

UTLAW

THE
MAGAZINE
OF THE
UNIVERSITY
OF TEXAS
SCHOOL OF
LAW

ENERGY LAW EVOLVES

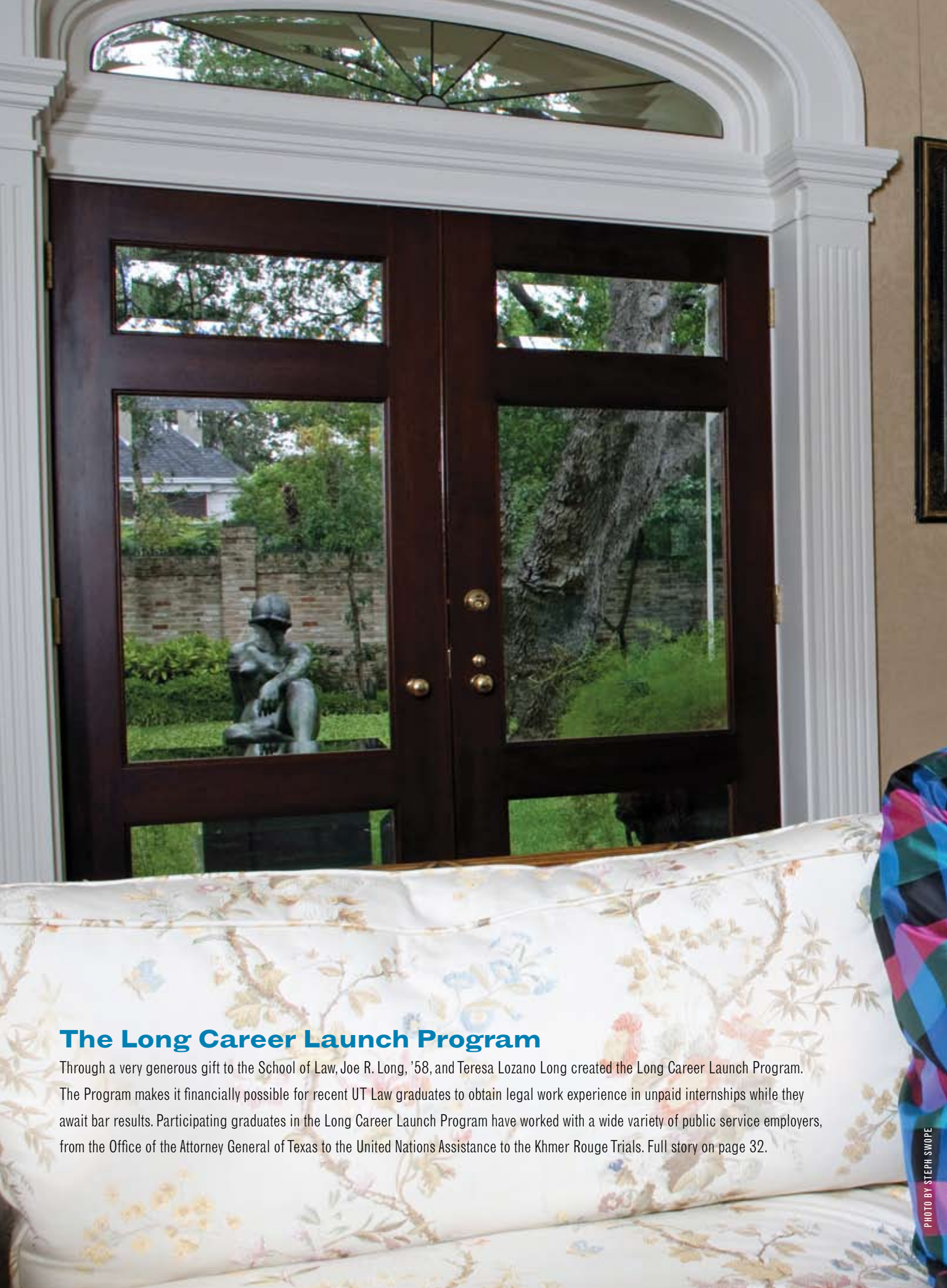
The Law School's new Center for Global Energy, International Arbitration, and Environmental Law meets the challenges of the new century



Joe R. and Teresa Lozano Long
help launch young lawyers' careers

Twenty years of the
Capital Punishment Clinic

Texas Law Veterans Association
organizes legal clinics for Central Texas veterans



The Long Career Launch Program

Through a very generous gift to the School of Law, Joe R. Long, '58, and Teresa Lozano Long created the Long Career Launch Program. The Program makes it financially possible for recent UT Law graduates to obtain legal work experience in unpaid internships while they await bar results. Participating graduates in the Long Career Launch Program have worked with a wide variety of public service employers, from the Office of the Attorney General of Texas to the United Nations Assistance to the Khmer Rouge Trials. Full story on page 32.



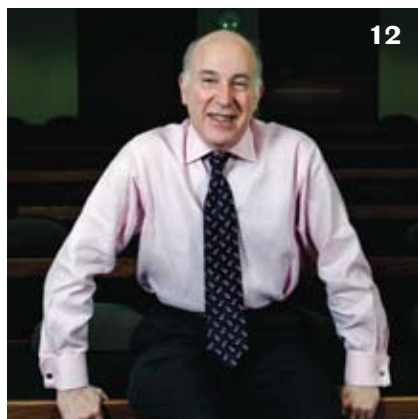




InCamera

Texas Law Veterans Association helps Central Texas veterans navigate the legal landscape

Bridgett Mayeux, '10, cofounded the Texas Law Veterans Association with Sam Denton, '10, in 2007 to help Central Texas veterans learn about their rights, apply for benefits, and find attorneys. Mayeux is pictured here consulting with a veteran at a free legal advice clinic for veterans the student group organized with the Law School's William Wayne Justice Center for Public Interest Law, Volunteer Legal Services of Central Texas, the Texas Veterans Commission, and Travis County Veterans Services. Mayeux is a U.S. Air Force veteran and served in Iraq. Full story on page 16.



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Hannah Miller, '09, is already making an impact on Texas juvenile-justice policy.

LETTERS

From Bill F. Bogle, '58, Fort Worth:

Talk about identity theft! I don't know who the old guys on page 56 are, but they aren't who they claim to be. Wayne and Bill are on p. 69.

In the Winter 2008 issue of UT Law, two captions were switched. The gentlemen on page 56 were wrongly identified as Wayne Rohne, '58, and Bill Bogle, '58, when they are actually Wales Madden Jr., '52, and Mike A. Myers, '63. As Mr. Bogle writes, he and Mr. Rohne are indeed on page 69. I sincerely regret the error. —Kirston

From Michael J. Piuze, '71, Los Angeles, California:

Although I have never had the pleasure of meeting him, I am sure that Joe Jamail deserves all the accolades in your recent article ("Joe Jamail Breaks Another Record," Summer 2008)—except one: his \$11 billion verdict in *Pennzoil v. Texaco* is not the largest ever. It is not even the largest for a UT Law grad, as a look at a copy of the \$28 billion verdict form and judgment in *Bullock v. Philip Morris* will show.

From Martaine J.L. "Mart" Lapin, '56, Orono, Maine:

I read the article about the Center for Women in Law ("The Center for Women in Law," Winter 2008) and I am very pleased that a group of women lawyers has started such an organization.

The following statement [by Nina Cortell, '76] really stood out: "Most of us—the women who came out of the Law School in the seventies—found ourselves being the first at almost anything we did." Some of these ladies should have been around when my mother received her law license in 1927. (Unfortunately, she was not a UT Law graduate, although she did some undergraduate.) For three years she tried to find a job as an attorney, both in Houston and in Dallas. The best she could do was a secretary position.

Finally, in 1930, she got a job as the secretary to the Chamber of Commerce in Grand Saline, with the proviso that she could practice law on the side.

She was the first lawyer to arrive in Kilgore at the beginning of the East Texas Oil Field boom in 1930, but even then she had to be careful and not disclose she was a woman. Her business cards said "O.G. Herrmann," giving no indication of her gender. At least one judge refused to allow her to practice in his court, and on several occasions she had to associate counsel in order to get her cases tried. Thank goodness for people like Angus G. Wynne, who recognized her ability and worked with her for many years.

Even though my father died when I was twelve, she went on to make a home for us, have a very successful law practice and won the respect of the community. Some unusual things about her practice were that she never had a secretary and she never sent a client a bill, depending on their honesty to come in and pay her fee. She became the first woman on the school board and its first woman president. In 1948 she was the first woman in Kilgore to be honored by Beta Sigma Phi sorority as "First Lady of Kilgore."

She retired at age eighty-two and lived to be eighty-four.

I learned more about the true reasons for practicing law from her than anywhere.

On the cover: Oil pumps tap Texas's traditional energy source, oil, but the state's future energy needs might be met by wind and solar power. The Law School's new Center for Global Energy, International Arbitration, and Environmental Law will address the challenges faced by Texas and the rest of the world as energy supplies, regulation, and environmental impacts become more varied and international. Illustration by Justin David Cox.

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ENERGY LAW EVOLVES

by **JULIEN N. DEVEREUX** illustrations by **JUSTIN DAVID COX**



IN FALL 2009, THE LAW SCHOOL WILL
LAUNCH THE CENTER FOR GLOBAL
ENERGY, INTERNATIONAL ARBITRATION,
AND ENVIRONMENTAL LAW TO HELP
CREATE A NEW GENERATION OF LAWYERS
AND SCHOLARS TO NAVIGATE THE LEGAL
TERRAIN BETWEEN THESE THREE VITAL
FIELDS IN A CHANGING WORLD.

Left to right: John Dzienkowski, '83, Dean John F. Sutton Jr. Chair in Lawyering and the Legal Process; Ernest Smith, Rex G. Baker Centennial Chair in Natural Resources Law; Assistant Professor David Adelman; Clinical Professor Melinda Taylor; and Adjunct Professor Timothy Tyler, '94, will participate in the Law School's new Center for Global Energy, International Arbitration, and Environmental Law beginning in fall 2009.





Oil pumps dot the plains of the Texas Panhandle, bobbing up and down like drinking-bird toys to extract the oil that has made Texas rich since it was first discovered near Beaumont in 1901. But futuristic multimillion-dollar windmills also stand among the pumps, and many hope wind will prove to be a cleaner, inexhaustible source of energy as the state's legendary oil wells are gradually tapped out.

There is good reason to hope. According to a 2009 report by the American Wind Energy Association, Texas is the sixth-largest producer of wind energy in the world, and the largest in the United States. It's perfectly possible that the land that once contained one of the world's largest petroleum reserves beneath it could potentially have one of the world's largest sources of wind energy whistling above it.

But harvesting the wind for electricity, despite its attractiveness as a renewable, more environmentally friendly practice, is still young, and wind energy is not yet a reliable source of "base" power. In addition, our laws and institutions have not yet fully adjusted to the consequences a gradual shift to renewable sources of energy will entail.

The University of Texas School of Law has long been a leader in the field of oil and gas law, but Dean Larry Sager and the Law School faculty are determined to be leaders in the evolving world of energy law. Professor Ernest E. Smith, Rex G. Baker Centennial Chair in Natural Resources Law, taught the first class on wind energy law in 2008. And beginning in the fall of 2009, the Law School will launch a new interdisciplinary center, the Center for Global Energy, International Arbitration, and Environmental Law, to create a forum for discussion of the ways in which arbitration, environmental law, and energy law overlap and impinge on each other, and to train a new generation of lawyers and legal scholars to confront the challenges presented by a world of ever-expanding energy demand and the constraints created by environmental concerns and diminishing reserves. Texas is the epicenter of the energy industry in the United States, and there is tremendous expertise and experience among UT Law graduates practicing in the area, expertise which the faculty plans to tap for the benefit of students.

The Energy Center will be the first of its kind to combine the study of energy, international arbitration, and environmental law in one program. UT Law will offer a specialized LLM program and an expanded curriculum for JD students interested in these disciplines.

"We have real strengths in all areas," Dean Sager said. "But it's important to bring all three into the picture together, because increasingly there's no sensible way to talk about one without also talking about the others. They're inextricably linked."

The way the different areas of the Center overlap and affect each other is almost like a game of rock, paper, scissors. Because energy is traded on international markets, it is not always clear where legal disputes between energy companies and governments should be settled, and therefore arbitration and other types of alternative dispute resolution have become standard throughout the industry. Meanwhile, the production of energy is associated with emissions of carbon dioxide, believed to be the main cause of global warming. There are other environmental impacts associated with the production of energy, impacts that spill out of state and national boundaries. The push for more environmentally friendly sources of energy is creating opportunities and markets for wind energy and other renewables.

"It's hard to exaggerate the degree to which these changes have taken place already," Sager said. "And since arbitrators don't formally follow precedent, a traditional model of the rule of law is threatened. This is an opportunity to create an international program that can have real impact on the way energy, environmental law, and arbitration are carried out in the future."

Melinda Taylor, a clinical professor and director of the Environmental Law Clinic at the Law School, will head the new Center. She said the Law

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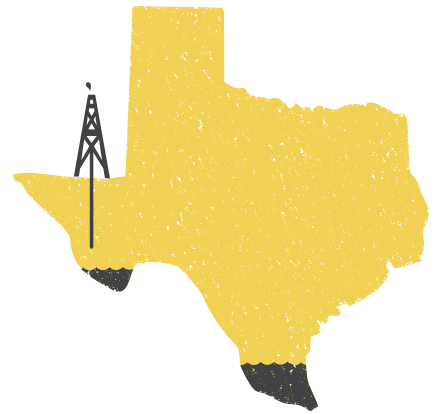
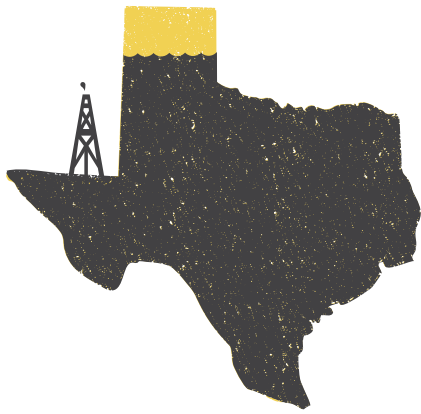
Timothy Tyler '94

Rob Walters '83

Dick Watt '72

Ex officio: Dean Larry Sager





“Energy law and policy enacted in Texas can serve as a lab for the entire world,” Dean Larry Sager said. “In addition, the role our alumni play in international arbitration and the energy industry is huge.”

School is uniquely well positioned to take leadership on these issues as lawyers, law students, government officials, and policymakers become more aware that concerns about energy, the environment, and international cooperation are interrelated.

“There’s a tremendous amount of interest in these subjects,” Taylor said. “Professor Smith’s wind energy course started as a seminar with fourteen students, but was up to one hundred and twenty students the last time it was taught in Spring 2009. Texas is home to many of the major energy companies, and there is demand from those companies for lawyers with expertise in these areas. People are recognizing that energy and environmental issues are intertwined and international. The Center will allow collaboration not only among legal scholars and students in these fields, but also take advantage of the opportunities for collaboration with people in geology, petroleum engineering, public policy, business, and other departments at the University.”

Texas offers a number of other advantages besides its long history

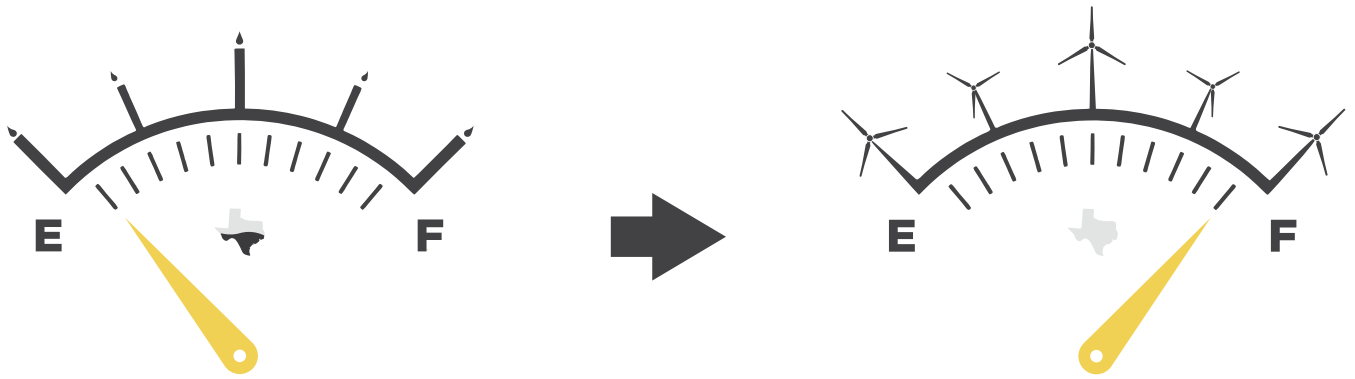
of excellence in energy law teaching and scholarship. “Texas is uniquely, as a state, on its own energy grid,” Sager said. “Which means that energy law and policy enacted in Texas can serve as a lab for the entire world. Our energy law isn’t complicated by layers and layers of regulatory authority. In addition, the role our alumni play in international arbitration and the energy industry is huge.”

Taylor also pointed out that the City of Austin is a leader nationwide in attempting to integrate environmentally sound practices in its energy generation and consumption. “Austin’s Pecan Street Project is a cooperative effort between the city, the Environmental Defense Fund, and a number of major corporations to design a smart grid and help the city reduce its energy use,” she said. “It’s an incredible opportunity for our students to be involved in a groundbreaking effort. In addition, there are numerous opportunities in Texas to work on energy and environmental issues with the most sophisticated lawyers and businesspeople in the nation. We can offer the students a very rich

educational experience to prepare them to contribute to the field.”

For Alan Rau, Burg Family Professor at the Law School, who will head the international arbitration division of the new Center, the inclusion of arbitration is both natural and necessary. “To encourage outside investment, many developing states have made agreements with companies to settle disputes by arbitration,” Rau said. “And many of those disputes are energy-related, or related to natural resources extraction and environmental impacts. The most common places for arbitration are Geneva, Switzerland, and Paris, France, so it’s a very complex legal area dealing with the intersection of many different bodies of law, but at the same time the rules for arbitration are very skeletal. I hope the new Center will offer some opportunities for practical, clinical work in arbitration.”

Ernest E. Smith has taught at the Law School since 1963 and has helped shape the way in which energy law is taught, moving from a Texas-and-oil-and-gas-centered discipline to one that has become more international and more diverse in terms of energy sources.



“Energy production is changing,” Ernest Smith said. “So our emphasis is expanding outward, with more of an emphasis on an international approach and on nontraditional sources of energy as well as nontraditional sources of oil and gas such as oil shales and oil sands.”

“The field of energy law is expanding beyond petroleum to things like wind law,” Smith said. “And many students see renewable energy sources like wind and solar as the wave of the future, and thus where the jobs will be. So if they take a course in wind law, they are a step ahead of other young lawyers. Our seminar last year was the first anywhere, to my knowledge, on wind law. Energy production is changing, so our emphasis is expanding outward, with more of an emphasis on an international approach and on nontraditional sources of energy as well as nontraditional sources of oil and gas such as oil shales and oil sands.”

Smith noted how the new world of energy production and consumption—more international, more diverse in its energy sources, more attentive to environmental regulations and concerns—has opened up a number of new areas and surprises in the field of energy law. “The increased demand for natural gas has led to a mini-boom of natural gas exploration in places you wouldn’t expect it from, like upstate New York,” Smith said. “When I start getting calls from lawyers in upstate New York with questions about oil and gas law, I know something has changed.” Smith also pointed out that despite wind

power’s “greener” reputation, it has its own environmental concerns. “There have been some plans for windmills off the South Texas coast,” Smith said. “Some people of course are worried about their view, but there are also birdwatchers who are worried about the danger of the windmills to migrating birds, and birding accounts for more money brought into the area than hunting and fishing combined.”

It’s yet another example of the ways in which energy and environmental concerns are intertwined, and of the need for lawyers skilled in energy and environmental law as well as trained in ways to resolve disputes and forge agreements between the diverse stakeholders and interest groups involved in such matters. The Center will provide a place to do just that, and it is a task that could not be more urgent. “We’re already late in addressing the problems of climate change,” said Visiting Professor Antonio Benjamin, who teaches courses on biodiversity law and comparative environmental law and serves as a justice on the Supreme Court of Brazil. “The harms of global climate change are already occurring. Even if we were to stop carbon dioxide emissions today, what’s already

in the atmosphere would cause harmful effects for the next one hundred years. The science identifying and describing the phenomenon is already there, and the legal framework to address it is developing, and I hope the Center can play a role in its development.”

