Christi and was vice president and member of the board of directors of Forest Oil Corporation.

**Jackson Ceivers Hinds, '48**, of Houston, died June 10, 2001, at the age of 79. Hinds served as an attorney, executive vice president and director of the Houston Natural Gas Corporation, and then president, chairman and chief executive officer of Entex Inc. After retirement from Entex, Hinds operated Hinds Banner, L.L.C., as its chairman and chief executive officer.

**Judge Robert R. Murray, '48**, died Oct. 25, 2001 at the age of 79. Murray served as judge of the 45th District Court and Fourth Court of Civil Appeals and retired in 1980.

**Judge Thomas J. Stovall, Jr., '48**, died Oct. 9, 2001. He was 80. A native Houstonian, Stovall joined his father's law practice in 1945. He was appointed to the 129th District Court in 1958 and as regional administrative judge in 1983. Stovall retired in 1996.

**The Honorable Kerns B. Taylor, '48**, died Sept. 21, 2001, at the age of 81. Taylor served as a U.S. administrative law judge from 1975 until his retirement in August 1999. He had been previously a private practitioner, an assistant U.S. attorney, trial attorney for the State Insurance Liquidator, and an assistant attorney general of Texas.



**Robert Hobbs, '49**, died Sept. 28, 2001. He was 78. He practiced law in Houston and Fort Worth from 1949 to 1974 and was an associate professor of law at St. Mary's University School of Law for 11 years.

**Franklin L. "Frank" Ginzel, '50**, died July 11, 2001, in Lubbock. He was 79. He was county attorney from 1954 to 1970 and 32nd Judicial District attorney from 1971 through 1980.

**William Randolph Smith, '51**, of Houston, died May 8, 2001, in Kerrville. He was a partner at Vinson & Elkins until his retirement in 1991.

**Judge Raul L. Longoria, '52**, died May 7, 2001, in Houston at the age of 80. Longoria was elected to the Texas House of Representatives in 1960 and to the Texas Senate in 1972. He was judge of the 139th District Court in Hidalgo County, Texas from 1980–1994.

**Martin Burke, '52**, of Austin passed away on Oct. 22, 2001, at the age of 82. He served a few years as an assistant district attorney and later co-founded the law firm of Saccamanno, Clegg, Martin and Kipple in Houston. Subsequently, he was the city attorney for Hunters Creek and Seabrook.

**William Elray Hoard, '53**, died Oct. 20, 2001. He was 71. He had a 25-year career with R.E. Cox and Company and served on the boards of Cox Realty Company, Waples-Platter, and Armiger and Associates.

**John McElwee Anderson, '54**, a Fort Worth attorney, died Oct. 24, 2001. He was 73.

**Robert Littel Walker, '54**, age 73, passed away on Aug. 19, 2001.

**Robert C. Carpenter, '55**, passed away Feb. 21, 2001, in Santa Rosa, Calif., at the age of 69. Working in corporate finance in San Francisco, he worked at one time for Foremost-McKesson. For the past 15 years, he worked as an estate and financial planning attorney in Marin and Sonoma Counties.

**Earl Damon Elliott, Jr., '56**, passed away Oct. 26, 2001. He worked as an attorney, commercial real estate developer and oil and gas entrepreneur and co-

produced the classic cult film *Billy Jack*.

**Philip Isham Palmer Jr., '57**, born June 25, 1929, passed away July 8, 2001. He was a member of the American College of Bankruptcy, master in the John C. Ford Inns of Court, and appeared before the U.S. Supreme Court.

**Willis Murray Schueth, '57**, attorney in Dallas, died on July 4, 2001. He was 71. Schueth practiced law in Dallas, for many years as a sole practitioner until his retirement in 1998.

**Edwin Morton O'Connor III, '58**, of Lubbock died July 30, 2001. He was 72. He was a member of the State Bar of Texas and briefed for the State Court of Criminal Appeals in Austin.

**Robert Adrian Rowland, '58**, died Aug. 10, 2001 at the age of 69. He served as an assistant attorney general and practiced law with Morgan Nesbitt, '47, and Robert Mueller, '42, for about 25 years. He then served as chairman of the OSHA Review Commission and assistant secretary of labor in charge of OSHA before starting a long-distance telephone company, Capitol Network Services, Inc.

**Herbert M. Beazley, '59**, died on Nov. 3, 2001. Beazley worked as assistant city attorney for the City of Houston from 1959 to 1967.

**Robert Alan "Bob" Long, '60**, of Kerrville, died Aug. 23, 2001. He was 68. Long worked for Shell Oil Company as a corporate contract attorney for more than 25 years before retiring to Kerrville last year.

**Robert Eugene Freeman, '61**, passed away June 24, 2001, in Austin. He was 71. He served at one time as director of the legal staff of the Texas Legislative Council.

**Roger C. Rocha, '64**, passed away June 10, 2001. He was 64. He practiced in Laredo for more than 30 years.

**Alvord Beretta "Skip" Rutherford, '65**, passed away on Sept. 5, 2001 in San Antonio.

**William W. Burge, '66**, passed away on Aug. 3, 2001. He worked in the Harris County district attorney's office, first as a

prosecutor and then as chief of the appellate division. He entered private practice in 1979, and also served as an adjunct professor of criminal law at South Texas College of Law for 17 years.