Indeed, in addition to teaching both JD and LLM students in this interdisciplinary framework, Taylor said she hopes the Center will eventually lead the international conversation about energy and the environment in a number of ways, including hiring emerging scholars, sponsoring conferences, producing white papers and original research, and hosting research fellows. Taylor and the other Law School professors involved in creating the new Center hope the space-age turbines on the windy West Texas plains are a harbinger not only of a greener, more energy-efficient and energy supply-diverse Texas, but a sign of the opportunity UT Law has to continue to lead and innovate in energy law, environmental law, and arbitration. Just as environmental and energy law have become more international over the past fifty years, so too can UT Law expand its influence even farther, beyond Texas to the greater nation and the world. ✨



The Center for Global Energy, International Arbitration, and Environmental Law will capitalize on the Law School's rich JD and LLM curriculum in these areas and its internationally renowned faculty. The Center will sponsor a variety of other programs, including conferences, fellowships, symposia, and workshops.

Courses that will be offered include, among others:

Energy Law: Oil and Gas Law; Wind Energy; International Petroleum Transactions; Advanced Oil and Gas Contracts; Electricity Law; Energy Law and Policy; and Energy and Natural Resource Economics. **Environmental Law:** Law and Policy of Climate Change; Toxics; Natural Resources Law; International Biodiversity Law; Administrative Law; Comparative Administrative Law. **International Arbitration:** Principles of Negotiation; Investment Arbitration; Conflict Resolution in the Developing World; Alternative Dispute Resolution for Natural Resource Claims; NAFTA Trade Issues; Environment and Human Rights.

Faculty

Melinda Taylor is the executive director of the Center. Prior to joining the faculty, she was the director of the Ecosystem Restoration Program at the Environmental Defense Fund, where she managed a staff of attorneys, scientists, and economists engaged in projects to protect endangered species and water resources across the United States. Taylor has also served as deputy general counsel of the National Audubon Society in Washington, D.C. and was an associate at Bracewell & Patterson in Washington.

Alan Rau is one of the nation's leading experts on arbitration, the author of a widely-used alternative dispute resolution casebook and of numerous scholarly articles, and an active arbitrator. He serves on the Commercial Panel of the American Arbitration Association, and has been a visiting faculty member at the University of Toronto, China University of Political Science and Law in Beijing, Willamette University College of Law, the University of Geneva; and the Universities of Paris I and II.

Ernest Smith is a specialist in oil, wind, and gas law. He is coauthor of the leading casebook *Oil and Gas Law*, a book on international petroleum transactions, and the leading treatise *Texas Law of Oil and Gas*. He teaches in the areas of property, international petroleum transactions, and wind energy law, and is coauthor of a widely used text, *Cases and Materials on Property*. A former dean of the Law School, Smith has also been a visiting professor at several law schools, including Harvard.

John Dzienkowski is a specialist in oil and gas taxation and international energy transactions. He is a coauthor of leading casebooks on *Natural Resources Taxation*, *International Energy Transactions*, and a treatise on *Oil and Gas Law and Taxation*. He has taught energy related courses in Innsbruck, Ithaca, Paris, Oxford, and Rio de Janeiro. He began his teaching career as the director of the Energy Law Program at Tulane Law School in New Orleans.

Wendy Wagner is a leading authority on the use of science by environmental policymakers. She received a master's of environmental studies in 1984 and her law degree in 1987, both from Yale, where she was senior editor of the *Yale Law Journal* and managing editor of the *Yale Journal of Regulation*. Before entering teaching, she practiced law in the Enforcement Division of the Department of Justice's Environment and Natural Resources Division and as pollution control coordinator with the Department of Agriculture's Office of the General Counsel.

New faculty hire **David Adelman** is an expert in environmental law, science, and patent law. In addition to a law degree, he holds a PhD in chemical physics and has written extensively on the relationship between regulations and innovations in technology, especially in the biotechnology field. He serves on the Department of Energy's Environmental Management Advisory Board.

Timothy Tyler has an active litigation practice that emphasizes both international commercial and investor-state arbitration. His work involving contracts with state parties has a strong focus on the oil and gas industry. In practice, he regularly advises on and drafts international arbitration clauses in contracts as well as structuring transactions to gain investment treaty protection. He has been involved in ad hoc arbitrations under the United Nations Commission on International Trade Law rules, as well as institutional arbitrations under the rules of International Chamber of Commerce, International Centre for Dispute Resolution, American Arbitration Association, Singapore International Arbitration Centre, Cairo Regional International Arbitration Centre, and International Centre for the Settlement of Investment Disputes. He teaches international arbitration and writes frequently on international arbitration.

Other leading practitioners in their respective fields will also teach specialized courses.

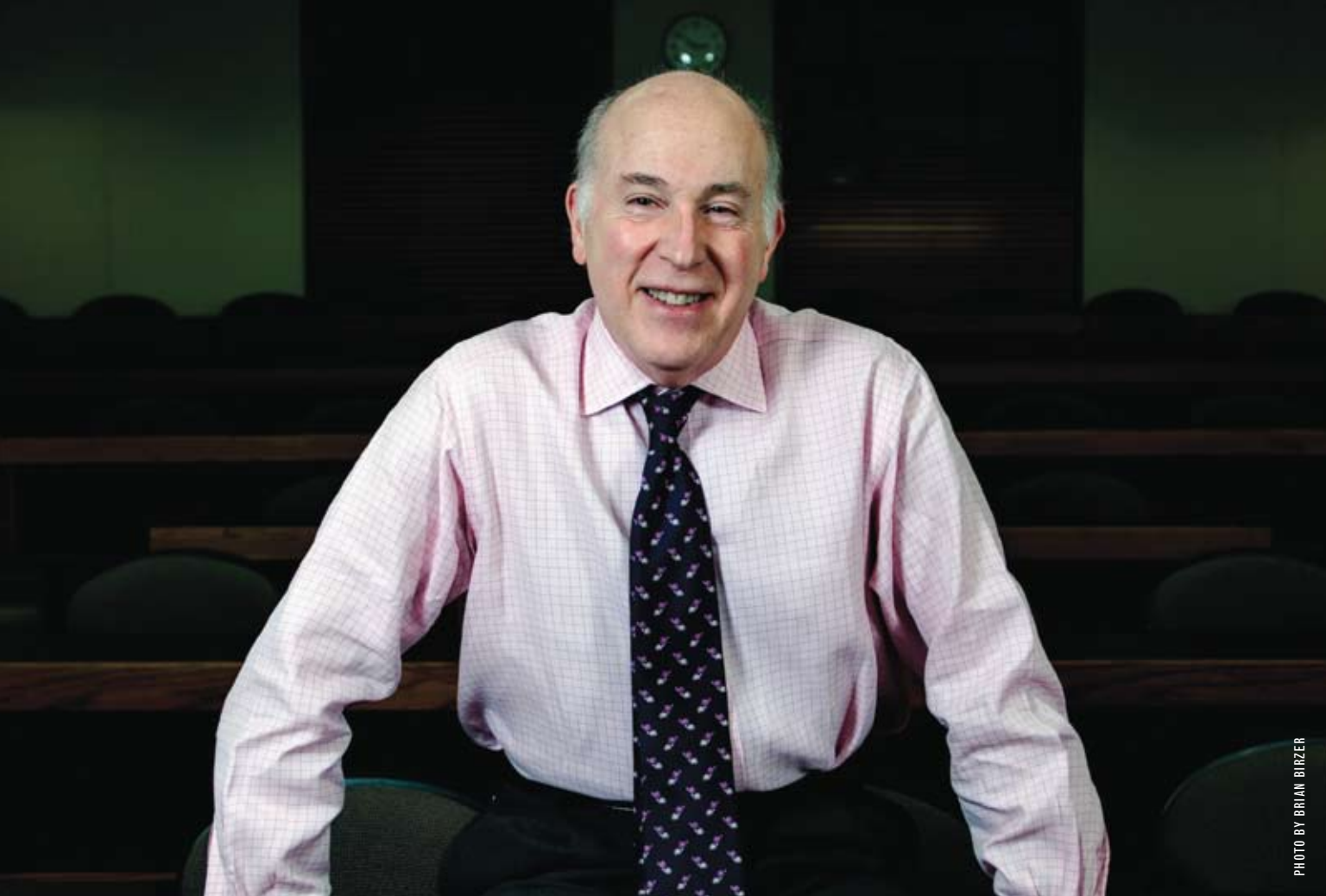


PHOTO BY BRIAN BINZER

Alan Scott Rau holds the Burg Family Professorship at the Law School and will head the arbitration section of the new Center for Global Energy, International Arbitration, and Environmental Law beginning in fall 2009.

“CONSENT” TO ARBITRAL JURISDICTION: DISPUTES WITH NON-SIGNATORIES

An excerpt from a paper presented by Professor Alan Scott Rau at a May 2007 international arbitration conference in The Hague, Netherlands, cosponsored by the Law School and the Permanent Court of Arbitration

by **ALAN SCOTT RAU**

THE LAW SCHOOL SPONSORS a yearly conference on international arbitration with the Permanent Court of Arbitration in The Hague, Netherlands, and the Houston International Arbitration Club Inc. The conference alternates between Texas and the Netherlands every year. In May 2007, the theme of the conference, held in The Hague, was “Multiple Parties, Multiple Problems: Consent, Procedure, and Enforcement in Commercial and Investment Arbitrations.” Alan Scott Rau, holder of the Burg Family Professorship at the Law

School, presented a paper there on disputes with non-signatories to arbitration agreements. The paper, along with others presented at the conference, was published in an Oxford University Press book, *Multiple Party Actions in International Arbitrations*, in January 2009. The following is an excerpt, without footnotes, from Rau’s article, “‘Consent’ to Arbitral Jurisdiction: Disputes with Non-Signatories.” The full article is available in the book, which also includes articles by Law School Adjunct Professor Timothy Tyler, ’94; Dominique Hascher, a judge at the Court of Appeal in Paris,

France, who taught a class on international commercial arbitration at the Law School in 2007; and James Loftis, '90, an international arbitration lawyer at Vinson & Elkins, among others. Other conferences have included 2009's "Weighing the Facts: Information Exchange and Presentation of Evidence in International Commercial and Investment Arbitration," which featured a keynote speech by the Honorable Thomas Buergenthal of the International Court of Justice in The Hague; and the 2008 conference in Houston, "Remedies in Commercial, Investment, and Energy Arbitrations," which featured V. V. "Johnny" Veeder of the Essex Court Chambers in London, among others.

I focus here on what is a recurring problem in any legal system—the question, in deciding whether to refer a dispute to arbitration, of how to demarcate the respective roles of courts and arbitrators. The treatment of this problem in the courts of the United States has certainly not been without its twists and turns—but it exemplifies, I think, the common law at its best—able over time to get the job done well enough, if roughly, and to forge sensible, commonly-held understandings. This is an attempt at a synthesis—an attempt to describe where I think we are at the moment.

In particular, the emphasis here is on the problem of arbitration in complex, interrelated disputes involving multiple parties: Whether there is in fact a contractual "duty" to arbitrate in such circumstances—and the respective roles of courts and arbitrators in making that determination—is one of the thorniest problems in international arbitration today: It is logically prior to any later questions that are considered elsewhere in this volume—questions, for example, with respect to how the tribunal is to be constituted, or whether related proceedings should be "joined" or "consolidated." The proper approach to this problem, I would suggest, fits neatly within an overarching conceptual framework that I am presenting here.

Given the essential premise with which we started—given, that is, the critical nature of consent—it will rarely be possible to force a non-signatory to an agreement into an arbitration proceeding against his will. None of this can be thought to be particularly novel: no individual can "be bound to the terms of a contract he didn't sign and is not even entitled to enforce"; even a third-party beneficiary who may have the "power" to sue under a contract "certainly cannot be bound to a contract it did not sign or otherwise assent to." Under the most ordinary contract law, the rights of non-parties with respect to "contracts between others" are considerably broader than the obligations that can be imposed on them.

But as we move from the core to the periphery, absolutism with respect to "consent" may well be tempered, and insistence on a strict requirement of "consent" becomes progressively less appropriate—or more properly perhaps, deference to arbitral determinations respecting "consent" becomes progressively more appropriate. So "the line," in any particular case, is but a function of where on the continuum we are—and then, as the presumption in favor of a judicial determination becomes weaker, (i) how strong is the evidence of "consent" or "submission," and (ii) how closely connected to the question of "consent" are the ultimate "merits," and (iii) what may be the practical consequences of drawing the line in any particular

way—for example, how strong are the functional advantages here of what has been termed "one-stop adjudication," how real the prospect of inconsistent adjudications?

In particular, once an individual has in fact made himself a party to an arbitration agreement, the question begins to look rather different: I would suggest that there is a strong analogy here to the problem of determining the scope, the coverage, of an undoubted agreement to arbitrate. So in most circumstances, I think, the cases in which it is sought to bind a "signatory" to arbitrate with strangers ought properly to be analyzed as if they belonged in our next outer circle—we ought to treat them as raising issues similar to those raised when we consider the "scope" of an arbitration clause. In both groups of cases, after all, the inquiry we want to pursue is precisely the same: "Just what are the boundaries of your contractual undertaking?" And in particular, "what are we to make of your undoubted, broad, generic, sweeping commitment to arbitrate disputes"? It has thus become a characteristic move in the development of American arbitration law, to (i) assimilate the question of a signatory's obligation to arbitrate to (ii) the overall question of the scope or coverage of the arbitration clause, and to (iii) presumptively allocate power over both decisions to the arbitrators themselves.

In this category of cases, too, we should be expected to apply (to begin with, and at the very least) the Supreme Court's hoary judicial "presumption favoring arbitrability." The argument is that "it is more foreseeable, and thus more reasonable, that a party who has actually agreed in writing to arbitrate claims with someone might be compelled to broaden the scope of his agreement to include others." As with other matters of scope, such a presumption brings all the advantages of efficiency with limited impingement on contractual autonomy.

For all its inherent fascination, the problem of multiple parties has to be viewed as but one part of an overarching problem, a problem that runs through our entire law of arbitration: this is the search for some sort of conceptual framework that can help us to fully understand the expectations of private actors—and in particular, in consensual arrangements, their preferences with respect to the allocation of authority between courts and arbitrators.

It is a continuing challenge to fit all the disparate fact patterns within a single structure: For the spectrum is vast; the "multiparty problem" will sometimes involve an ordinary signatory, who may have chosen to submit himself to arbitration as part of his dispute resolution planning—and sometimes it will not. Distinctions such as this—so often overlooked or neglected—appear to be critical. (In the former case, I have suggested, our jurisprudence seems poised to accept many of the same expansive assumptions with respect to arbitral power that have become comfortably familiar in many other areas of the law of arbitration).

So the identity of the parties to the arbitration—and just who is to determine the identity of the parties to the arbitration—remains a central piece of the puzzle of arbitral authority. The proliferation of complex and interdependent transactions that accompanies a global economy can only present such problems to us more and more often—hence the great timeliness of the current volume. ❀



PHOTO BY MARSHA MILLER

Left to right: Whitney Hill, Spencer Wilson, Dean Larry Sager, and Terry Schuster. Class of 2009 graduates Hill, Schuster, and Wilson will begin two-year Justice Corps public-interest law fellowships in fall 2009.

A FORCE FOR JUSTICE

THE JUSTICE CORPS FELLOWS PROGRAM FOSTERS
A NEW GENERATION OF PUBLIC INTEREST LAWYERS

by **MIKE AGRESTA**

THIS SUMMER, AS NEW LAW School graduates fan out across the country to launch promising careers of all stripes, three Class of 2009 alumni will form the advance guard of a program designed to increase access to legal assistance nationwide while allowing young alumni to gain expertise in public-interest law practice. Spencer Wilson, Whitney Hill, and Terry Schuster are UT Law's first Justice Corps Fellows.

With the philanthropic support of the UT Law faculty; George M. Fleming, '71; and Julius Glickman, '66; the Justice Corps creates post-graduate fellowships that make it possible for young practitioners to address vital and specific needs in communities that otherwise would not benefit from these young lawyers' skills.

"It's extremely difficult to get a public-interest job right out of law school," said

Eden Harrington, Director of the William Wayne Justice Center. "Few nonprofits have the funds to hire someone, and yet there is a tremendous need for practitioners in this area." To address this problem, the Justice Corps program guarantees two years of salary for the fellows at \$50,000 per year. That level of post-graduate support, Harrington said, is extremely rare at other law schools.

Administered by the William Wayne Justice Center for Public Interest Law, the program will also expand the Law School's relationship to the real-world practice of public-interest law.

"Forgotten Victims"

Spencer Wilson, recipient of the Julius Glickman Fellowship in Public Interest Law, discovered his area of professional focus while interning last summer for Bay Area Legal Aid (BayLegal). "I noticed a steady influx of housing clients who were living in foreclosed properties," Wilson said. "BayLegal was able to assist foreclosure tenants with a few of their immediate problems, but it was not able to fully cushion the blow of the foreclosure crisis on these tenants. I realized that tenants were truly the forgotten victims of the foreclosure crisis." This summer, Wilson will join BayLegal's staff to help lead a project protecting tenants' rights after eviction. He will provide direct legal representation as well as work with lending institutions, utility providers, local governments, and housing authorities to provide systemic relief.

Wilson feels confident about representing his clients in court, thanks to experience he gained arguing in front of judges while at the Law School. During his time in Austin, he also found a strong role model for a career in public-interest law: Robert Owen, the director of the Law School's Capital Punishment Clinic.

Further down the road, Wilson expects to use the skills and knowledge he gains at BayLegal to craft policy and legislation to change the way housing works in America. "For years," he said, "the federal government has zealously advocated for homeownership even when homeownership is not the best option for many individuals. Meanwhile, nothing was done to provide safe, affordable housing for renters. We now face a crisis as a result of our myopic approach to housing policy." Through hard work, Wilson believes, that crisis can be resolved.

"My Dream Job"

Whitney Hill, the recipient of the George M. Fleming Fellowship in Health Law, will spend the next two years working with the Juvenile Rights Program (JRP) in Portland, Oregon. "This position would not exist without this fellowship," she said. "I feel extraordinarily lucky to not only have a job,

but have my dream job due to the Fleming Fellowship." At JRP, Hill will work to represent children in cases involving dependency, juvenile justice, and education. Her focus will be advocacy for students with disabilities whose special-education needs are not being met by the schools of the greater Portland area.

Hill worked with special-needs kids for years before coming to Austin, but she points to her involvement with several Austin organizations, all made possible by the Law School, as critical to her development as a professional children's advocate. "Through UT Law's Children's Rights Clinic," she said, "I've become familiar with the dependency system in Texas, as the clinic is appointed by the court to represent children in foster care. While the laws are somewhat different in Oregon, what I've learned from my clinic supervisors Charlie Childress, '74; Leslie Strauch '95; and Lori Duke, '95, will be invaluable." Additionally, Hill credits work experience at Advocacy Inc. of Central Texas, where she was mentored by Lucy Wood, '07, and Ian Spechter, '07, as giving her a solid foundation in special-education advocacy. In her last semester at the Law School, Hill also worked with the Juvenile Justice Clinic. "UT Law has been a perfect fit for me," Hill said, explaining that she came to Austin because of the Law School's ties to the organizations where she eventually worked.

"People Were Just Waiting to Do the Right Thing"

Terry Schuster will also be working for juvenile justice next year, but with different specific aims. Schuster will join the staff of the Juvenile Law Center (JLC) in Philadelphia. The JLC became well-known in legal circles after playing a major role in *Roper v. Simmons* (2005), a U.S. Supreme Court case which, for the first time, declared unconstitutional the use of the death penalty for juvenile offenders. Schuster hopes to get involved in any major cases involving juveniles that come up over the next two years, in addition to contributing his research skills to policy review efforts at JLC.

This is in keeping with Schuster's experience at the Law School, where over the past three years he has played a role in juvenile-justice reform efforts in three large states—Texas, California, and Ohio. In Texas, he said, "One problem we were having was putting kids in isolation. There were kids who had not been outside of their cell in a few hundred days. So I created a memo saying, 'This is not constitutional, and here's why.' This got to the head of the agency, and very quickly the policy changed. I was in a great position to do some legal research and write a quick memo and really see something change, because so many people were just waiting to do the right thing, as soon as they knew what the right thing was." Schuster credits many lawyers from the UT Law community with preparing him for this opportunity, including Professor Michele Dietch, who helped him find the JLC, and James McDermott, '03, a public defender who went out

*"The Justice Corps
program will expand
UT Law's relationship
to the real-world practice
of public-interest law."*

of his way to help Schuster improve as a writer. Schuster also has reason to thank the entire Law School faculty—his fellowship is endowed by faculty contributions.

In future years, the Justice Corps program will endow eight two-year fellowships for recent graduates like Wilson, Hill, and Schuster. Harrington and other architects of the program envision an ever-widening community of public-interest lawyers across the country, linked to the Law School through the fellowships that got them started. The result will be a lasting institution that not only works to serve community needs and address policy problems across the United States, but also burnishes the Law School's reputation as a national leader in public-interest law. ✨

HELP ON THE HOMEFRONT

LAW STUDENTS ORGANIZE LEGAL CLINICS FOR CENTRAL TEXAS VETERANS

by **TOM GERROW**

DURING WARTIME, everybody wants to support our troops. But what happens when they're not troops anymore? Once they take off the uniform, veterans face many challenges as they reintegrate into the civilian world. There can be difficulties returning to the workplace. Some have service-related disabilities. Others must deal with family issues brought on or exacerbated by long overseas deployments.

When veterans need help with these or other problems, UT Law student organization the Texas Law Veterans Association (TLVA) is there to help Central Texas veterans learn about their rights, apply for benefits, and find attorneys.

The TLVA got its start in September 2007, when cofounders Sam Denton, '10, and Bridgett Mayeux, '10, were discussing what they could do to commemorate the anniversary of the 9/11 attacks. Veterans themselves, both having served in Iraq in the Army and Air Force, respectively, they hit upon the idea of putting their skills and training to work helping veterans of the conflicts in Iraq and Afghanistan.

"Veterans are getting out of the military in record numbers, and the majority of them go to either Texas or California," said Denton, a former TLVA president. "There are all sorts of issues they experience as they get out, and many of these veterans need help. We want to make sure they get the

benefits they deserve, and a lot of times that means just making sure they fill out the paper work correctly."

According to Victor Polanco, office supervisor at the Austin office of the Texas Veterans Commission, an organization that provides services and lobbies for Texas veterans, Texas currently has 1.7 million veterans, and many of them are drawn to the greater Austin area.

"Central Texas is really booming because to the north we have one of the biggest bases in the country at Fort Hood and to the south we've got four bases in San Antonio," Polanco said. "We're right in the middle, and so we get a lot of them here. At my office in Austin, we see an average of fifty to sixty veterans a day."

Polanco, whose office helps veterans apply for benefits, says the claims process can be daunting. Veterans are required to submit a variety of forms with their initial claims and, if benefits are denied, appeals can drag on for years.

"Right now, with the economy the way it is, we've got a lot of veterans coming in that have never sought help before," Polanco added.

Sometimes veterans need legal assistance to get the services and benefits they have earned. That is where the TLVA has stepped in to provide support. The TLVA sponsors free legal advice clinics in concert with the Law School's William Wayne Justice Center

for Public Interest Law; Volunteer Legal Services of Central Texas; the Texas Veterans Commission; and Travis County Veterans Services. Ryan Glover LLP also contributed funding for the clinics.

"The students were interested in doing something for the veterans," said Trish McAllister, executive director of Volunteer Legal Services of Central Texas. "We wanted to figure out a way that we could help and that would be meaningful, so we decided we would start doing the advice clinics. Not all the cases are specific to veterans only—there are a lot of family law cases, housing cases, and things that are more typical of the general population."

TLVA members work with volunteer attorneys at the advice clinics, provide information, and steer veterans toward available resources. Depending on the demand for assistance, the TLVA hopes eventually to have three clinics per year.

"The students have been great," McAllister said. "They coordinate the logistics of the clinic, do the set-up, and make sure the veterans get where they need to go. The TLVA students help the veterans complete their forms, which is really nice because a lot of the veterans may not know exactly how to articulate their issue. The veterans may not even be sure they have a legal matter—they just know they have a problem."

Each client also has an opportunity to speak with an attorney from

“A lot of people know or have a connection to someone who has served in the military,” said TLVA President Cody Cheek, ’10. “So it has not been hard for us to find students willing to step up and volunteer.”

Volunteer Legal Services for a limited time, typically fifteen minutes or so. By gathering relevant information in advance and accompanying the veterans to the attorney visit, the students help the client make the most of it.

“The students stay with that veteran when the attorney talks to them, so they get the whole experience,” McAllister said.

To familiarize themselves with veteran’s issues and learn how they could better provide assistance, the TLVA conducted a symposium, “In the Boots of a Soldier,” during the spring 2009 semester.

“We put together a program looking at a fictional soldier, ‘Staff Sergeant Bevo,’ to illustrate the issues veterans face,” said Cody Cheek, TLVA’s 2009–2010 president. “Sam and I came up with a list of topics that we thought were most relevant, and tasked them out to members to research and prepare presentations. If we are going to put on these clinics, it’s important for us to educate ourselves in the area.”

While focusing on the needs of veterans, TLVA membership is not limited to former members of the armed forces.

“With concurrent wars in Iraq and Afghanistan, a lot of people know or have a connection to someone who



PHOTO BY MARK RUTKOWSKI

Nick Solish, ’10, gets information from a Central Texas veteran at one of the Texas Law Veterans Association’s free legal advice clinics.

has served in the military,” Cheek said. “While they might not have served themselves, they respect and have a desire to help those connected with the military. So it has not been hard for us to find students willing to step up and volunteer.”

In addition to helping veterans, the legal clinics also introduce students to public service practice, an exposure that should pay dividends long after they graduate from the Law School.

“This TLVA project gives students a great opportunity to work with pro bono attorneys and learn first-hand about the unmet need for legal services in our veteran community,” said Professor Eden Harrington, director of the William Wayne Justice Center for Public Interest Law at the Law School. “I believe this kind of rewarding experience helps encourage students to do more pro bono work, both now as students and later as attorneys.”✿

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Left to right: Director of Trial Advocacy Tracy McCormack, '86, and Fifth Circuit Court Judges Will Garwood, '55, Priscilla Owen, and Catharina Haynes in the Law School's Eidman Courtroom.

RESIDING JUDGES

Fifth Circuit Court of Appeals hears oral arguments in the Eidman Courtroom

by **BRENNA BURKARTH**

THE U.S. COURT OF APPEALS for the Fifth Circuit conducted court business in the Kraft W. Eidman Courtroom on March 30–31, 2009, as part of the Law School's Judges in Residence program. Court of Appeals Judges Fortunato Benavides, Catharina Haynes, Priscilla R. Owen, and Will Garwood, '55, heard oral arguments while students, faculty, and the public looked on.

"For the Fifth Circuit Court of Appeals to sit here, that's a pretty big deal," said Tracy McCormack, '86, who founded the Judges in Residence program in 2004. The Fifth Circuit sat in the courtrooms of only two other university law schools, Tulane and St. Mary's, during its July 2008–June 2009 session.

McCormack created the Judges in Residence program four years after coming to the Law School as director of the trial advocacy program. Designed to allow students to witness firsthand the intricate workings of the judicial system, the program hosts various federal, state, and appellate court proceedings every semester. For a few weeks, judges transfer their regular dockets, special hearings, and trials to the courtroom.

"It is a great opportunity for the students studying appellate law or trial law to see what they've learned in progress," McCormack said.

Lorraine Graw, a third-year law student whose focus will be bankruptcy law, said she attended the Fifth Circuit's oral arguments for the unusual prospect of watching two women judges, Haynes and Owen, in action.

"I really enjoyed listening to the judge's questions, it was interesting to see what issues they picked up on and wanted the attorneys to address, and it wasn't always what the attorneys either wanted to or were prepared to discuss," Graw said.

Oral arguments for an antitrust case that Owen, Benavides, and Haynes heard, *Rx.Com Inc. v. Medco Health Solutions et al.*, dealt with issues surrounding statutes of limitations. Raffaella Belizaire, a third-year student who plans on becoming a criminal law prosecutor, witnessed it with her Advanced Practice and Theory for the New Millennium class.

"By watching, I learned that preparation and concessions are keys in oral arguments," Belizaire said. "Some of the judges that the lawyers were arguing

before wrote the opinions of the cases the attorneys were citing in support of their arguments, so truly knowing and understanding the case law is of the essence."

Some professors, like Kamela Bridges, who teaches legal writing and oral advocacy courses, incorporate the Judges in Residence series into their syllabus.

"From this experience the students begin to internalize what makes an advocate effective," Bridges, '91, said. "I can tell them in class what I believe is effective or ineffective, but that will never have the same impact as watching the process and reaching those conclusions on their own." She requires her Advanced Legal Writing: Litigation class to attend the oral arguments each semester.

Previously, the Eidman Courtroom has seated the Third Court of Appeals, the Texas Court of Criminal Appeals, and the Texas Supreme Court. Now the Judges in Residence program is looking to host a governmental or administrative court, according to McCormack. Students who observed the recent proceedings have their sights set higher.

"Is the U.S. Supreme Court an option?" Graw asked. ❁

OUT OF THE PAST

A Law School grant helps second-year law student Andrés Durá carry out original research on an 1813 execution for fraudulent bankruptcy in the United Kingdom

by JULIEN N. DEVEREUX

SECOND-YEAR LAW STUDENT Andrés Durá, '10, was able to carry out some original research in English legal history over the 2008–2009 winter break thanks to a grant from the Law School. Durá was taking Assistant Professor Emily Kadens' fall 2008 William Blackstone Seminar. During one class, Kadens was discussing the history of capital punishment for fraudulent bankruptcy—a crime in which a debtor conceals assets from creditors—in England, and said the last known execution had taken place in 1761, but that there may have been another, later, execution for the crime in York, mentioned briefly in an 1821 legal treatise by Basil Montagu.

Durá said he immediately thought it might be worth following up on the reference as a possible research topic for the paper he was to write for the seminar. "The original citation in the 1821 treatise just said 'there may have been' an execution for fraudulent bankruptcy in York, but no other information," Durá said. "So I began doing date searches on an English newspaper database for years before 1821, looking for executions in York. I finally came across the 1813 execution of a man named John Senior in York who seemed to fit the criteria."

Durá compiled a list of people who had been convicted of fraudulent bankruptcy and found that after 1761, though three men were convicted of the crime, only one, John Senior, was listed as having been executed. Durá wrote his paper for Kadens's class on the use of capital punishment for fraudulent bankruptcy and the eventual change of the statute, in 1820, that allowed people to be sentenced to death for the crime, and turned it in. At the next meeting of the seminar, Kadens asked Durá if he might be interested in studying Senior's case further and told him the Law School could give him a small grant to travel to the United Kingdom to see if he could locate original documents concerning Senior's trial and execution.

"It was totally unexpected," said Durá, who grew up in El Paso and Ciudad Juárez, Mexico, and who had never visited

the United Kingdom before. "This opportunity was very significant to me, because I really didn't know much about English history, which is really remote for somebody from where I'm from."

It would not remain remote for long. On December 17, 2008, Durá left Austin for London. "Before I left I tried to isolate possible sources for research," Durá said. "I found some potentially good leads—one at the National Archives in Kew, a neighborhood in London, and the John Goodchild Collection in

Wakefield, West Yorkshire.

I took a train from London to visit the Goodchild first, but it initially turned out to be a false lead. The manuscript I was looking for was about a different John Senior who had beaten his apprentice."

But Durá's trip to Yorkshire was not fruitless. Durá made the acquaintance of John Goodchild, who runs the eponymous historical collection. "He gave me an impression of the local history, and helped me find out where the John Senior I was looking for lived. We found two properties under his name and Mr.

Goodchild showed me that my research would have to be broader, more general, to help narrow down where he might be from. We found out that Senior did not own the properties, but occupied them through some sort of agreement with some upper-strata people. He lost some of their money at horse races in Doncaster, and then committed fraud to get the money back. Mr. Goodchild allowed me to look through his index and try to find all the names in his case. We didn't find any more, though. Most were relatives. It was very interesting, though. I think Mr. Goodchild wondered what a person from El Paso was doing there, asking him all these questions. It was a good cultural exchange."

Durá next went to regional archives in York, where he found a calendar of prisoners and executions from the period in which Senior was executed. "In York, they still have the drop where prisoners were hanged at York Castle, which is now a



Andrés Durá, '10, holds York assize records from the United Kingdom's National Archives in Kew, London, where he carried out historical research on the case of what was likely the last execution of somebody in England for the crime of fraudulent bankruptcy.

museum. I spent a couple of days there researching their archives and found some original sources where my second-hand information had come from. But the leads I had come up with in Austin turned out to be false as well. It's hard doing this sort of work, because only about five percent of bankruptcy records in England from the period survive."

Durá said further research at the National Archives in London led to finding a book with details on Senior's trial and verdict, including the fact that one of the lawyers representing Senior was related to the owner of one of the properties listed under Senior's name. Durá also found a report on the trial that said Senior's apparent accomplice in fraud had become one of the witnesses against him. Durá said many of the questions he had about Senior's trial—what the particular circumstances that caused him to be probably the last man executed for fraudulent bankruptcy in England were—proved difficult to answer before he returned to Texas on January 7, 2009. "Two or three more weeks there would

have uncovered some more details, possibly, and genealogical research would be the best way to find out who his petitioning creditors were," Durá said. But he said he gained valuable insight into the legal and cultural environment that led to the eventual discontinuance of capital punishment for fraudulent bankruptcy in England. "In a sense Senior's case is an example of exactly the type of behavior that the bankruptcy statutes of the time were meant to deter," Durá said. "But his punishment was so severe that you can't help but feel sorry for him. As Montagu argued, one fundamental problem with the statutes was that they did not account for the core-sponsibility of the creditors in issuing out their loans more responsibly."

Durá also found that the death penalty for fraudulent bankruptcy was so uncommon that Senior would have had some reason to think it would not be applied in his case. But beyond the pleasures of poking around in overseas archives and immersing himself in history, Durá said he learned important lessons beyond the particular circumstances of

John Senior's long-ago execution. "The seminar and the trip that resulted from taking the class helped me understand the underpinnings of our American common law system much better," he said. "It was the perfect way to get to know first-hand the history, people, and events that shaped our modern legal system. It also changed my approach to legal education by providing a context through which I can evaluate how our contemporary legal institutions work."

Durá said he has primarily been interested in legislative and immigration legal work, and has participated in the Transnational Workers Clinic at the Law School, but that his research experience has opened up the possibility of pursuing a teaching and academic career, as well. "It made me aware of things I like doing," Durá said. "Going to the sources, doing detective work. Whatever I do I'd like it to have these elements. I'm grateful to everyone who made this life-changing experience possible and look forward to the rest of my legal education with a renewed sense of confidence and meaning for my legal career." ☀

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TWENTY YEARS ON DEATH ROW

THE CAPITAL PUNISHMENT CLINIC ENTERS ITS THIRD DECADE OF PROVIDING REPRESENTATION
TO INDIGENT MEN AND WOMEN FACING THE DEATH PENALTY IN TEXAS.

by JULIEN N. DEVEREUX

FOR BETTER OR WORSE, Texas offers students of capital punishment an unparalleled opportunity to learn about the process of appealing death penalty cases. Texas is known around the country and the world—some would say notoriously so—for its high number of death penalty convictions and executions. Faculty, staff, and students participating in the Law School's Capital Punishment Clinic (CPC) have been carrying out the legal work required to appeal the death sentences of Texas inmates since 1988. Since its founding, nearly 450 Law School students have passed through the CPC, and it has won many U.S. Supreme Court cases. Stephen Bright of the Southern Center for Human Rights in Atlanta, Georgia, and the Honorable Patrick Higginbotham of the U.S. Court of Appeals for the Fifth Circuit spoke passionately at the symposium about the problems with the capital punishment system in Texas and elsewhere.

The Clinic celebrated its twentieth anniversary of, in Dean Larry Sager's words, "providing moral skepticism" of capital punishment on November 13, 2008, with a symposium examining the progress made and challenges still faced after twenty years of helping death-row inmates appeal their convictions and sentences. In addition, *Death Penalty Stories*, edited by Jordan Steiker, CPC codirector and holder of the Judge Robert M. Parker Endowed Chair in Law, and John H. Blume of the Cornell Death Penalty Project, was published in 2009. The speakers and participants in the symposium agreed that though much progress has been made since the CPC began, there is still much to do.

Since 1988, Texas has sentenced 647 inmates to death, and 397 have been executed. More than one-third of the executions

in the United States take place in Texas. The death penalty remains popular with many in Texas, but there have been real changes in both public attitudes and legal proceedings regarding the death penalty. The faculty who teach the Capital Punishment Clinic have had a front-row seat to watch the changes unfold.

The CPC differs from many other clinics at the Law School in that participating students carry out work on behalf of the attor-

neys representing death-sentenced clients in the appeals courts. That is, the students do not directly represent clients themselves, but instead do interviews and research to be used in the appeal, which provides an opportunity to produce new evidence.

"Our students do a lot of fact-finding: interviewing, researching, tracking down witnesses," said Rob Owen, codirector of the Capital Punishment Clinic. "It's sort of like retrying the case." Owen said this sort of intensive detective work provides excellent training in getting to know the law inside-out. "It's almost like being a legal pathologist," he said. "You cut the body of the trial open

and see what went wrong. The stakes are just as high, too. A life is hanging in the balance."

Whether or not one supports capital punishment as a state policy, this work is vital to ensuring that the state applies the punishment as fairly as possible. During the CPC's beginning years, Owen said, there was an explosion of capital convictions in Texas and other death penalty states—likely fueled by shock and dismay at the spectacular violence accompanying the crack cocaine trade and a public increasingly willing to support harsher punishments in order to stop it. Texas saw a huge increase in death sentences in the eighties and early nineties. But with prosecutors

*"Capital punishment
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hanging in the balance."*

increasingly inclined to seek the death penalty and juries and judges increasingly willing to impose it, the possibility that wrongly convicted people might be sentenced to the state's ultimate sanction increased. Rather than focusing solely on questions of guilt and innocence like the Actual Innocence Clinic, however, the CPC attempts to make sure that those who have been sentenced to death received a fair trial and continue to receive high-quality representation in their appeals.

Owen said that in the Clinic's early years, the work was often more frantic due to the speed with which Texas moved from conviction to execution. "Until about 1995, Texas death penalty litigation was characterized by frequent and punitive execution dates," Owen said. "Most of our efforts went into getting stays of execution, which was probably unhealthy for our students—though they came out of the process with a healthy sense of how arbitrary the system is." Steiker agreed. "Twenty years ago there was no orderly procedure for moving cases through the system," Steiker said. "And there was no guarantee of counsel in state habeas cases. Cases moved at varying speeds based on idiosyncratic factors, and it wasn't unusual for an unrepresented inmate to get to the brink of execution."

But due to a number of factors—including the option for juries to sentence convicts to life sentence without parole; the use of DNA evidence to exonerate death-row inmates; media scrutiny of capital punishment cases; and the work of organizations like the CPC—many of these conditions have changed in the past ten years. "We are seeing fewer and fewer executions and death sentences in Texas," Owen said. "In 1999, there were thirty-five to forty new capital punishment convictions statewide each year. It's dropped by two-thirds since then. This is partly because of the availability of life without parole sentences and perhaps partly because the public has become more aware of convicted inmates being found innocent."

The CPC's work in making capital punishment fairer in Texas is important, but its work training new lawyers and exposing them to the ways in which the state's criminal justice system works—and doesn't work—is just as important. Owen said the CPC has three main roles: to transform the practice of death penalty representation in Texas to bring it more in line with national practice; to transform the legal landscape in Texas by pushing the law in the direction of greater fairness; and to transform the lives of Law School students through representing death-row inmates. Indeed for many Law School students who participated in the CPC, doing the hard research and foot work involved in representing death-row inmates has been transformative. At the CPC's twentieth-anniversary symposium, several clinic alumni attested to the strong influence such work

has had on them. "Learning about the details of these people's lives and how the state did nothing to prevent abuses had a profound impact," said Susan Casey, '95, an attorney and victim outreach specialist in Atlanta, Georgia. Anne Harden Tindall, '95, of WilmerHale in Washington, D.C., said her experience working at the CPC showed her "the humanity of the people who are being executed," and led her to concentrate her pro bono work on death-penalty appeals.

"The single experience that affects students the most is going to death row," Owen said. "It's an all-day project to visit an inmate in Livingston. A four-hour drive there, six hours at the prison, and a four-hour drive back. And it really transforms the students' experiences of their cases. They become personally invested in their clients. There are some fairly intense exchanges there, and it gives students an opportunity to forge personal bonds. It changes how they see themselves as lawyers."

It also exposes them to many aspects of the law. "Death penalty work is an unusual mix of trial-like and appellate-like work," Steiker said. "They are appeals, but they require extensive investigative work and evaluation of evidence, so students get exposed to lots of different parts of legal practice."

As the CPC enters its third decade, Steiker and Owen said they see a number of challenges ahead despite progress made. Though life-without-parole sentences have reduced the number of death sentences, they have created problems of their own, including the sheer numbers of people incarcerated in Texas. "Prisoners won't become eligible for parole for twenty, thirty-five, forty years minimum," Owen said. "We're very early in this long experiment and eventually will have to deal with a geriatric prison population and its consequences."

Additionally, Steiker pointed out that the recent change in the presidential administration and its impact on the composition of the U.S. Supreme Court could lead to a reassessment of the death penalty's constitutionality. He also said recent economic troubles could curtail the number of executions as cash-strapped states decide whether pursuing an execution is worth the cost.

"We don't indoctrinate our students to take a stand against the death penalty," Owen said. "We've had conservative, pro-death penalty students come through our clinic, too. But it's often a consequence of work in our clinic that students come away with a sense of the arbitrariness and capriciousness, and even the practical uselessness, of the death penalty." Whatever one's personal stance on the death penalty, the clinic's work in helping make sure those facing capital punishment receive fair trials and high-quality appellate representation can only be counted as progress.