**William "Bill" E. Fullingim, '66**, longtime Dallas attorney passed away Sept. 2, 2001. He was 64.

**Glen Morris White, '66**, born Oct. 21, 1941, died July 3, 2001. He spent his career practicing law in Dallas with the title insurance industry.

**Randolph G. Berry, '67**, of Austin passed away on July 8, 2001, at the age of 57. Berry spent 16 years in Juneau, Alaska before returning to Austin.

**Emmett Dale Pharis, '68**, of Austin, passed away Sept. 26, 2001.

**Elwin (Win) Lloyd Skiles Jr., '68**, passed away on June 10, 2001, at the age of 60. Skiles served as counsel on the U.S. Senate Committee on Banking, Housing and Urban Affairs, and as Sen. John G. Tower's chief of staff. After serving as an attorney for Hunt Oil Company, Skiles joined Texas Instruments, where he rose to senior vice president.

**A.W. "Bill" SoRelle, '69**, died May 11, 2001. SoRelle was a partner in the firm of Underwood, Wilson, Sutton, Heare and Berry in Amarillo.

**Jerry Charles Saegert, '70**, died June 19, 2001. Saegert practiced law in Austin for more than 30 years.

**Dennis P. "Pat" Mullen, '72**, died Aug. 2, 2001. He was 57.

**James Lee Irwin, '73**, died Aug. 27, 2001. He practiced law, both in Dallas and in Austin, for 28 years.

**T. Richard Handler, '74**, a shareholder in the Dallas litigation group of Jenkins & Gilchrist, died on June 26, 2001.

**David John Marusak, '75**, died July 28, 2001, at the age of 49 in Ennis.

**Jeffrey Thomas Chinn Liu, '98**, of Missouri City, Texas, passed away on Nov. 1, 2001. ☞

# Texas Law, Hollywood Style

**BY CHRISTOPHER DOVE** WHEN I FOUND OUT UT LAW HAD FINALLY ACCEPTED me, everyone I knew asked me if I had seen *The Paper Chase*. I hadn't, but I decided to complete law school first so that I would truly "appreciate it." Three long years later, after I finished sorting out the fractions on Ernest Smith's Oil & Gas final, I finally watched the 1974 epic about Harvard Law School. Instead of appreciating it, I found myself doubting how accurate it was — a doubt reinforced when I saw the other Harvard Law epic, *Legally Blonde*.

The Harvard Law School of *The Paper Chase* looks like a tomb; the dead-eyed students roaming the silent halls are the flesh-eating zombies from an old Universal horror flick. Timothy Bottoms supposedly stands out from the crowd as a law student with huge, floppy hair and that defiant anti-establishment streak so often seen in '70s movies and Sandy Levinson. Every '70s hero had to stand up to "The Man," played here by John Houseman as a contracts professor with all the subtlety of a James Bond villain. (The Bond villain comparison remains true at Texas as well; those of us who had Alan Rau can imagine him using the Socratic method to hold the world ransom.) First-year pressure pummels Bottoms and his study group into a squishy goo, but our hero still manages to find time for romance with Six-Million-Dollar-Woman Lindsay Wagner.

Well, I call it romance. They meet, they say "hi," they have sex. I don't get it — maybe it's his floppy hair. Bottoms triumphs by utterly rejecting The System, an unthinkable victory in our post-"Top Gun" world. He doesn't even pump his fist and shout "Yeah!" In contrast, the hero of *Legally Blonde* is a fop with big hair who must make a stand against a humorless Harvard Law School. So, it's not really "in contrast" at all. Reese Witherspoon plays a fashion major who goes to "Harvard Law" in pursuit of her boyfriend. I use

the quotes because the movie was filmed at Generic U; this school has about 50 students total, all in very photogenic classrooms. The first part of the film follows her difficulties in adjusting to law school life, but then *Legally Blonde* takes a detour into an off-campus internship where Witherspoon helps her professor defend a renowned aerobics instructor. It's at this point that

I realized the key difference between Harvard and Texas: At Harvard, the classes are so easy that you can take a few weeks off during first year to brush up on your courtroom skills.

Quality of life is another big difference: both films depicted Harvard Law students in dorms. I assumed this was more Hollywood "license" because living together would have reduced my first-year section to a frenzied killing spree, but a friend who went to Harvard assured me that it's true. Harvard's law students apparently prefer the pressure of living with other law students to paying \$38,000 a month for an off-campus closet. However, no one films the outside of the dorms, because they're massive concrete monstrosities from the depths of the Bauhaus movement — embarrassing even to the Massachusetts socialists. Fortunately, none of the buildings at UT Law look like humongous concrete boxes.

On the whole, I think we're long overdue for a Hollywood film about UT Law, with all the attention to detail for which Hollywood is known. I see a big-budget blockbuster about a farm boy from Tyler who uses his small-town values and A&M education to out-

smart a group of snobs who went to Rice. Maybe Dean Page Keeton makes an appearance as his ethereal Obi-Wan-like mentor. In the big moot court finale, held at Gilley's, both sides make their arguments while riding mechanical bulls. It wouldn't be so bad. In fact, I wonder if Matthew McConaughey is available . . .

*Christopher Dove, '01, who holds an M.F.A. '96 in directing, clerks for the U.S. 5th Circuit Court of Appeals.*





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