The Capital Punishment Center and the William Wayne Justice Center hosted "Capital Defense Lawyering and Practice" on November 13, 2008. The symposium was a celebration of the twentieth anniversary of the Capital Punishment Clinic. Stephen Bright, president of the Southern Center for Human Rights, a visiting lecturer in law at Yale Law School, and a long-time leader in the human rights and capital defense fields, gave the keynote speech.

2008–2009 CONFERENCES, SYMPOSIA, AND EVENTS OF NOTE

University Network for Collaborative Governance

Conflict resolution representatives from universities across the nation gathered for the first national conference of the University Network for Collaborative Governance on November 9–11, 2008. The program was cohosted by UT's Center for Public Policy Dispute Resolution, which helped establish the Network and is one of its founding members.

Capital Punishment Center Symposium: Capital Defense Lawyering and Practice

The Capital Punishment Center and the William Wayne Justice Center hosted "Capital Defense Lawyering and Practice" on November 13, 2008. The symposium was a celebration of the twentieth anniversary of the Capital Punishment Clinic. Stephen Bright, president of the Southern Center for Human Rights, a visiting lecturer in law at Yale Law School, and a long-time leader in the human rights and capital defense fields, gave the keynote speech. (See article on page 22.)

The Rise of Appellate Litigators and State Solicitors General

The Review of Litigation's 2009 symposium, "The Rise of Appellate Litigators and State Solicitors General," was held January 22–23, 2009. It explored the creation of the state solicitor general and state appellate chief positions in recognition of the tenth anniversary of the creation of Texas's Office of solicitor general. R. Ted Cruz, former Solicitor General of Texas, gave the keynote speech.

Oil, Gas, and Energy Law Symposium

On January 22–23, 2009, the *Texas Journal of Oil, Gas, and Energy Law* hosted its 2009 Oil, Gas, & Energy Law Symposium, which examined a variety of current issues in the energy industry, including carbon sequestration, the ERCOT electric market, competitive renewable Energy Zones built to provide transmission for wind farms, and SEC rules relating to oil and gas. Speakers included a number of practitioners in the field, as well as UT Law Professor John Dzienkowski, who spoke on energy law ethics, and Dick Watt, past president of the oil and gas section of the State Bar of Texas, who discussed recent cases in oil and gas law.

The Post-Guantanamo Era: A Dialogue on the Law and Policy of Detention and Counterterrorism

On January 28, 2009, the Law School and the Robert S. Strauss Center for International Security and Law hosted a panel discussion entitled, "The Post-Guantanamo Era: A Dialogue on the Law and Policy of Detention and Counterterrorism," about the task of reforming the government's approach to military detentions. Panelists included John Bellinger, who served as legal adviser to the secretary of state and to the National Security Council during the Bush Administration; Benjamin Wittes of the Brookings Institute, author of the book *Law and the Long War: The Future of Justice in the Age of Terror*; and Steven Vladeck, professor of law at American University and coauthor of a brief to the Supreme Court on behalf of Guantanamo detainee Salim Hamdan.

Constitutional Design

A symposium exploring the issues facing the framers of constitutions around the globe after World War II, particularly since 1989, was held on January 29–31, 2009. It was sponsored by the School of Law, the Lyndon B. Johnson Presidential Library, and the *Texas Law Review*. Participants included scholars actively involved in designing or assessing the constitutions of Iraq, Burma, and California. The keynote was given by Peter Galbraith, senior diplomatic fellow at the Center for Arms Control and Non-Proliferation, who gave a talk entitled, "The End of Iraq: How Iraq's Constitution Provides a Roadmap to Partition."



John Bellinger, legal adviser to the secretary of state and to the National Security Council during the second Bush Administration, at the panel discussion, "The Post-Guantanamo Era: A Dialogue on the Law and Policy of Detention and Counterterrorism"



Ran Hirschl of the University of Toronto, William Eskridge of Yale Law School, Mark Tushnet of Harvard Law School, and Lucas Powe of the University of Texas School of Law, participated in a panel entitled, "Constitutional Amendment and the General Problem of Constitutional Change," part of the Constitutional Design symposium.

Exploring the Obvious: The Evolution of Intellectual Property

The *Texas Intellectual Property Law Journal's* tenth annual intellectual property symposium was held on February 6, 2009. Entitled "Exploring the Obvious: The Evolution of Intellectual Property," the symposium featured topical discussions about recent developments in intellectual property law. The keynote address was given by Tom Reger of Fish & Richardson PC. Other distinguished speakers included: The Honorable Joseph J. Farnan Jr., United States District Court for the District of Delaware; the Honorable Lee Yeakel, United States District Court for the Western District of Texas; and the Honorable Robert Faulkner, retired magistrate judge for the Eastern District of Texas.

Law and Philosophy Program sponsored the annual Leon Green, '15, Lecture in Jurisprudence

The Law and Philosophy Program sponsored this year's annual Leon Green, '15, Lecture in Jurisprudence with NYU law and philosophy professor Liam Murphy on February 13, 2009. Murphy spoke on "Where Legal Disagreement Runs Out."

Rapoport Center forum, Bringing Human Rights Home

Veteran activists, international and criminal law attorneys, community leaders, and academics came together on February 21, 2009, for an important conversation about the relevance of human rights as a tool for racial justice for African Americans. The forum examined the little-known history of the black human rights movement in the United States prior to the civil rights era, and discussed how local community struggles for dignified lives are reaching the international stage. Speakers included Carol Anderson, associate professor of African American studies at Emory University; Roger Wareham, a criminal law and human rights attorney; and Soffiyah Elijah, a criminal law attorney and director of Harvard Law School's Criminal Justice Clinic.

China's Emergence: Effects on Trade, Investment, and Regulatory Law

The *Texas International Law Journal's* 2009 annual international law symposium was entitled "China's Emergence: Effects on Trade, Investment, and Regulatory Law." It addressed the

legal and policy implications related to China's rise in political and economic power, beginning with a keynote address from Timothy Reif of the Office of the U.S. Trade Representative. Reif discussed how the Obama administration will address the many challenges and opportunities arising in the U.S.-China trade relationship.

The Constitution and the Family in Comparative Perspective

In February, a multidisciplinary conference was held that examined the legal and political issues surrounding the constitution and the family. It was devoted to a consideration of the family in legal and political thought and practice, and explored the variability with which the institution is imagined and experienced within different national contexts.

Voting Rights in a New Administration

The *Texas Journal on Civil Liberties & Civil Rights* hosted its 2009 symposium: "Voting Rights in a New Administration" on March 9, 2009. Energized by a compelling campaign season, millions of new voters surged to the polls to make their voices heard in the 2008 presidential election. Americans defend their ability to vote as a fundamental right and a sacred civic duty and the protection of voting rights continues to be a hotly contested issue, as evidenced by the court battle for Minnesota's Senate seat. The symposium looked at how courts have adjudicated voting rights cases in the past, and speculated about how the Justice Department under the Obama Administration will approach these issues.

Plebiscites, Proposition 8, and Constitutional Democracy

The California Supreme Court recently heard oral arguments in the Proposition 8 case in order to decide the constitutionality of the ballot measure that changed the California constitution to eliminate same-sex marriage. To address the multitude of issues raised by Proposition 8



Joy James, visiting scholar at the UT Center for African and African American Studies; Soffiyah Elijah, deputy director of Harvard School of Law's Criminal Justice Institute; Cliff Brown of the Office of the Police Monitor, Austin Police Department; Nelson Linder, president of the Austin Chapter of the NAACP; and Robert Owen, clinical professor at UT Law's Capital Punishment Clinic participated in a panel entitled "'Let My People Go': The Impact of the Criminal Justice System on Black Communities," which was held as part of the Rapoport Center's forum, "Bringing Human Rights Home."

and the accompanying litigation the Law School hosted a panel discussion, "Plebiscites, Proposition 8, and Constitutional Democracy." The panel discussion was organized the Law School student group OUTLaw.

Human Rights at UT: A Dialogue at the Intersection of Academics and Advocacy

The 2008–2009 school year marked the five-year anniversary of the Bernard and Audre Rapoport Center's efforts to explore the intersection of international human rights academics and advocacy. To commemorate this milestone, the Center's fifth annual human rights conference considered human rights work in the University of Texas system. This event was cosponsored by the UT Libraries; South Asia Institute; the Humanities Institute; the Performing Arts Center; the Office of Thematic Initiatives and Community Engagement; the Office of the Vice Provost for Health Affairs; and the Ethnic and Third World Literature program in the Department of English. "Human Rights at UT: A Dialogue at the Intersection of Academics and Advocacy," was held on March 26–28, 2009, and engaged human rights faculty, staff, and students in dialogue, reflection, and evaluation of the diversity of international and transnational human rights issues in which UT campuses are involved. Conference attendees also considered the state of human rights theory and practice and their possible future trajectories.

In the Boots of a Soldier, A Symposium on Veterans Law Issues

The Law School's Texas Law Veterans Association hosted a symposium entitled "In the Boots of a Soldier: An Examination of Current Legal Issues for Military Veterans" on April 3, 2009. (See related story on page 16.)

Ninth Annual Symposium on Dispute Resolution

A keynote presentation on restorative justice was the highlight of the Ninth Annual Spring Symposium on Dispute Resolution. The symposium, held on April 23, 2009, and hosted by the Center for Public Policy Dispute Resolution at the Law School, also featured six UT graduate and law students who presented research on various dispute resolution topics. The keynote was given by Marilyn Armour of the UT School of Social Work. In addition to the keynote presentation, the symposium featured panelists Ronnie Earle, former district attorney for Travis County; John Sage of Bridges to Life; and Mark Odom of the Texas Department of Criminal Justice.

Imprisoned by the Past: The Enduring Role of Race in the American Death Penalty

The Capital Punishment Center at the Law School presented a conference entitled, "Imprisoned by the Past: The

Enduring Role of Race in the American Death Penalty." The keynote speech was given by Bryan Stevenson, director of the Equal Justice Initiative and recipient of a MacArthur Foundation Fellowship, who spoke on "Confronting Injustice: Race, Poverty and Psychic Harm."

Lesbian, Gay, Bisexual, and Transgender Legal Advocacy Conference

The third annual lesbian, gay, bisexual, and transgender legal advocacy conference, "Legal Advocacy on LGBT Issues in the 81st Texas Legislative Session," was held March 5, 2009. Focusing on the recent Texas legislative session and building advocacy alliances, the conference was hosted by UT Law's OUTLaw chapter with support from Equality Texas and the Sexual Orientation and Gender Identity Issues section of the Texas State Bar.



Bryan Stevenson of the Equal Justice Initiative spoke at "Imprisoned by the Past: The Enduring Role of Race in the American Death Penalty."



Lawrence S. B. Goldstein, professor of medicine at the University of California, San Diego, and Paul Simmons, director of the Center for Stem Cell Research at the Brown Foundation Institute at the University of Texas Health Sciences Center in Houston, participated in a panel entitled "Review and Update on Embryonic Stem Cell Science," which was moderated by John Robertson, the Vinson and Elkins Chair at the Law School. The panel was part of "Law and Innovation: the Embryonic Stem Cell Controversy," a conference sponsored by the George McMillan Fleming Center for Law and Innovation in Biomedicine and Healthcare.

Law and Innovation: The Embryonic Stem Cell Controversy

The George McMillan Fleming Center for Law and Innovation in Biomedicine and Healthcare presented "Law and Innovation: the Embryonic Stem Cell Controversy," a conference that examined how law, science, and ethics have affected stem cell science and the pace at which its promise will be realized. Presenters included national experts on religious, legal, scientific, and policy aspects of the embryonic stem cell controversy.

Women's Power Summit on Law and Leadership

The Center for Women in Law hosted the "Women's Power Summit on Law and Leadership," which featured U.S. Supreme Court Justice Sandra Day O'Connor as the keynote speaker. Summit participants assessed the progress that has been made, identified the end goals, and drafted the "Austin Manifesto on Women in Law," a statement of principles and pledges designed to address the myriad obstacles facing women in the legal profession. Former U.S. Supreme Court Justice Sandra Day O'Connor gave the keynote address, encouraging participants to strengthen the fight for gender parity in the legal profession.

"The Summit produced a collaborative, meaningful dialogue that led to a pledge of tangible action," said the Center's Executive Director Hannah Brenner. "This Summit created an opportunity to unite around the common goal of removing the impediments to women's progress in the legal profession. It was also the first time on a national level that such a group of accomplished women leaders in the profession gathered to discuss, establish, and commit to a series of specific action-items directed at resolving the issues that persist for women lawyers."

Summit participants adopted the "Austin Manifesto," a document which resolves to eliminate the barriers that have thwarted the advancement of women in the legal profession for the past several decades. Among its twelve pledges, the participants committed to achieve no less than thirty percent women equity part-

ners, tenured law professors, and general counsel by 2015; to achieve no less than ten percent equity partners who are women of color by 2020; to restructure the compensation systems to reward the full range of contributions by attorneys; and to encourage law schools to include leadership and business skills for a wide range of career paths in their curricula.

Immediately prior to the Summit, leaders and representatives from the principal organizations researching and promoting the advancement of women in the legal profession met to collaborate and leverage their resources to accelerate the pace of change for women lawyers. The discussion focused on performance evaluation bias, leadership development, fair compensation and credit, work design models, retention, and the need for additional data.

"The Summit and the gathering of these organizations are two historic firsts," said Diane Yu, the Summit's chair and chief of staff and deputy to the president of New York University. "This was a unified, national, coordinated effort that will strengthen our voice, expand our influence and provide momentum for the efforts to ensure that women lawyers attain leadership positions in their respective fields."

"We took a giant step forward with this Summit, but we recognize there is much more we can do and will do," said Cathy Lamboley, one of the Center's founders and retired general counsel for Shell Oil Company. "The attorneys represented at the



Justice Sandra Day O'Connor gave the keynote speech at the Women's Power Summit on Law and Leadership, an event sponsored by the Center for Women in Law

Summit have achieved great prominence in the legal profession, but study after study shows that women, in general, have far less power, make substantially less money, and have significantly less access to leadership positions, important assignments, mentorship, and networking opportunities than their male counterparts. This is unacceptable. Our group is committed to changing the status quo."

Only seventeen percent of law firm partners and only eighteen percent of corporate general counsel are women. Although other advances have occurred—most notably, that women now constitute approximately fifty percent of U.S. law students—these leadership figures have generally remained stagnant over many years. ✨

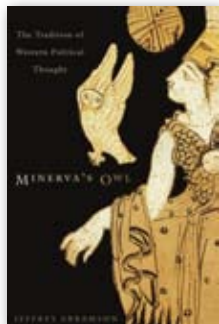
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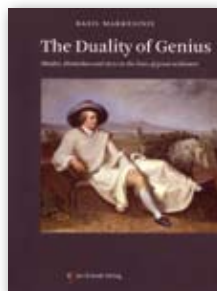
Dallas | Austin | Marshall | New York | Washington DC



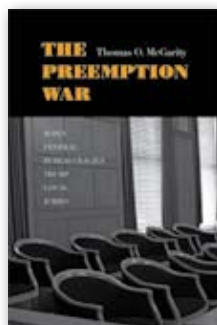
New Faculty Books



JEFFREY ABRAMSON
Minerva's Owl: The Tradition of Western Political Thought (Harvard University Press 2009)



BASIL S. MARKESINIS
The Duality of Genius: Shades, Blemishes, and Vices in the Lives of Great Achievers (Jan Sramek Verlag 2009)



THOMAS O. MCGARITY
The Preemption War: When Federal Bureaucracies Trump Local Juries (Yale University Press 2008)

MARK L. ASCHER
(with Robert T. Danforth)
Federal Income Taxation of Trusts and Estates: Cases, Problems and Materials, 3rd Edition (Carolina Academic Press 2008)

DANIEL M. BRINKS
The Judicial Response to Police Killings in Latin America: Inequality and the Rule of Law (Cambridge University Press 2007)

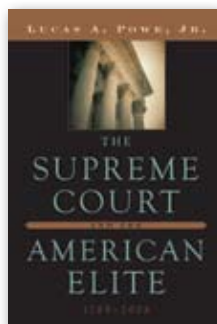
FRANK B. CROSS
The Theory and Practice of Statutory Interpretation (Stanford University Press 2008)

LINDA S. MULLINEX
Mass Tort Litigation: Cases and Materials and Teacher's Manual to Accompany Mass Tort Litigation: Cases and Materials (West 2008)

JON DEIGH
Emotions, Value, and the Law (Oxford University Press 2008)



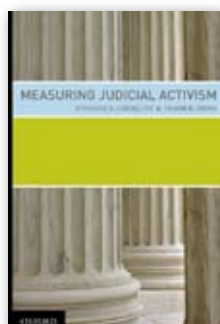
KRISTINE A. HUSKEY
Justice at Guantanamo: One Woman's Odyssey and Her Crusade for Human Rights (The Lyons Press 2009)



LUCAS A. POWE JR.
The Supreme Court and the American Elite, 1789-2008 (Harvard University Press 2009)

R. ANTHONY REESE (With Paul Goldstein and Alan M. Goldstein)
Copyright, Patent, Trademark and Related State Doctrines, Cases and Materials on the Law of Intellectual Property, 6th Edition (Foundation Press 2008)

(with Jane C. Ginsburg)
Copyright, Cases and Materials, 7th Edition, 2008 Supplement and Statutory Appendix (Foundation Press 2008)



STEFANIE LINDQUIST and FRANK B. CROSS
Measuring Judicial Activism (Oxford University Press 2009)

(With Margaret J. Radin, John A. Rothchild, and Gregory M. Silverman)
Internet Commerce: The Emerging Legal Framework, 2nd Edition, 2008 Supplement (Foundation Press 2008)

ROBERT J. PERONI
Federal Income Tax: Code and Regulations, Selected Sections (member, editorial board) and *International Income Taxation: Code and Regulations, Selected Sections* (coordinating editor, with contributing editors Charles H. Gustafson & Richard Crawford Pugh) (CCH Inc. 2008)

DAVID W. ROBERTSON and MICHAEL F. STURLEY
Admiralty and Maritime Law in the United States: Cases and Materials, 2nd Edition (Carolina Academic Press 2008)

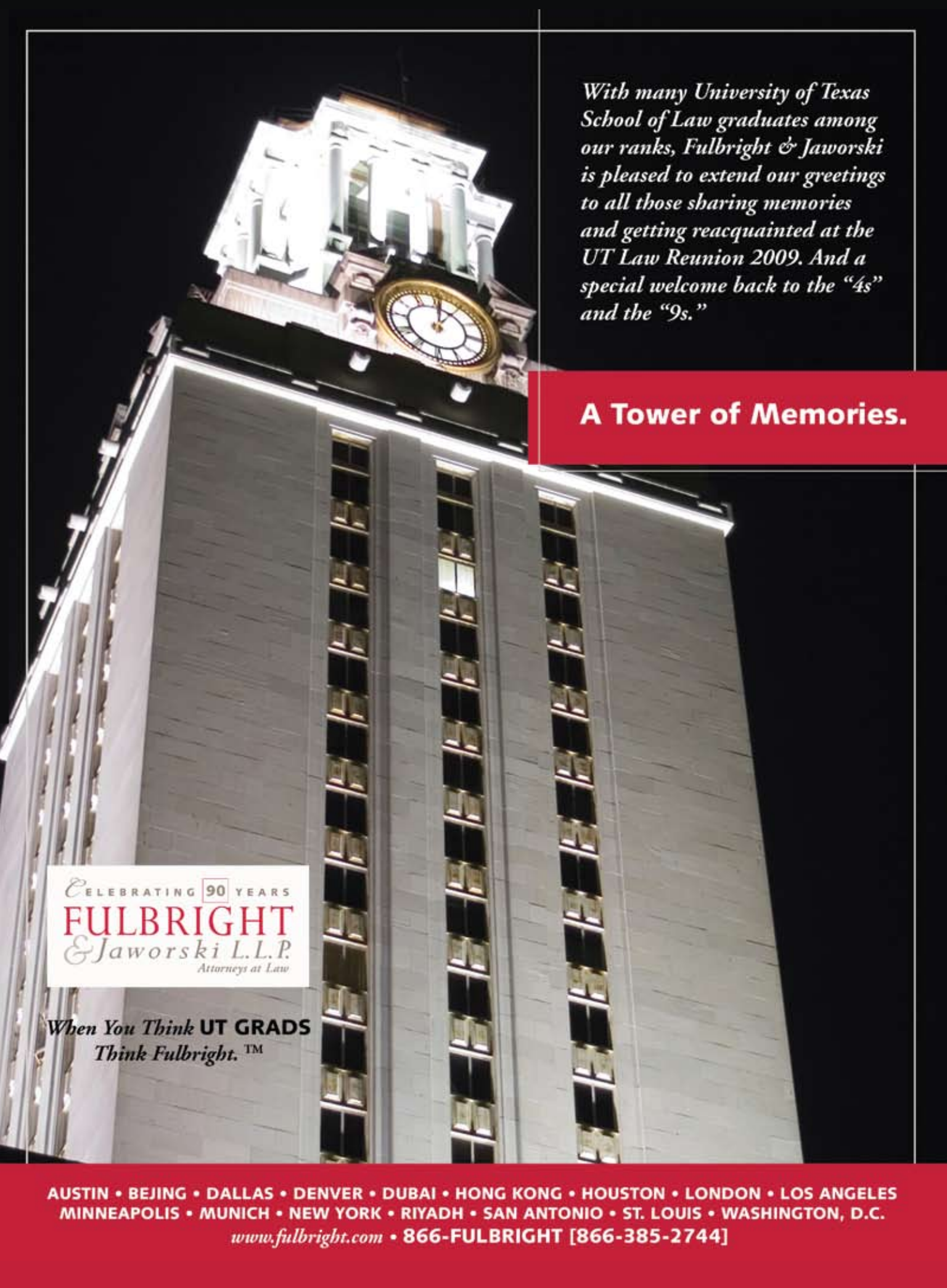
WAYNE SCHIESS
Preparing Legal Documents Nonlawyers Can Read and Understand and The Legal Memo: A Basic Guide (American Bar Association 2008)

ERNEST E. SMITH
(with Owen L. Anderson, John S. Lowe, and David E. Pierce)
Forms Manual to Cases and Materials on Oil and Gas Law, 5th Edition (Thomson West 2008)



JORDAN STEIKER
(editor, with John H. Blume)
Death Penalty Stories (Foundation Press 2009)

JAY L. WESTBROOK
The Law of Debtors and Creditors: Text, Cases, and Problems (and Teacher's Manual) (Wolters Kluwer Law & Business 2008)



With many University of Texas School of Law graduates among our ranks, Fulbright & Jaworski is pleased to extend our greetings to all those sharing memories and getting reacquainted at the UT Law Reunion 2009. And a special welcome back to the "4s" and the "9s."

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Law School Launches Human Rights Clinic

A new clinic, started in spring 2009, will offer students the chance to work on national and international human rights projects and cases.

IN SPRING 2009, the Law School launched a new legal clinic, the Human Rights Clinic, to undertake cases and projects that illustrate the breadth of human rights practice, including fact finding, reporting, and public advocacy. Under the supervision of Clinical Professor Ariel Dulitzky, an interdisciplinary group of law students and graduate students will work on human rights projects and cases from the advocate's perspective. The clinic seeks to develop both theoretical and practical skills through student involvement in activities such as supporting litigation of human rights claims in domestic and international fora; investigating and documenting human rights violations; supporting advocacy initiatives before United Nations, regional, and national human rights bodies; and engaging with global and local human rights campaigns.

The clinic draws from the successful experience of Dulitzky's spring 2008 course, Advanced Human Rights Advocacy. In that course, students helped to prepare an amicus brief submitted to the Peruvian court trying former Peruvian President Alberto Fujimori for human rights abuses; analyzed and documented human rights violations taking place as a result of plans to construct a wall along the Texas-Mexico border; documented the situation of rural workers in Guatemala; supported the request of the Ecuadorean Truth Commission for the declassification of documents related to human rights abuses in that country; drafted a legal analysis supporting the reopening by a prosecutor of a criminal investigation into a 1980s forced disappearance in Honduras; prepared a study for a Colombian think tank regarding the functioning of public institutions dealing with discrimination in Latin America; and prepared a claim for protection of traditional lands to be brought by an Afro-Brazilian quilombo



The Law School's new Human Rights Clinic will work on human rights projects from the advocate's perspective. Spring 2009 participants included (back row, left to right) Sara Leuschke, Chris Willett, (middle row) Emily Spangenberg, Annie Depper, Prof. Ariel Dulitzky, (bottom row) Meghan Vail, and Danielle Nasr.

community before the Inter-American Commission on Human Rights (IACHR).

"We are pleased to offer students the opportunity to participate in our new Human Rights Clinic," said Eden Harrington, assistant dean for clinical education at the Law School. "The clinic is expanding on the valuable human rights work undertaken by the Bernard and Audre Rapoport Center for Human Rights and Justice, and I'm confident it will be a great success."

Dulitzky is a leading expert in the inter-American human rights system. Prior to joining the Law School, he was assistant executive secretary of the IACHR, an autonomous organ of the Organization of American States (OAS). Dulitzky received the 2007 Gary Bellow Public Service Award from Harvard Law School for his career in human rights. He has served as advisor to the IACHR's first special rapporteur on Afro-descendants, a position he helped to establish in 2005, and as technical advisor to the OAS Working Group discussing the adoption of a new Inter-American Convention against

Racial Discrimination. He has been a consultant for the Office of the United Nations Human Rights High Commissioner and the Inter-American Institute on Human Rights. Dulitzky has directed the litigation of more than one hundred cases in front of the Inter-American Commission and Court on Human Rights.

"The Human Rights Clinic is unique and deploys an innovative approach," Dulitzky said. "The clinic is truly interdisciplinary. All the projects and cases allow working across disciplines and use the perspectives of different fields to enhance the overall theoretical framework. In addition, while all the projects and cases entail working in partnership with international institutions, national agencies, and/or nongovernmental organizations, some of those projects are part of long-term relationships with partner organizations and community activists to advocate for the advancement of the specific rights. As part of this long-term involvement, students will be offered the opportunity of continuing with their work on their projects through summer internships with our partner organizations." ❀

The Long Career Launch Program

In 2008 the Law School created the Long Career Launch Program to make it financially possible for recent graduates to gain work experience in unpaid legal internships while they wait for bar results. Funded by a \$2 million endowment from Joe R. and Teresa Lozano Long, the Program grants a \$6,000 stipend to participating graduates so they can begin their legal careers by working with a government agency or a nonprofit public-interest organization right out of law school.

ALICE DOLSON, '08, decided long before she graduated from law school that she wanted to work as a prosecutor. "Unfortunately, prosecutor's offices rarely have the resources to guarantee recent graduates a job before they get admitted to the bar," Dolson said. But a new initiative at the Law School made it possible for her to work at the Travis County Attorney's Office immediately following graduation.

The Long Career Launch Program was established in 2008 to help University of Texas School of Law graduates bridge the gap between law school and practice by offering stipends for work in unpaid internships at government agencies and nonprofit public-interest organizations. These can be difficult months—particularly for people interested in public-interest practice—because of the acute shortage of paid positions available to recent graduates who aren't yet licensed to practice law.

Joe R., '58, and Teresa Lozano Long



By making it possible for recent graduates to accept unpaid internships without worrying about how they will meet their basic expenses, the Program enables them to work and gain valuable experience in the field—experience that will serve them their entire careers.

Additionally, the Program places young talent in organizations that otherwise would not benefit from their contributions, increasing the reach of those organizations and expanding access to justice. During its pilot year, thirty-eight graduates participated, working in twenty-six different organizations, ranging from the Office of the Attorney General of Texas to the United Nations Assistance to the Khmer Rouge Trials.

Many of the Long Career Launch participants received and accepted jobs from their sponsoring employers; others were successfully referred to other public-service or public-interest employers. Almost all the participants found attractive employment. In the end, the first year of the program was a breathtaking success at both easing entrance into the job market and making public-interest and public-service options available to UT Law graduates.

“The Program gave me an opportunity I would not otherwise have had,” Sarah Drescher, ’08, said. “I learned about Texas judicial bypass law, an area of law I had no previous background in. Shelia Cheaney, my supervisor and the

Joe R. and Teresa Lozano Long

This remarkable program was made possible by a generous gift from Joe and Teresa Lozano Long.

“Terry and Joe Long are extraordinary people and wonderful friends of the Law School,” Dean Larry Sager said. “Their endowment of the Career Launch program is the latest in a long series of remarkably generous gifts. I simply cannot thank Joe and Terry enough for their sustained good counsel, friendship, and support.”

Teresa and Joe completed their undergraduate work at the University of Texas at Austin. Teresa earned both a master’s degree and a doctorate in education at UT as well, and Joe is a 1958

“The Long Career Launch Program has proven to be a wonderful opportunity for both graduates and the people of Texas alike.”

—James C. Ho, Solicitor General of Texas

“The Long Career Launch Program has proven to be a wonderful opportunity for both graduates and the people of Texas alike,” Texas Solicitor General James C. Ho said. “Two UT Law graduates were placed with the Office of the Solicitor General last fall. Both have contributed to a number of our most important cases, including matters before the U.S. Supreme Court and the Texas Supreme Court. Both have confronted a variety of challenging legal issues involving the U.S. Constitution and the administration of Texas government. We were so pleased with their work that both were offered—and, we are glad to say, both accepted—paid, full-time, one-year positions in the office.”

executive director of Jane’s Due Process, has been uniformly generous and supportive. Most of all, I have appreciated the chance to do meaningful legal work that really helps people. Especially after spending months preparing for the bar exam, the work I’ve done through the Long Career Launch Program reminded me why I wanted to be a lawyer in the first place.”

The Program is administered by the Career Services Office under the leadership of Assistant Dean David Montoya, ’95. “This program helps students get into practice, learn about opportunities they may not have considered, and form legal-world connections,” Montoya said. “We are very pleased with the results so far.”

graduate of the Law School. They met and married while Joe was in law school and Teresa was working on her PhD. Early next year they will celebrate their fifty-second anniversary.

Together, Joe and Teresa have contributed so much to the Law School, the University of Texas, and to the state of Texas that it is impossible to count the myriad benefits. The Long Career Launch Program is one among many initiatives they have supported—others include the University of Texas Health Science Center at San Antonio; the Teresa Lozano Long Institute of Latin American Studies; the Long Center for the Performing Arts; as well as numerous scholarships, professorships, and fellowships at the University of Texas at Austin.

Working with a wide variety of public-service employers, from the Office of the Attorney General of Texas to the United Nations Assistance to the Khmer Rouge Trials, participants gain experience that will serve them their entire careers.

Joe's support for the Long Career Launch Program can be traced to his early adult life, during which he held a variety of jobs—from school teacher to chief of the Enforcement Division of the State Securities Board to dairy farmer. This broad experience was a tremendous benefit when he opened his own Austin-based practice that specialized in banking and savings and loan law. Teresa worked for years as an educational consultant to the Texas Education Agency and to Head Start and other federal programs. Both the Longs are believers in the transformative value of education, which is why they direct so much of their philanthropy to higher education. They both serve on numerous boards that benefit education, civic life, and the arts.

"When Dean Sager approached me with the idea for this program it really resonated," Joe said. "I could see how it would serve recent graduates and the larger community. I had some struggles as a young lawyer. I wasn't in the top ten percent of my class. But people reached out and helped me. So I discussed the idea with Terry, and since she liked it, too, we decided to invest in it. We hope others will join us in contributing to this program, as well. It would be wonderful to make this opportunity available to more graduates and organizations." —*Kirston Fortune* ❁

Students who participated in the first year of the Long Career Launch Program worked with organizations including:

Advocacy, Inc.
American Civil Liberties Union
Office of the Attorney General of Texas
California Office of the Attorney General
California Department of Justice
City of Austin Law Department
Dallas City Attorney's Office
Dallas County District Attorney's Office
Equal Justice Center
Legal Aid of North West Texas
Legal Hospice of Texas
Lower Colorado River Authority
Jane's Due Process
National Labor Relations Board
Open Society Justice Initiative
San Diego County Public Defender's Office
Texas Association of School Boards
Texas Commission on Environmental Quality
Texas General Land Office
Texas State Board of Pharmacy
Texas RioGrande Legal Aid
Transnational Worker Rights Clinic
Travis County Attorney's Office
Travis County Juvenile Public Defender's Office
United Nations Assistance to the Khmer Rouge Trials

Alumni interested in contributing to this program can contact the Law School's Development Office at **(512) 232-1939**.



PHOTO BY NAJLAH FEANNY/CORDIS

James A. Baker III Chair in the Rule of Law and World Affairs

Friends and admirers of James A. Baker III recently donated \$1 million to endow the James A. Baker III Chair in the Rule of Law and World Affairs, which will bring a prominent international public figure who has done significant work at the intersection of public policy and the law to both the University of Texas and to the Baker Institute at Rice University. Baker, a 1957 graduate of UT Law, served as White House chief of staff and then secretary of the treasury during the administration of President Ronald Reagan, and as secretary of state during President George H.W. Bush's administration. At a recent black-tie dinner honoring Law School donors, Baker spoke on the current state of international law and the American political scene. He was introduced by Joe Jamail, '52. His remarks at that event are published here in full.

THANK YOU, Joe, for that generous introduction.

Ladies and Gentlemen, it is a special honor to have an endowed chair named after me at this illustrious law school, where the last three generations of James A. Bakers earned their law degrees and where I gained valuable skills that influenced my private and public careers. I have a special place in my heart for this institution, my alma mater, and I would like to thank everyone who contributed to make this chair possible.

But I want you to know that I feel very lucky that you agreed to name this chair for me when you did. If you had postponed your decision until after the stock market tumbled, you might have had to call it the James A. Baker III "Folding" Chair in the Rule of Law and World Affairs.

By the way, I am really impressed with the things on this campus named after Joe Jamail.

There is the football field, a swimming pool, a handful of endowed Law School chairs, a pavilion, an academic room, a legal research center, and who knows what else.

Sometimes I wonder if "Bevo" isn't Lebanese for "Jamail."

Of course, the truth is, few are as deserving of recognition as Joe Jamail. His life story—rising from working in his parents' grocery store to become one of the world's most admired (and feared) lawyers—is a testament to the fact that through hard work, generosity, and a lionhearted nature, you can accomplish great things in our country.

It helps, of course, to have been a Marine!

Joe, thank you for all that you have done for Texas, and especially for providing me with a wonderful friendship for so many years.

Ladies and gentlemen, I welcome the idea that a chair named after me is dedicated to the "Rule of Law" and "World Affairs" because I believe that the United States cannot play an effective role in the latter without a firm grasp of the former.

And so tonight, I would like to focus on one aspect of the rule of law—

international law—because the global landscape is changing, perhaps more rapidly than ever before. As a result, there is a greater interdependency between nations as we face serious global challenges. These challenges include, but are not limited to: international terrorism, the spread of weapons of mass destruction, climate change, mass migrations of workers, a demand for resources, and economic stability.

Despite predictions that American influence is waning, we continue to be the great nation that has provided the premier leadership role on the world stage since the Cold War ended. Other countries are catching up—notably China and India. But today and for the foreseeable future, no country can match us in terms of military power, economic clout, diplomatic reach, and most importantly, the strength of our principles and values.

Having said that, however, we cannot go it alone when tackling those global challenges I mentioned, and we should not try. Neither the United States nor even a group of developed countries has the wherewithal to effectively address them. It will take the sustained cooperation of many nations who understand that in this age of globalization the problems of the world do not stop at borders.

And that means that the rule of law—as established through international law—must be an essential reference point for U.S. diplomacy. Many aspects of our existence on this earth are grounded in real agreements among nations—everything from safe passage on the sea to the security of international financial transactions. These are essential to a just international order.

Of course, that international order is sometimes shattered by horrors such as the Holocaust or the barbarity of an individual aggressor. This does not, however, constitute proof that international law is meaningless—no more than an unsolved theft constitutes proof that there is no such thing as a law prohibiting it.

International law—as it affects global politics—is a concept that seems in dire need of a bridge between the theoretical and the practical.

As both a diplomat and a lawyer, I find it unfortunate that the two sides so frequently talk past one another.

Some see international law as a "soft" discipline with little practical application, or alternatively, as undesirably restricting a state's ability to act in its own self interest. Others see power politics as brutish, a poor substitute for the stabilizing effects of law.

What is needed is a realistic approach that pragmatically recognizes the country's needs without compromising its ideological strength. This is true for many aspects of American policy, both domestic and international.

And it is especially true with respect to the effect of the rule of law on world affairs.

Finally, ladies and gentlemen, let me say a few words about the recent election.

Although, as everybody knows, I am a dyed-in-the-wool Republican who supported John McCain, I think November 4, 2008, was a proud moment for our nation, when an inspirational American gave his acceptance speech as the president-elect of the United States of America.

Our belief that "all men are created equal" rings a little truer tonight.

In January, we will have a new president, a new Congress, and hopefully, a new attitude that can bridge the red state-blue state divide that splits America.

Senator Obama's biggest challenge will be to help our country get beyond the political dysfunction that has too often prevented us from working as a unified nation. And the best way to do that, I believe, is to govern from the pragmatic center of our polity rather than from one ideological extreme or another.

Senator Obama, of course, will feel pressure from members of his own party who want to carry the country more to the left. That is to be expected.

But he has demonstrated a capacity for inclusion as well as being his own man. Should he govern from the center, Senator Obama will find that there are Democrats and many Republicans who are ready to work together to solve the difficult problems that confront us.

In the end, that is what Americans most want.

Thank you for this honor, God bless you, and may God bless our great nation. ❀

“One’s training in a place as good as UT Law gives you many tools: legal training, to be sure, but also discipline in thinking through problems, and the ability to distill what’s most important in a given context. It was a real privilege to attend UT and a continuing privilege to be able to use my training to help make the world a better place.”

Force of Nature

GREAT CAREERS in public-interest law don’t often begin near the Ngorongoro Crater. But it was there, in the Crater Highlands of Tanzania, that Ford Foundation Chair Kathryn Fuller, ’76, came to the decision to go to law school and to use her legal education to help preserve the natural environment.

“I was a literature major at Brown, but always very interested in biology,” Fuller said. “After college I ended up working at the Harvard Museum of Comparative Zoology, where I got to know some of the professors. I wound up signing on to help a professor and his wife who studied wildebeest behavior in the Ngorongoro Conservation Area in Tanzania. I had always cared about conservation, but once I found myself in Africa I knew I had to learn how to do conservation work professionally and thought law school would provide good tools.”

“Wildlife lawyer” is not a common job description now, and it certainly wasn’t when Fuller graduated from the Law School. But Fuller said the legal education she received was instrumental in helping her chart out a path to finding

work that fulfilled the description, first at the U.S. Department of Justice’s Office of Legal Counsel, then at the World Wildlife Fund (WWF), and now at the Ford Foundation, the second-largest foundation in the United States, whose focus is on “strengthening democratic values, community and economic development, education, media, arts and culture, and human rights.”

“Studying at UT was a wonderful experience,” said Fuller, who worked for the Office of the Attorney General of Texas while at the Law School and clerked for the chief judge of the Southern District of Texas after graduation. “Serendipitously, I found a job at the Office of Legal Counsel after finishing my clerkship, and worked there for two-and-a-half years. In the back of my mind, though, was my commitment to nature conservation. I took the opportunity while on maternity leave to talk to various people in the environmental community and learned that a wildlife section in the Justice Department’s Land and Natural Resources Division was about to start up. I jumped at the

opportunity to work as a staff attorney in the new Wildlife and Marine Resources Section, and later ran it.”

Fuller’s next step was to join the World Wildlife Fund for a conservation-law project she helped to design. “The project turned into a job,” Fuller said. “Eventually I served as general counsel at WWF, covering an array of questions—tax, employment, real property, licensing, trademark—that we confronted as a large nonprofit.” (In a well-known case, Fuller took part in a 2000 suit, filed in the United Kingdom, against the World Wrestling Federation for a breach in a licensing agreement between the two organizations over rights to use the initials in its name and logo. The wrestlers lost the case and now go by the name of World Wrestling Entertainment.)

Fuller’s varied background, training, and experience all figured heavily in her conservation work. Because ecosystems are not contained within national or jurisdictional borders, conservation requires expertise in a wide variety of legal, economic, and scientific disciplines.

“At WWF, I personally spent a lot of time on conservation finance,” Fuller said. “We carried out some of the early debt-for-nature swaps. At a time when developing countries were having difficulties servicing their debt, a number of them worked out deals with their creditors to swap discounted debt for equity in local for-profit ventures. We thought, ‘Maybe you can make deals for nature conservation, too.’ So we would acquire discounted debt by donation or purchase which was then redeemed by the debtor country in local currency to support conservation work such as the establishment or management of a park for which resources were otherwise lacking.”

Even when conservation work involves engaging international markets, Fuller stresses the importance of focusing on the engagement of local communities. “I spent a lot of time thinking about the role of communities, and especially women, in conservation,” Fuller said. “You can design an elegant conservation initiative, but unless local people are integral to its planning and implementation, it has a much lower chance of success. In Zambia, for example, a project designed to protect elephant populations and provide income for local communities failed to consult local women. As a consequence, a rebounding elephant population began trampling vegetable gardens. So the project had to be adjusted.”

Fuller’s ability to think of innovative ways to use her legal education to improve people’s lives has continued at the Ford Foundation, of which she became chair in 2004. “A major thrust of our work at WWF was engaging market forces, from global to local, to bring about change,” Fuller said. “The Ford Foundation’s focus is on social justice, a different starting point from the World Wildlife Fund’s, but also requiring understanding and engaging of stakeholders across multiple levels, disciplines, and geographies.”

Fuller said the Ford Foundation provides grants in peace and social justice; asset building and community development; and education, arts, and culture. She said working with the Foundation, which was founded in 1936, has allowed her to expand beyond nature conserva-



Ford Foundation Chair Kathryn Fuller, '76

tion into other important public-interest arenas. “The Foundation makes about \$600 million a year in grants—roughly half in the U.S., and half abroad—to fund programs that strengthen democratic values; that help poor people obtain assets such as housing that help them out of poverty; and that enable disadvantaged populations to pursue college and post-graduate education. It’s a broad swath of work.”

Fuller emphasizes that the skills she

learned at the Law School helped her to make the public-interest career first imagined in a crater in Africa a reality. “One’s training in a place as good as UT Law gives you many tools: legal training, to be sure, but also discipline in thinking through problems, and the ability to distill what’s most important in a given context. It was a real privilege to attend UT and a continuing privilege to be able to use my training to help make the world a better place.” —*Julien N. Devereux* ✨

PHOTO BY SAM KITNER

"I work every day like I just started this job. If I ever get to the point where I'm not as excited as I was when I showed up as a thirty-five-year-old—if I ever lose that zeal—I know it's time to go."

A Life in Politics

TEXAS STATE Senator Rodney Ellis, '79, a Houston Democrat representing District 13, knew from the moment he joined the debate team in junior high school that he wanted to dedicate his life to law. He realized his dream when he graduated from the Law School in 1979, becoming the first lawyer in his family. After a stint on the Houston City Council, he was elected in 1990 to his senate seat. In nearly two decades since, he has written more than 450 bills that have become law.

"I carry a lot of bills," he said. "I'm all across the board. Some would call it ADD. I would call it realizing there are a lot of people out there."

He credits his experience at the Law School for preparing him for a life of politics as well as success in the private sector.

"Most of what I do in my public life or in my private life is a direct result of things I learned or experiences I went through while I was at the Law School," he said. "Being there taught me to analyze issues, comprehend subjects, and then find a way to explain them to other people in a way that's understandable."

An added bonus, he notes, is that the school is situated in the state's capital. "I was a full-time student and I was working virtually full-time when the legislature was in session," he recalled. "I took advantage of being in Austin and spent a

lot of time around the capitol using the skills I was learning in school to apply in that laboratory. I liked being around lawmakers and being in the middle of the brawl."

Despite his impressive bill skills, the senator is not inclined to gauge his achievements by quantifying them. "I measure success not by how many bills passed but by taking on the good fights, the big fights," he said, noting that the path of least resistance holds no appeal. "Sometimes by going after major systemic changes, even if I don't win, I win at moving the ball and creating an environment for someone else to win."

With 2009 being an in-session year for the legislature, the senator has been constantly busy, juggling family life—his wife and four children live in Houston—with legislative duties and his business endeavors, which include his partnership in Rice Financial Products Company, his shareholder status with the Tagos Group, and his duties as counselor for Reaud, Morgan & Quinn.

Ellis keeps a private phone line, computer, and fax in his senate office and returns business calls when he can, early in the morning and late at night. He also squeezes in frequent bike rides around Austin to help him both clear his head and brainstorm new ideas. (His passion for cycling prompted participation in nine multiple sclerosis fund-raiser rides,

and he counts bicycle safety legislation as a priority.)

This past session, he's been pushing for criminal-justice reforms, working to prevent wrongful convictions, and striving to put more environmental-protection measures in place. "Texas is a tough place to pass progressive environmental issues," he admitted, but he remains undeterred in his efforts, in particular in pushing for a statewide ban on secondhand smoke.

Perhaps his greatest efforts have gone toward protecting the TEXAS Grants program, college scholarship legislation he wrote in 1999 that has since provided nearly \$1.2 billion in student aid. Recently he has been fighting what he terms "crippling new restrictions that would have forced thousands of students to lose their aid"—the proposed changes in eligibility standards could, if enacted, cut off many students from much needed assistance. (Last session, he staved off changes that would have forced students to repay grant money if they did not finish in four years.)

Other legislation he's written and helped pass includes: the annual three-day sales-tax holiday every August on shoes, clothing, and backpacks to help Texas families prepare for school; increasing juror pay to promote better jury participation and diversity; legislation that requires nonprofit hospitals to



PHOTO BY BRUCE BENNETT

Senator Rodney Ellis, '79

provide healthcare services, including charity care, and to comply with all government regulations in order to receive nonprofit tax-exemption status; and a "motor-voter program" that allows citizens to register to vote when applying for or renewing their drivers' licenses. He is particularly proud of passing the James Byrd Jr. Hate Crimes Act, which took him a decade to pass due to partisan gridlock.

Of his critics and detractors he said, "I try to use logic. I try to use personal relationships to get to know people. Sometimes there will be certain advocacy groups I'll never get along with. I do whatever works—ignore them, go after them publicly—it's case by case. But I never give up on people. There have been relationships I've developed with major detractors and over time I've found that if you work at it hard enough and get to know folks, you find you might have more in common than what you disagree on."

Of the necessity of compromising, he said, "My philosophy is to ask for what you want and take as much as you can get. Sometimes you have to find a way to move the runners gradually as opposed to scoring a home run when you step up to the plate."

Senator Ellis has his fans, too. His colleague, El Paso Senator Eliot Shapleigh, '81, said "Ellis is often two sessions ahead of the curve. He sees an issue, then works it with grace, integrity, and tenacity. And over time, he makes major reforms happen, often working in the toughest areas of the law. His work on the Innocence Project is just one of many examples of major change that he has delivered for the people of Texas."

The Innocence Project, aimed at preventing wrongful convictions, is high on Ellis's priority list. Serving as interim governor—something he has done on dozens of occasions over his tenure—he has presided over three executions. In one instance, he offered a reprieve, which, he said, helped "shed light on DNA legislation I cosponsored and passed."

Senator Ellis is running for office again next year. "I love what I do," he said. "I work every day like I just started this job. If I ever get to the point where I'm not as excited as I was when I showed up as a thirty-five-year-old—if I ever lose that zeal—I know it's time to go."—*Spike Gillespie* ✨



PHOTO BY JAY BROUSSEAU

Bryan Garner, '84

Legal Lexicographer

THE LAW SCHOOL has produced numerous judges, honored (and feared) prosecutors, towering trial lawyers, countless corporate and public-interest lawyers, and one Supreme Court justice. But Bryan Garner, '84, recognized as the nation's foremost expert on usage, and grammar in American English, rivals any of them in terms of influence in his field.

In a long 2001 *Harper's* review of what is probably Garner's best-known book, *A Dictionary of Modern American Usage* (now published as *Garner's Modern American Usage*) the late novelist and essayist David Foster Wallace hailed Garner as a "genius" for his deft explanations of tricky grammatical and usage questions as well as for the democratic spirit in which Garner's work resolves the tension between "prescriptivists" (snooty grammar snobs) and "descriptivists" (overly permissive grammar slobs). And it is true you will not find a better book if you are interested in learning things like the difference between *less* and *fewer*; the

intricacies of when to use *that* or *which*; whether *kiwifruit* is one word or two (it's one); or what to call residents of Corpus Christi (Corpus Christians).

Garner has been interested in the rules of grammar, usage, and good writing since he was very young. He credits his grandfather, Meade F. Griffin, '17, a former justice on the Supreme Court of Texas, for introducing him to *Webster's Second New International Dictionary* when he was a child by using the great unabridged tome as a booster seat for the young Garner.

Later, Garner said he spent hours studying the dictionary in an attempt to impress girls, and by the time he figured out that it was not working particularly well, he had become a serious lexicographer. The career path to becoming a working lexicographer and usage expert, however, is not a straightforward one, so Garner came to the Law School after graduating from the University of Texas at Austin, hoping to follow in his

grandfather's footsteps as a practicing lawyer or even a judge. But after graduating in 1984 and joining a law firm in Dallas, Garner could not resist the urge to write about usage and legal writing.

"Although I entered legal practice in 1984 with the idea of practicing law for the rest of my career, I was also determined to write books—reference books, mostly," Garner said. "But when my first book, *A Dictionary of Modern Legal Usage*, appeared in 1987, and I was a second-year associate at a Dallas firm, my authorship seemed to be more resented than admired by my colleagues. That's when I thought the groves of academe might be more congenial."

Garner then came to the Law School, where he took up a position as a visiting associate professor. Garner said he enjoyed his scholarly work and teaching, but his focus on legal writing might have hindered his scholarly career.

"When I told the dean at the time that my main interest was legal writing—and

by that time I'd written my second book, *The Elements of Legal Style*—he said that I'd never be taken seriously by any major law faculty if I wanted to teach that subject," Garner said. "Unfortunately, he was probably right."

In order to continue teaching legal writing (and continue to write books), in 1991 Garner founded the Dallas-based company, LawProse Inc., which offers continuing legal education courses to lawyers and judges. Garner said he's had more than 105,000 lawyers participate in his legal writing, editing, and drafting seminars since that year. Through LawProse, he also consults on editorial projects such as pattern jury instructions, court rules, consumer contracts, and appellate briefs.

Garner said his seminars and writing classes have exposed him to a great deal of anxiety over writing on the part of lawyers (as well as much unfounded confidence in their own writing ability).

Wayne Schiess has been a major leader in the field."

Law schools' and legal firms' lack of emphasis on good writing has allowed Garner to turn his passion for good writing and usage into a valuable and satisfying practice. "I like the idea of changing lives," Garner said. "Several times each week, someone will say something like this: 'Although I was an English major, I stopped writing well long ago because I thought you had to do things the 'legal' way. You've made me realize how it's possible to write well in this profession.' Or: 'Even though I'm a lawyer, I never thought of myself as a professional writer. Thank you for showing me that that's what I am.' But I enjoy tweaking legal academia. Because the law schools won't or can't reform, there's a lucrative profession in Clinical Legal Education. I just love that. And meanwhile, in my own small way, I'm having a positive impact on the world. I can't imagine anything more fulfilling."

don't want to depart much from how things have been done in the past."

Garner has publicly debated footnotes with Supreme Court Justice Antonin Scalia and Seventh Circuit Court Judge Richard Posner, both of whom prefer traditional legal citation style. "When Justice Scalia and I squared off on this point during our presentation at the Kennedy Center in July 2008, the crowd of 750 lawyers voted on the question and split fifty-fifty," Garner said. "But I'm convinced that I'll prevail in the end. The profession will adopt this practice of footnoting citations and will mostly forswear substantive footnotes, I hope. By the way, no single cosmetic change can so immediately lay bare shoddy writing and shoddy analysis than stripping out the citations. It's time that we eliminated all the camouflage that lets mediocre writers believe they're so much better than they really are." Despite Garner's strong disagreement with Scalia on this

"In my own small way, I'm having a positive impact on the world," Garner said. "I can't imagine anything more fulfilling."

"The business model of LawProse has always been to figure out what most lawyers do poorly and teach them how to do it well," Garner said. "A big part of the challenge is to convince those lawyers who think they're quite good writers that their self-assessments are overgenerous, often laughably so. Over the years, I've discovered that litigators are mostly ill-equipped to frame legal issues (and lack the courage to state them plainly and persuasively up front), and that transactional lawyers are disastrously ineffective at expressing contractual duties. These are the most important things that lawyers do: litigators frame issues, and transactional lawyers express duties. Most law schools do little if anything to ameliorate these rampant problems, and so a big part of my career has been devoted to helping practicing lawyers learn what the law schools have failed to teach them. I'm proud to say, by the way, that UT Law is an exception—

But Garner's "tweaking" of legal academia has proved most controversial on a subject ignored by many outside the ivory tower: footnotes. "I'm against footnotes," Garner said. "I think you should never use them—except for bibliographic material. Second, all such merely bibliographic material should be relegated to footnotes. I can't imagine why otherwise intelligent writers would want to pollute their text with extraneous characters, when that practice is just a carryover from the limitations of typewriters. Here we are in 2009, stuck in a stylistic rut necessitated by pre-1980 technology. Third, no one should have to bounce down to footnotes. You should say in the text what your major authorities are and how old they are. I would never have guessed that this part of my campaign—and, let's face it, I'm campaigning for the betterment of legal writing—would spark such debate. Then again, the law is a conservative profession, and people

issue, it hasn't prevented the two from writing a book together, *Making Your Case: The Art of Persuading Judges*, which was published in 2008. It was named "Law Book of the Year" by the Burton Awards Committee, which honored Justice Scalia and Garner in a ceremony at the Library of Congress.

Ultimately, Garner sees his role as aiding lawyers, legal scholars, and writers in general to write clearly and well, a task of paramount importance in the law and in the larger culture and society, as well. From an early interest in words to a career in legal education to a writer and grammatical expert eager to shake up legal complacency about writing, Garner has carved out a unique niche. "Essentially, my story is a series of migrations for purposes of finding a more congenial environment for doing the work I love," Garner said. "Ultimately, I had to migrate to an environment that I invented." —Julien N. Devereux ✱

Class Notes

Lifetime Achievement Award

GEORGE C. CHAPMAN

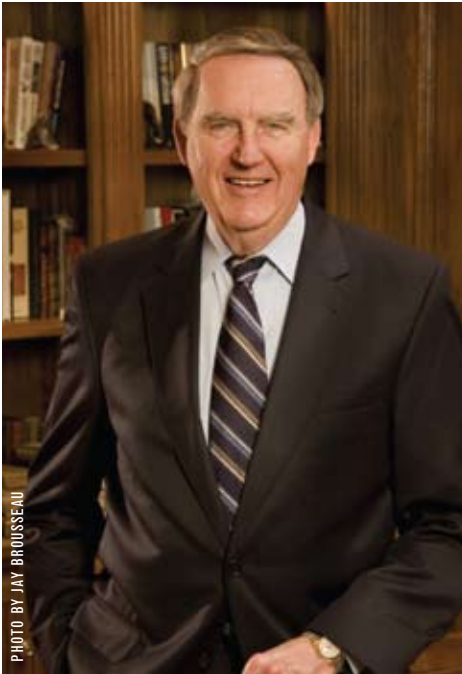


PHOTO BY JAY BROUSSEAU

GEORGE C. CHAPMAN, '62, is senior counsel in the litigation department of Thompson & Knight LLP in Dallas. He has served three separate three-year terms on his firm's management committee. Chapman received a BBA from the University of Texas at Austin in 1959 and an LLB with honors from the Law School, where he was editor in chief of the *Texas Law Review*. Classmates elected him as the "permanent class agent" of the graduating class of 1962. He has been actively involved in numerous University of Texas organizations, serving as president of the Dallas Texas Exes in 1973–1974; president of the UT Dad's Association in 1985; president of the Texas Law Review

Association; a regional vice president of the University of Texas Ex-Students' Association; and member of the executive committee of the Chancellor's Council. He served for twenty years as a trustee of the University of Texas Law School Foundation. He is also a fellow of the American College of Trial Lawyers and is listed in *Best Lawyers in America—Commercial Litigation*.

Chapman received the Heath Award from the Dallas County Medical Society in 2007 and the Morris Harrell Professionalism Award from the Dallas Bar Association in 2008. Chapman has been a leader in the state and local bar associations, serving as president of the Dallas Bar Association in 1987 and as chair of the Dallas Bar Foundation in 1993. From 1988 to 1991, he served on the executive committee of the State Bar Board and was a trustee of the Texas Bar Foundation until the summer of 2002. He is also a trustee of the Center for American and International Law and the Redman Foundation. Chapman is a founding member of Park Cities Presbyterian Church in Dallas, where he serves as an elder. He is chairman of the Committee for a Qualified Judiciary and received the Baird Community Service award for his many contributions to Dallas.

The Lifetime Achievement Award honors an alumnus who has had a distinguished legal career and who has brought honor to the University of Texas School of Law through his or her service to the legal profession and to society. With this award, the Law Alumni Association recognizes that alumnus who epitomizes the highest goals and traditions of the profession: diligence, discernment, integrity, and a commitment to the betterment of our civic life.

1957



Sheldon Anisman of Jackson Walker LLP's Dallas office has been named by *Fort Worth, Texas Magazine* as a "Top Attorney" for his work in labor and employment law. His experience spans cases involving the sale of both improved and unimproved real estate, real estate development, financing, leasing, planning, zoning, and construction. Anisman's practice includes business representation of corporations and individuals in various industries. He is board certified in real estate law by the Texas Board of Legal Specialization.

Ronald D. Krist, who was awarded the Law School's Outstanding Alumnus Award for 2006, has been named by *Best Lawyers in America* as Houston's Personal Injury Litigator of the Year for 2009.

1965

Pike Powers, a partner at Fulbright & Jaworski, received a Distinguished Lawyer Award from the Austin Bar Association for his abilities and contributions as an attorney. Powers led Fulbright & Jaworski to grow from himself and one other lawyer to more than one hundred lawyers, making the firm one of the most diversified intellectual property and technology practices in the country. As executive assistant to former Texas Governor Mark White, his work brought high tech companies to Austin and earned him the title of the "Godfather of Austin's Tech Boom." Powers also has served in numerous community leadership roles including director for St. David's Community Hospital Foundation, chair of Austin's Airport Task Force, and director of the Austin Urban League.

1967

Charles Foster, cofounder of Tindall & Foster PC in Houston, was a reigning voice in the firm's decision to merge with another immigration firm, Quan, Burdette & Perez PC, beginning in 2009. The new firm, Foster Quan LLP, will capitalize on the expanding corporate demand for comprehensive immigration service. With fifty-six employees and 165 staff members, this nationally recognized litigation team offers family immigration services that accommodate the relatives of immigrating employees and those seeking citizenship and serves clients across a variety of sectors, including healthcare, energy, education, and foreign investment cases in six different locations throughout Texas and Mexico. Foster, who has been listed as Texas's top immigration lawyer by both *Texas Lawyer* and *Chambers USA*, pioneered and patented a process for reducing I-9 liability and ensuring immigration and employment compliance in the U.S.



Donald W. Griffis of Jackson Walker LLP in San Angelo was named one of *The Best Lawyers in America* for 2009 in the fields of alternative dispute resolution and commercial litigation. He was also named 2008 Citizen of the Year by the San Angelo Chamber of Commerce. Griffis helped organize the Tom Green County Veterans Council, a group of veterans' agencies that meets to better understand the services each one offers. An officer for three years in the U.S. Marine Corps, he wrote a book, *Eagle Days*, about his experiences in Vietnam and feels strongly about taking care of U.S. veterans. He has practiced law for more than twenty-six years in West Texas and served as law clerk to U.S. District Judge the Honorable Joe E. Estes. Griffis passionately continues to teach the values of the military as a scoutmaster in the Boy Scouts of America.

1968



Byron Egan of Jackson Walker LLP in Dallas received the College of the State Bar of Texas's Franklin Jones Best Continuing Legal Article Award 2008 at the Business Law/Corporate Counsel annual meeting

Outstanding Alumnus Award

THE HONORABLE ROYCE C. LAMBERTH



PHOTO BY PAUL FETTERS

THE HONORABLE ROYCE C. LAMBERTH, '67, was appointed United States District Judge for the District of Columbia on November 16, 1987. He became chief judge on May 1, 2008. Lamberth, a native of San Antonio, graduated from the University of Texas at Austin, receiving a BA in 1966, and from the Law School in 1967, receiving an LLB. He served as a captain in the Judge Advocate General's Corps of the United States Army from 1968 to 1974. After service at Fort Bragg, North Carolina, and in Vietnam, Lamberth served in the Litigation Division of the Office of the Judge Advocate General of the Army at the Pentagon from 1971 to 1974. Lamberth served as an assistant United States attorney for the District of Columbia from 1974 to 1987. He was chief of the Civil Division of the United States Attorney's Office from 1978 to 1987. Lamberth is married to the former Janis K. Jost of San Antonio. He is former chairman of the Federal Litigation Section of the Federal Bar Association, and a member of the American Bar Association, the Bar Association of the District of Columbia, and the District of Columbia Bar.

Lamberth is also former chairman of the Professional Ethics Committee of the Federal Bar Association. The Federal Bar Association's "Model Rules of Professional Conduct for Federal Lawyers," approved in October 1990, were drafted by Lamberth's committee. Lamberth was appointed by Chief Justice William Rehnquist to be the presiding judge of the United States Foreign Intelligence Surveillance Court on May 19, 1995. His appointment ended on May 19, 2002. Lamberth served as a member of the Committee on Automation and Technology of the Judicial Conference of the United States from 1990 to 1996. From 2003 to 2008, Lamberth served as chairman of the Committee on Inter-Circuit Assignments of the Judicial Conference of the United States.

The Outstanding Alumnus Award honors a graduate who has made outstanding contributions not only to the legal profession, but to society as a whole.

on June 26, 2008, for his article, "Director Duties in Troubled Times: Process and Proof," presented at the State Bar of Texas's Corporate Minutes/Directors' Duties webinar on October 23, 2008. A partner at his firm, Egan engages in corporate, partnership, securities, mergers, acquisitions, and financing practice. In addition to handling transactions, he advises boards of directors and their audit, compensation, and special committees with respect to fiduciary duty, the Sarbanes-Oxley Act, and special investigations. After receiving his law degree, Egan served as a law clerk for Judge Irving L. Goldberg on the U.S. Court of Appeals for the Fifth Circuit for the 1968-69 term. For the past ten years, Egan has been named one of *The Best Lawyers in America* under either corporate, mergers and acquisitions, or securities law. He also won the Burton Award for Legal Achievement in 2005, 2006, and 2008.



In May of 2008, **Colonel Neill Wilkerson** was inducted into the U.S. Army Artillery Officer Candidate School Hall of Fame

in Fort Sill, Oklahoma, for his distinguished military service. After graduating from the Law School, Wilkerson became an artillery captain and transferred to the Army Judge Advocate General's Corps under active duty. He served as staff judge advocate of the 164th Combat Aviation Group in Vietnam; instructor at the U.S. Army Armor School; assistant professor of law at the United States Military Academy at West Point; and as trial judge in the U.S. Army Judiciary. After leaving active duty, Wilkerson was selected to serve as a reserve appellate judge on the Army Court of Military Review in addition to working for his practice in Georgetown.

1969

John Blazier of Blazier, Christensen, Bigelow & Virr received the David H. Walter Community Excellence Award for making a significant impact in the community. Blazier has led the way in expanding educational opportunities by building new computer labs and beautifying Austin's public school campuses. He remains an active member of the Seedling Foundation, which provides students whose parents are incarcerated with mentors. In his honor, the John C.

Blazier Elementary School opened in southeast Austin in fall 2007.

Joe K. Longley, a consumer and policyholder advocate in Austin, was inducted into the International Academy of Trial Lawyers (IATL) at its September 2008 meeting in Aspen, Colorado. As the principal drafter in 1973 of the private remedies section in the Texas Consumer Protection Act and the Texas Insurance Code, Longley was highly recommended by his colleagues and the judges in his jurisdiction for his experience and character. These remedies were first enacted by the Texas Legislature when Longley was chief of the Antitrust and Consumer Protection divisions at the Texas Attorney General's Office. *Texas Lawyer* has selected him several times as a top lawyer in the fields of consumer and insurance law. As an adjunct professor at the Law School, he has taught insurance law and is often referred to by clients and colleagues as "the number one enemy of the fine print."

1970



Claiborne B. Gregory Jr. of Jackson Walker LLP in Dallas was named one of *The Best Lawyers in America* for 2009 in the fields of bankruptcy and creditor-debtor rights law.

M. Lawrence "Larry" Hicks Jr. was appointed treasurer of the American College of Mortgage Attorneys for 2008-2009. A real estate and banking partner as well as an administrative partner for Thompson & Knight's Dallas office, his practice includes real estate lending transactions, ground leases, workouts, and foreclosures.

1971



Duncan E. Osborne, a partner at Osborne, Helman, Knebel & Deleery LLP in Austin, has been elected to secretary of the American College of Trust and Estate Counsel, of which he has been a member since 1984. Focusing on domestic and international estate planning with an emphasis on asset protection planning, he frequently lectures on these areas and has published articles domestically and internationally on the subjects of offshore

trusts and asset protection. A former adjunct professor at the Law School, he devotes significant energy to helping his clients with estate planning. Osborne conceived and served as the original editor and contributing author to *Asset Protection: International Law and Tactics*, a four-volume treatise. He was also a founding chair of the American Bar Association's Asset Protection Committee. Foreign governments and financial institutions frequently call upon Osborne for trust and tax advice, and he has served on both sides of the trial docket in cases involving asset protection planning.

1973

Sol Casseb III has been appointed judge of the 288th District Court in San Antonio by Governor Rick Perry. Casseb previously practiced with the firm Casseb & Pearl and has been named by *Texas Monthly* as a "Super Lawyer" from 2005 to 2008 in the field of family law.



Robert M. Cohan of Jackson Walker LLP in Dallas was named one of *The Best Lawyers in America* for 2009 in the fields of antitrust law and commercial litigation.



Edward C. Small of Jackson Walker LLP in Dallas was named one of *The Best Lawyers in America* for 2009 in the fields of energy, environmental, and government relations law.

1974

James M. "Jim" Alsop of Jackson Walker LLP in Dallas was named one of *The Best Lawyers in America* for 2009 in the field of real estate law.

G. Luke Ashley, a partner at Thompson & Knight LLP's Dallas office, was elected to serve another term in the Political Action Committee of the Texas Association of Defense Counsel for 2008-2009. As the firm's general counsel, he specializes in appellate law while maintaining a trial practice involving personal injury and commercial cases. He has argued cases before the U.S. Fifth and Eighth Circuit Courts and the Texas Supreme

Court, and has handled appeals to the U.S. Supreme Court. He is board certified in civil appellate, civil trial, and personal injury trial law.



David G. Dunlap of Jackson Walker LLP in Dallas was named one of *The Best Lawyers in America* for 2009 in the fields of natural resources and oil and gas law.



John H. Martin, a partner at Thompson & Knight LLP in Dallas, has been appointed immediate past president of the Voice of the Defense Bar, or DRI, after serving in numerous officer positions since 2003. An international organization of attorneys defending the interests of businesses and individuals in civil litigation, DRI provides informational resources to members and opportunities for liaison to defense trial lawyers. Martin remains widely recognized for his legal work and public speaking on subjects of catastrophic injury, mass tort, and aviation litigation. He has represented major commercial airlines, aviation product manufacturers, and aviation interests in accident litigation. A former officer in the U.S. Navy, Martin has been named one of *The Best Lawyers in America* since 1995 and a *Texas Monthly* "Texas Super Lawyer" since 2003. Martin has published several articles and participates in panel discussions that address the investigation of personal injury claims and the processes involved in mass tort litigation. He has also been named as one of *Lawdragon's* "Leading Lawyers in America" for the fourth year in a row.



Reagan W. Simpson has been elected as a new member of the American Academy of Appellate Lawyers for his distinct reputation as an appellate lawyer. Founded in 1990 with a mere five hundred members, the academy promotes the improvement of appellate advocacy and recognizes appellate lawyers with a minimum of fifteen years experience.

1975



Scott Atlas, a partner at the Houston office of Weil, Gotshal & Manges LLP, was appointed as the 2009 chair of the Anti-Defa-

Distinguished Alumnus Award for Community Service

CATHERINE LAMBOLEY

CATHERINE LAMBOLEY, '79, retired senior vice president and general counsel of Shell Oil Company, graduated Order of the Coif from the Law School. Lamboley joined Shell later that year, and, with the exception of three years as vice president of commercial marketing in Shell's oil products business, spent her career in the Shell legal organization. Lamboley's commitment to issues concerning opportunity and inclusiveness is reflected by her participation on the board of the Minority Corporate Counsel Association and as a past chair of its board of directors; her service on the American Bar Association's Racial and Ethnic Diversity Commission; and her current service on the Commission on Women. She is a founder and member of the executive committee of the Center for Women in Law at the Law School. Lamboley is also a member of the American Law Institute and currently serves on the University of Texas Law School Foundation Board.

Recognizing that access to legal assistance for all is critical to our society, Lamboley served on the Texas Access to Justice Commission's Committee of Corporate General Counsel and the Houston Bar Foundation's board of directors. She is a past chair of the Corporate Advisory Committee of the National Legal Aid and Defender Association. Lamboley cites her American Leadership Forum (ALF) experience as invaluable in strengthening her leadership skills and civic commitment. She is a senior fellow of ALF and chairs its board of trustees. Lamboley is a past chair of the board of the Houston Area Women's Center and served on the board of the United Way of the Texas Gulf Coast. She also served on the board of advisors for Catalyst, a national nonprofit research and advisory organization working to advance women in business. Among the honors she has received are the Anti-Defamation League Southwest Region's Jurisprudence Award; the American Bar Association's Commission on Women in the Profession's Margaret Brent Women Lawyers of Achievement Award; and the Texas General Counsel Forum's Magna Stella Award.

Established by the Alumni Association in 1988, the Distinguished Alumnus Award for Community Service honors a graduate who brings conspicuous credit to the legal profession by exemplary service. The award recognizes superior educators, outstanding lawyers in government service, or those who have had a significant role as a community volunteer.



PHOTO BY BRUCE BENNETT

League's (ADL) southwest regional board for a one-year term. As a board member since 1998, Atlas has been a strong supporter in the ADL's fight against discrimination and intolerance. Due to his involvement with numerous diversity cases at Weil Gotshal, in 2007 the firm became the first to earn the ADL's Community of Respect designation, which honors organizations that reject bias and prejudice. As a former chair member of the American Bar Association, Atlas practices complex commercial litigation at the trial and appellate levels in state and federal courts. He is a nationally recognized litigator and recipient of numerous pro bono community service awards and professional honors.



Bryan C. Birkeland of Jackson Walker LLP in Dallas was named one of *The Best Lawyers in America* for 2009 in the field of real estate law.

J. Woodfin "Woodie" Jones, a founding partner of Alexander Dubose Jones & Townsend, has left the firm to return to public service as the new chief justice of the Third Court of Appeals in Austin. It will be Jones's second term on the Court of Appeals; he also served on the same court from 1988 to 2000. He began his career in Houston as a briefing attorney for the Fourteenth Court of Appeals while working as an associate for Bracewell & Patterson. In 1988, he left private practice to serve as an appellate justice for the first time. In 2000, he resumed his practice in Austin as a founding partner of Alexander Dubose Jones & Townsend.

Judge J. Stephen Czulager of Los Angeles, California, appointed **Charles W. McCoy** as the presiding judge of the Los Angeles Superior Court in January 2009. Unanimously elected, McCoy has served as the assistant presiding judge since 2007 and has been a member of the California Judicial Council since 2005. He received his JD, with honors, from the Law School and served as a captain in the U.S. Marine Corps from 1968 to 1972. He received two Navy Commendation Medals: one for his action in Vietnam and the other for his outstanding performance as assistant inspector-instructor of the U.S. Marine Corps 4th Military Police

Battalion.

1976

Linda L. Addison, a trial lawyer known by her peers as the lawyer to handle the "bet the company" cases and member of Fulbright & Jaworski LLP's executive committee, has been appointed partner-in-charge of the firm's New York office. Her leadership will enable the firm to further align their historic strength in healthcare, energy, and corporate transactions at a time when the current economic crises will result in an increase in demand for the firm's experience in these areas, according to Stephen B. Pfeiffer, the chair of Fulbright's executive committee. Addison has tried more than fifty cases to judgment as lead counsel, most notably her successful defense of the former directed trustee of the Enron 401(k) in the \$1.7 billion Enron employee benefit plan class-action cases. Addison has handled numerous arbitration and litigation matters for general counsels, CEOs, and corporate boards in New York and the Tri-state Region. In the summer of 2009, she will receive the prestigious American Bar Association's 2009 Margaret Brent Women Lawyers of Achievement Award for her accomplishments and in paving the way to success for other women. The daughter of two Holocaust survivors who immigrated to the United States in 1946, Addison first gained national prominence in 1984 as the lawyer who challenged the constitutionality of Texas's blue laws, making it possible for Texans to shop on Sunday. She was named one of the "50 Most Influential Women Lawyers in America" by the *National Law Journal* in 2007 and was one of only seventeen women among its "100 Most Influential Lawyers in America" in 2006.

Steven L. Barghols, a shareholder at Gable & Gotwals in Oklahoma City, Oklahoma, has been selected as a "Top 10 Oklahoma Super Lawyer" for 2009 by *Oklahoma Magazine*. He concentrates his practice on mediation, arbitration, and oil and gas litigation. Barghols was also named one of *The Best Lawyers in America* for 2009. In addition, he was named by *Chambers USA* as a leading Oklahoma mediator.



Richard M. Law of McGlinchey Stafford's Houston office has been

inducted into the American College of Trial Lawyers. Focusing on healthcare for more than thirty years, Law has represented physicians and hospitals in medical malpractice defense, primarily handling multidefendant cases with significant damages. He is board certified in personal injury trial law by the Texas Board of Legal Specialization.



Frank McEachern of Jackson Walker LLP in Dallas was named one of *The Best Lawyers in America* for 2009 in the field of energy law.

1977

As a partner with Robin Rolfe Resources in New Jersey, **Ronda Muir** recently received the Edge International Award for her article, "The Importance of Emotional Intelligence in Law Firm Partners," published in the July/August 2007 issue of the American Bar Association's *Law Practice Management*. Muir consults with law firms and law departments on human asset management. In her spare time, Muir publishes and writes for LawPeopleBlog.com on management issues.



The Colorado Board of Health has elected **Glenn Schlabs** as the agency's 2009 president. As an important member in the labor and employment department of Sherman & Howard LLC's Colorado Springs branch, he was appointed to the state's Board of Health by Governor Bill Owens in 2002 and was reappointed in 2005. Schlabs previously served two terms as vice president of the board.



1978

Marvin Blum, founding partner of The Blum Firm PC, was named one of the country's "Top 100 Attorneys" by *Worth*. Board certified in estate planning and probate law with a CPA, Blum was selected for his expertise in counseling wealthy individuals on their decisions involving taxes, business, and asset protection planning. Blum has also been named one of *Texas Monthly's* "Top 100 Super Lawyers."

Cal Chaney was nominated as the 2008–2009 president of the American Associa-

tion of Medical Society Executives, a national organization of professionals who specialize in the medical field. Chaney remains the general counsel and associate executive director of policy for the American College of Emergency Physicians, headquartered in Dallas.

The Dallas law firm of Shackelford Melton & McKinley LLP appointed **Mario A. Mata** to a counsel role for his work on international trusts and estate-planning strategies. His background involves working with businesses in all aspects of estate planning for high-net-worth individuals and families, including the transfer of wealth to existing and future generations. He remains highly experienced in protecting the assets of Latin American and other foreign nationals in compliance with probate matters, international jurisdictions,



as well as U.S. tax regulations.

Michael P. Pearson of Jackson Walker LLP in Dallas was named one of *The Best Lawyers in America* for 2009 in the field of natural resources law.

The Texas Center for Legal Ethics and Professionalism and the Austin Bar Association awarded Morris, Craven & Sulak attorney **Timothy "Tim" Sulak** their Professionalism Award. Board certified in personal injury trial law, Sulak has also been selected as a member of the American Board of Trial Advocates and as a "Super Lawyer" by *Law & Politics*.



1979

The executive board of TEX-ABOTA (Texas American Board of Trial Advocates) selected **Richard A. Bonner** as incoming vice president for 2009. Founded in 1958, ABOTA is a national association of experienced lawyers and judges who are dedicated to preservation and promotion of the civil jury trial rights provided by the Seventh Amendment to the U.S. Constitution. As a chairman and partner in Kemp Smith's litigation department, Bonner has tried over 150 jury trials with over thirty years experience as a trial lawyer.

Judge Peter Sakai of the 225th District Court in Bexar County was the 2008 recipient of several awards from agencies that

Honorary Order of the Coif

MAX SHERMAN



PHOTO BY BRIAN BIRZER

MAX SHERMAN, '60, served as dean of the Lyndon Baines Johnson School of Public Affairs at the University of Texas at Austin from 1983 to 1997. He is now the Max Sherman Chair Emeritus in State and Local Government at the LBJ School. Prior to his appointment as dean, Sherman served as special counsel to former Texas Governor Mark White; was elected to four terms in the Texas Senate; and served as president of West Texas State University (now West Texas A&M University). A graduate of Baylor University, Sherman earned his JD, with honors, from the Law School. Upon graduation, he joined the Amarillo law firm of Gibson, Ochsner and Adkins as attorney and partner. He also served in the U.S. Army Judge Advocate General's Corps, where he attained the rank of captain. Over the years, Sherman has held numerous national and state appointments to boards and committees studying such topics as higher education, intergovernmental relations, mental health and mental retardation, hazardous-waste management, infrastructure needs and financing, and energy and conservation. Sherman serves on the Board of Trustees of the Federation of State Humanities Councils; as vice president of the Harry S. Truman Scholarship Foundation; as a governor and current vice president of the Austin Community Foundation; and as committee member of the Committee on Theological Education, Presbyterian Church (USA).

Sherman is also the recipient of numerous awards recognizing his service to the profession and to the betterment of society, including the Price Daniel Public Service Award from Baylor University; Austinite of the Year from the Greater Austin Chamber of Commerce; and Texan of the Year from the Texas Legislative Conference. Three times during his service in the senate, *Texas Monthly* recognized Sherman as one of the state's ten best legislators, citing his integrity, intelligence, and "genuine sense of public service."

The Honorary Order of the Coif, whose recipient is selected by the Law School faculty, acknowledges an alumnus of exceptional merit and extraordinary achievement in his or her career.

Harry M. Reasoner, '62, to Lead the Texas Access to Justice Commission



THE SUPREME COURT of Texas has chosen Houston trial attorney **Harry M. Reasoner, '62**, to lead the Texas Access to Justice Commission. The fifteen-member commission was created in 2001 by the state's highest court to expand and improve legal assistance to low-income Texans throughout the state.

Reasoner, a long-time friend of the Law School and life trustee of the Law School Foundation, is a partner in Houston-based Vinson & Elkins LLP, practicing primarily in complex civil litigation. He was first appointed to the Texas Access to Justice Commission in 2006.

"Harry Reasoner has the determination and creativity to advance innovations begun under Jim Sales' brilliant leadership," said Chief Justice Wallace B. Jefferson. "He has formed relationships among the bench, bar, and the legislature that will bring additional resources to our access to

justice initiatives during these tough economic times. The Court commends Harry for his willingness to give his time and effort to the most important cause of our profession—preserving the rights of those who desperately need, but cannot afford, legal representation."

Reasoner points to recent studies showing that more than five million Texans qualify for legal aid assistance because of their low income levels. Although real progress has been made; only one in five of those in need receive help from legal aid services in the state because of lack of adequate funding.

"Texas suffers because hundreds of thousands of low-income Texans cannot obtain necessary legal assistance," says Reasoner. "Tragic domestic abuse and child custody cases are not resolved. Hurricane victims are stymied because they do not get the FEMA assistance to which they are entitled. Social Security recipients are denied benefits which they have earned. Many are abused by unscrupulous sellers, lenders, and landlords. This causes both great personal injustices and the loss of tens of millions of dollars to our economy."

"Ironically, the recession has both increased the needs and lessened the resources available to provide equal access to justice," Reasoner continued. "We must strive to find the resources to give equal access to justice to all our citizens." Reasoner has served on a number of Supreme Court of Texas Committees and Commissions and received the American Inns of Court Professionalism Award for the Fifth Circuit.

communities. As the 2008 Arthur O'Krent Humanitarian Award recipient, he was honored for the love and concern he has shown for the well-being of children within the community. The Texas Network of Youth Services in Austin declared him the winner of the Trailblazer of Youth award for his impact on young people and children across Texas. And the Alamo Asian American Chamber of Commerce recognized Sakai as the recipient of the Community Leadership and Service Award for his humanitarian and civic service in San Antonio.

Fort Worth, Texas Magazine named **E. Michael Sheehan** of Thompson & Knight LLP one of Tarrant County's eight "Top Attorneys" for his civil litigation practice.

1980

Demetris A. Sampson received a Woman of Spirit Award May 14, 2009, at the sixteenth annual American Jewish Congress Southwest Region award ceremony, hosted at the Women's Museum in Dallas. The event honors women in the greater Dallas area who have worked on behalf of social justice and human rights for all Americans. The managing partner of the Dallas office of Linebarger Goggan Blair and Sampson LLP, Sampson is the first African American woman to achieve such status in a majority firm in Dallas. She organized efforts to mobilize African American voters to defeat the strong mayor ballot proposition in Dallas, and serves on the board of the Greater Dallas Chamber of Commerce as well as the City of Dallas Charter Review Commission. She has also served on the Dallas's Domestic Violence Task Force; the Dallas Area Rapid Transit Board; and chaired the Task Force on Liquor Related Businesses Near Schools. Sampson has also advised the board of the North Central Texas Legal Services Corporation and has won the Dr. Martin Luther King Jr. Justice Award; a Texas Exes Award; the President's Award from the Dallas Urban League; an award for community service from the Dallas branch of the NAACP; and was named by *Women's Enterprise* as a "Woman of Excellence."

Solomon Wisenberg, a widely recognized white collar criminal defense attorney, joined Barnes & Thornburg LLP's Washington, D.C., office as a partner. He served as deputy independent counsel during the Whitewater and Monica Lewinsky matters and was assistant U.S. attorney for the U.S. Department of Justice. His practice includes representing businesses and individuals exposed to federal criminal inquiries or charged with federal crimes. During his private practice, Wisenberg defended clients under investigation for public corruption, bribery, fraud, false statements to government officials, Arms Export Control Act violations, theft of federal property, and possession with intent to distribute narcotics. In addition to his private practice, he was chief of the Financial and Health Care Fraud Unit in the U.S. Attorney's Office for the Western District of Texas. A noteworthy speaker, commentator, and author, Solomon has lectured on white-collar crimes at law schools throughout the country. He has also served as an instructor at the Department of Justice's Trial Advocacy Institute and as a guest speaker at the FBI Academy in Quantico, Virginia. He became partner at Barnes & Thornburg along with his wife, Adrienne Wisenberg, who also specializes in white-collar crimes.

1981



C. Wade Cooper of Jackson Walker LLP's Austin office was named one of *The Best Lawyers in America* for 2009 in the fields of bankruptcy and creditor-debtor rights law. Cooper, a managing partner at his firm, also received the Downtown Austin Alliance's 2008 Individual IMPACT award for his efforts to improve access and mobility in downtown Austin. As a chair of the the Alliance's board of directors, he led their support of the 2008 Rail Referendum in addition to cochairing its Streetscapes and Transportation Committee. He handles commercial litigation, arbitration, and bankruptcy matters in Texas and federal bankruptcy courts. He began his practice with Jackson Walker LLP in 1981 and soon moved to Austin to establish a new office. Cooper was listed in the 2008 edition of *The Best Lawyers in America* under bankruptcy and creditor-debtor rights law. He also has been named a "Texas Super Lawyer" by *Texas Monthly*.

Jeff Joyce and John H. McFarland, '95, opened a law firm, Joyce McFarland & McFarland LLP, in Houston. The firm focuses on business litigation and civil trials.

Timothy T. Read was elected as the moderator of the Advisory Committee on Litigation for the General Assembly of the Presbyterian Church. A lawyer and ordained minister, he serves as executive pastor of Roswell Presbyterian Church in Roswell, Georgia.



Paul Watler of Jackson Walker LLP in Dallas was named one of *The Best Lawyers in America* for 2009 in the fields of commercial litigation and First Amendment law.

1982

Joshua T. Kutchin has been appointed director at Fanning Harper Martinson Brant & Kutchin PC in Dallas.



Thompson & Knight LLP named partner **Joseph S. Pevsner** as trial practice leader. With a focus on defending corporations in complex litigation before state and federal trial appellate courts, Pevsner has resolved more than ten thousand claims involving alleged wrongful death, catastrophic personal injury, breach of contract, and trade secrets over the past twenty-six years. He was listed in the *The Best Lawyers in America* and *Texas Super Lawyers* for his notable products liability work. In his new role, Pevsner will oversee the firm's resources for trying a multitude of cases. His 1979 bachelor's degree in journalism from the University of Texas at Austin compelled him to work at KRLD NewsRadio 1080 in Dallas before coming to the Law School in 1979.



John "Rocky" Rowls has joined the Houston office of Bracewell & Giuliani LLP as a partner in the firm's trial section. Spurred by his recent marriage to JoAnn Matthiesen, '83, who has practiced in Houston since graduation, Rowls returned to Texas after twenty-five years of practicing in Los Angeles. He will continue his focus on brand protection for trademark owners, copyright litigation, and intellectual property-related matters.

John Rutherford of Winstead PC in Dallas was elected by the firm to be an equity shareholder. Rutherford's practice focuses on the fields of securities and mergers and acquisitions.

1983



Teresa Finer was named one of *The Best Lawyers in America* for 2009 in the area of immigration law. She practices for Lowndes, Drosdick, Doster, Kantor & Reed PA, Central Florida's largest law firm.

Karen Hirschman of Vinson & Elkins LLP in Dallas was inducted as a fellow of the American College of Trial Lawyers (ACTL) during the 2009 spring meeting in Fajardo, Puerto Rico. With more than twenty-five years of experience handling major commercial disputes in state and federal courts, Hirschman has been named by *Chambers USA* as one of America's leading business lawyers in securities litigation from 2006 to 2008. Her practice, which includes accounting and legal malpractice defense, mergers and acquisitions litigation, and representing officers and directors in securities litigation, has been recognized by *Best Lawyers in America* from 2006 to 2009. After graduating law school, Hirschman clerked for U.S. District Judge H. Barefoot Sanders, '50, and was one of the founders of Women's Initiative, a firm-wide program aimed at attracting and retaining the brightest female legal minds. She currently serves on the firm's management committee, talent management committee, and women's career development council.

1984



Steve R. Martens of Jackson Walker LLP in Dallas was selected as one of *The Best Lawyers in America* for 2009 in the field of real estate law.

1985

Thomas P. Brandt has been appointed one of the managing directors of Fanning Harper Martinson Brant & Kutchin PC in Dallas.



Brown McCarroll LLP appointed **Adam I. Hauser** as managing partner to represent sellers, buyers, and equity investors in the acquisition, financing, development, leasing, and sales of real estate. He also represents financial institutions and private investors in commercial transactions, as well as creditors in bankruptcy cases. He began his career at Brown McCarroll immediately after graduating with honors from the Law School. Hauser has previously served in several management positions, including chair of the Austin Real Estate Practice Group. Hauser actively participates in many organizations, including the American Bar Association, Real Estate Council of Austin, and the Bankruptcy Institute, in addition to maintaining his individual practice.



Tim Taylor of Jackson Walker LLP in Dallas was named one of the *The Best Lawyers in America* for 2009 in the field of real estate law.



Kathleen Walker of Brown McCarroll LLP in El Paso was named by *Texas Lawyer* as one of the "30 Extraordinary Women in Texas." A partner and head of the firm's immigration and international trade group, Walker received recognition for her knowledge of immigration developments and how to respond to them. She has spoken before the U.S. Senate Committee on international relations and trade as well as before the House Committee on State Affairs and Homeland Security. Her practice focuses on business immigration law, consular processing, work-site compliance, admission, citizenship, and naturalization.

1986

Jim Boeckman has opened a law office in Austin. He was named a "Texas Super Lawyer" by *Texas Monthly* and was listed in the March 2009 issue of *Super Lawyers, Corporate Counsel Edition*.



David S. Curcio became partner in Jackson Walker LLP's litigation practice group. He focuses his practice on defending financial institutions in consumer

litigation, from individual statutory and common law claims to major class actions and government investigations.



William S. Dahlstrom of Jackson Walker LLP in Dallas was named one of *The Best Lawyers in America* for 2009 in the fields of land use, zoning, and real estate law.



William H. Hornberger of Jackson Walker LLP in Dallas was named one of *The Best Lawyers in America* for 2009 in the field of tax law.



Don Lawless, a well known labor and employment attorney with a background in the higher education sector, has joined Barnes & Thomburg LLP's Grand Rapids, Michigan, office as a member of the firm's labor and employment law department. Lawless brings with him extensive knowledge of labor contract negotiations and administration as well as strategic union avoidance. His dedicated expertise in affirmative action, Office of Federal Contract Compliance Programs reviews, and occupational safety has led to numerous accolades for his work, including *Workforce's* "Hot List" of labor and employment law firms in the United States. He frequently speaks on a variety of labor and employment-related topics such as the Employee Free Choice Act, Family Medical Leave Act, and the Americans with Disabilities Act. As an active member of the Grand Rapids community, he served as second ward commissioner for 1997–2005, and currently serves as board chair of The Rapid, the Grand Rapids area's transportation partnership.

1987



Greg Holloway of Thompson & Knight LLP in Austin has been appointed president-elect of the Central Texas Chapter of the Association for Corporate Growth (ACG). As a partner in his firm's corporate and securities practice group, Holloway focuses on structuring and negotiating mergers, securities, and asset-based transactions in the energy, technology, food, restaurant, retail, and

manufacturing industries. He offers his considerable experience in drafting employment agreements, stock option plans, confidentiality agreements, and technology licensing agreements. Holloway will serve as president of his ACG Chapter throughout 2009 in addition to working on the awards committee for the fourth consecutive year.

1988

John L. Howard Jr. has left Vinson & Elkins LLP to form his own environmental and energy policy consulting firm, Clarendon Strategies, in Austin.

The Dallas law firm of Shackelford Melton & McKinley LLP appointed **Macy Melton Humble** as an associate. She has served as bond counsel in underwriting prominent healthcare organizations, governmental agencies, academic institutions, and non-profit organizations. She also represents clients in other business transactions, mergers, and real estate acquisitions.

Hofstra Law School in Hempstead, New York, chose Texas Supreme Court Chief Justice **Wallace B. Jefferson** as a featured speaker and recipient of an honorary degree at its commencement ceremonies on May 17, 2009. Appointed to the Supreme Court by Governor Rick Perry in 2001, Jefferson became chief justice in 2004. He is the first African American justice and chief justice on the Supreme Court of Texas. In 2008, Jefferson was elected to serve as the first vice president of the Conference of Chief Justices and is scheduled to lead the organization as its president in 2010. As president, Jefferson will be chair of the National Center for State Courts, a policy and resource organization in Virginia.



The Texas Lyceum, a nonprofit, nonpartisan statewide leadership organization, has sworn in Fort Worth labor and employment lawyer **Jay K. Rutherford** as its 2009 president. The Texas Lyceum's list of members who have served the state include Senator Kay Bailey Hutchinson, Governor Rick Perry, and former President George W. Bush. At the age of forty-six, Rutherford has been named a "Texas Super Lawyer" by *Texas Monthly* from

2003 to 2008, as well as one of Tarrant County's "Top Attorneys" by *Fort Worth Magazine* from 2001 to 2008. As a partner at Jackson Walker LLP, Rutherford often speaks about his experiences as a successful labor lawyer and brings a strong commitment to the community as the current chairman of the board of Junior Achievement of the Chisholm Trail.

1989



Mary Lynn Coffee of Nossaman LLP in Irvine, California, became a member of the Board of Directors of the Orange County Bar Foundation, a nonprofit organization committed to providing at-risk youths and their families with education, counseling, mentoring, and crime diversion programs. She also works on the THINK Together board, which is dedicated to providing academic and prevention programs to more than twenty thousand students at two hundred school sites in Southern California. THINK Together offers tutoring programs to improve kid's test scores and grades so they receive admission into college. Coffee is also a member of Nossaman's land use and natural resources practice group, which supplies approvals for development projects under protection laws, and has expertise in construction surface-water quality projects for existing and new real estate developments.



Bingham McCutchen LLP in Hartford, Connecticut, has named **Daniel Papermaster** a managing partner in its international finance group. Papermaster and other lawyers in his group have brought prominence to the firm through their global work on financial restructuring of the debt in Iceland; institutional finance; financial litigation; bankruptcy; real estate; and other transactions affected by the world's economy. Papermaster aims at positioning the office to take further legal advantage of its international platform, while maintaining its collegial environment and connection to the local community. He has also been named to the U.S. Senate's Advisory Council on Select Federal Appointments, which will screen, interview, and advise on U.S. attorney and U.S. marshal nominees for Connecticut as well as other federal appointments. His inclusion in *Super*

Ron Kirk, '79, Appointed U.S. Trade Representative

THE UNITED STATES Senate confirmed **Ron Kirk, '79**, as U.S. trade representative in President Barack Obama's cabinet in December 2008. The U.S. trade representative is an ambassador-level post with a staff of more than two hundred and offices in Washington, Geneva, and Brussels. Kirk is the first African American to serve as U.S. trade representative.

Kirk is a long-time friend of the Law School and has served on the Law School Foundation Board of Trustees since 2006.

Ron Kirk earned a BA from Austin College in 1976. After graduating from the Law School, Kirk practiced law and worked as an aide to Senator Lloyd Bentsen, '42. He served as Texas Secretary of State under Governor Ann Richards in 1994, and then ran successfully for mayor of Dallas in 1995. He was reelected as Dallas mayor in 1999, resigning his office in 2001 to run for the U.S. Senate, and was the Democratic candidate for U.S. Senate in 2002. While mayor of Dallas, Kirk proposed the "Dallas Plan," an urban plan for the next twenty-five years, which includes the Trinity River Project, a \$246 million development project calling for the construction of a network of parks and highways in the flood plain of the Trinity River. He also supported the construction of the American Airlines Center, which opened in 2002.

He served as Chair of the Texas General Services Commission from 1991 to 1993. He has served as Chair of the U. S. Department of Commerce's 2000 Census Advisory Committee, and also as a member of the Federal Advisory Commission on Electronic Commerce. He serves as a director for Brinker International, Dean Foods, PetSmart, and was a National Trustee for the March of Dimes. He has been a board member of more than a dozen prestigious organizations, including the Cotton Bowl Athletic Association, the State Fair of Texas, and the Museum of African American Life and Culture. He received the Austin College Alumni Association's Distinguished Alumni Award in 1992 and the Young Texas Ex Award from the University of Texas at Austin in 1995. Mr. Kirk is also the 1996 recipient of the Law School's Honorary Order of the Coif award and the Texas Exes' 2001 Distinguished Alumnus Award.

Before his appointment, Kirk was a partner at the Dallas office of Vinson & Elkins LLP representing clients in the areas of public finance and policy.



PHOTO BY SHAWN THEW/CORBIS

Lawyers' 2009 Connecticut list and reception of the Liberty Bell Award for outstanding public services speaks to his dedication to humanity. Papermaster served on the organizing committee for the 1996 presidential debate between President Bill Clinton and Senator Bob Dole. He also advised Senator Joseph Lieberman's 2000 vice presidential campaign, and was legal counsel for his 2006 U.S. Senate campaign.

1990



The U.S. Department of Veterans Affairs announced **George E. Bradford** as part of its 2009 Leadership VA Program, which identifies leaders who exhibit talent and potential while providing enhancement of their careers through a leadership training experience. Bradford, an attorney in the VA's Office of Regional Counsel in Atlanta, Georgia, handles a variety of issues and is a subject-matter expert in appropriations law.



Johnston Legal Group PC designated **Nathan Schattman** as senior attorney at the firm's Fort Worth office. Schattman specializes in employment and labor, general litigation, and insurance coverage.



Jennifer Smith, a partner in Baker Botts LLP's litigation department has been appointed deputy chair of the Houston law firm. A lawyer for the firm for more than sixteen years, she specializes in international arbitration in the United States, England, and Wales. Her dedication has allowed the firm to expand its practice, representing clients including the Permanent Court of Arbitration; the International Chamber of Commerce; the Stockholm Chamber of Commerce; the London Court of International Arbitration; and the American Arbitration Association.

1991



Leonard H. Dougal of Jackson Walker LLP in Dallas was named one of *The Best Lawyers in America* for 2009 in the fields of environmental and water law.

Fort Worth, Texas Magazine named **Jennifer P. Harry** of Thompson & Knight LLP one of eight "Top Attorneys" in Tarrant County for her civil litigation practice.

Darryl R. Marsch became senior vice president, general counsel, and assistant secretary of Krispy Kreme Doughnuts Inc. in Winston-Salem, North Carolina. Before joining Krispy Kreme, Marsch served as senior counsel of R.J. Reynolds Tobacco Company, where he handled commercial, regulatory, merger, transactional, and intellectual property litigation. Before that, he served as a litigation and trade regulation attorney with Jones Day in Washington, D.C.,

1992

Eric Drummond joined Sherman & Howard's Colorado Springs, Colorado, office as counsel in the business department, and continues to serve as mayor of Manitou Springs. With nearly seventeen years of practice, Drummond has represented clients in administrative law and litigation, primarily in the electric utility and telecommunications industries. His significant involvement in complex multi-jurisdictional transactions, regulatory proceedings, utility mergers and acquisitions, and rate cases allows him to work closely with Sherman & Howard's alternative-energy practice. As mayor, Drummond participates in the governor of Colorado's Energy Office to implement sustainable-energy strategies and reduce the city's carbon footprint. He remains an avid member of the Energy Issues Committee of the Colorado Municipal League and the Green Cities Coalition of the Pikes Peak Region.



John A. Harris was named one of *The Best Lawyers in America* for 2009. He practices in the bankruptcy and creditors rights group for Quarles & Brady LLP. Harris serves as chairman of their national commercial bankruptcy, restructuring, and creditors' rights practice group.

Jon T. Neumann became partner in Steptoe & Johnson LLP's Phoenix office on January 1, 2009. Concentrating on complex commercial litigation in state and federal courts, Neumann emphasizes reinsurance

litigation, insurance bad faith, banking, and financial litigation. He is a member of the Maricopa County Bar Association, the State Bar of Arizona, and the State Bar of New Mexico.

Patrick Woodson was selected as a 2008 "Texas Super Lawyer" by *Texas Monthly* and a "Top Attorney in Fort Worth" by *Fort Worth Magazine*. Woodson, the principle partner of Woodson Law Firm in Fort Worth, practices personal injury litigation, commercial litigation, family law, and business transactions.

1993



Dewey Brackin has become partner in the government affairs section of Gardere Wynn Sewell LLP's Austin office. He concentrates his practice on licensing, regulatory compliance, and enforcement litigation matters for clients in the food and beverage industry.

Christopher Hawkins of Sullivan Hill Lewin Rez & Engel in San Diego, California, has been elected president of the San Diego Bankruptcy Forum for 2009. As a nonprofit organization the accountants, trustees, bankers, real-estate professionals, attorneys, and others in the Forum work on issues of bankruptcy and insolvency. Hawkins primarily focuses on commercial insolvency and financial transactions on behalf of corporate debtors, banks, trade creditors, and asset purchasers.

1994



Scarlet Collings, a litigation associate in the Houston office of Weil, Gotshal & Manges LLP, has been appointed to the board of directors for the Federal Bar Association, Southern District of Texas Chapter (FBA SDTX). Collings will support and guide the FBA SDTX in the Blask Public Service Fellowship Grants and the Southern District of Texas Fellowship Grants, which provide the opportunity for law students to serve as volunteer interns for federal judges or other agencies. Collings practices commercial litigation, including employment, bankruptcy, and shareholder cases. With a strong

commitment to public service, evident through her pro bono cases and involvement with the Junior League of Houston, Collings has developed an esteemed reputation within the Houston Bar Association, Texas Bar Foundation, and at her firm.



Crowe & Dunlevy appointed **Cori H. Loomis** as advisory director to the firm's Oklahoma City, Oklahoma, office where she focuses her practice on assisting health care providers with transactional, reimbursement, legislative, and regulatory compliance issues. Loomis has experience in complex matters relating to joint ventures, the Anti-Kickback Statute, self-referral law, Medicare and Medicaid reimbursement laws, tax-exemption issues, medical staff issues, and entity organization documents. Previously, she served as general counsel for the Oklahoma State Medical Association. Loomis strives to address the needs of clients through this critical time of healthcare access and the increasing enforcement initiatives by federal agencies.

President Barack Obama appointed **Carmel Martin** as an assistant secretary for planning, evaluation, and policy development in the U.S. Department of Education. Martin previously counseled colleges, universities, and school districts as an associate in the education group for Hogan & Hartson LLP in Washington, D.C., Martin has also worked for the U.S. Department of Justice, where she focused on key provisions of the Civil Rights Act, and as chief education advisor for U.S. Senator Edward M. Kennedy.



Michael J. Nasi of Jackson Walker LLP in Dallas was named one of the *The Best Lawyers in America* for 2009 in the field of environmental law.

Nellie Shipley of Womble Carlyle in Raleigh, North Carolina, earned LEED (Leadership in Energy and Environmental Design) professional accreditation in sustainable construction and development. LEED-accredited professionals must demonstrate a thorough knowledge of the construction and development industry in general, with a particular focus on environmentally friendly building, development, and operational practices.

Usually obtained by architects and engineers, Shipley felt the need to achieve the accreditation in order to better provide service for her green construction and development clients. As head of Womble Carlyle's Green Initiative, she helps the firm adopt more environmentally friendly practices such as energy-efficient buildings. In addition to her real estate work, Shipley serves as chair of the Cary Economic Development Commission; president of the Triangle Commercial Real Estate Women; and as founding member of the Triangle District Council of the Urban Land Institute.



Marian J. Wu of Jackson Walker LLP in Austin was named one of Texas Monthly's "Texas Rising Stars" for 2009. Board certified in Health Law by the Texas Board of Legal Specialization, her practice consists of health care litigation, professional malpractice defense, and federal and state administrative appeals.

1995

John H. McFarland and Jeff Joyce, '81, opened a law firm, Joyce McFarland & McFarland LLP, in Houston. The firm focuses on business litigation and civil trials.



William "Bill" Hopkins was elected partner at Brown McCarroll LLP. Hopkins is based at the firm's Austin office.



Hunton Hunton & Williams LLP in Washington, D.C., promoted **Evangeline C. Paschal** as counsel after two months of serving as an associate. Concentrating her practice on class-action and other large-case litigation, she specializes in the Fair Labor Standards Act, False Claims Act, and securities fraud. She attended Stanford University as an undergraduate and holds a master's degree in public affairs from the Lyndon B. Johnson School of Public Affairs at the University of Texas at Austin.



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The New York office of Wilson Elser Moskowitz Edelman & Dicker LLP has named **Nancy Wright** partner in its national practice. Six other partners of the company were named among the fifteen offices located throughout the country. The firm represents clients from six continents and offers international capabilities through a network of affiliate firms in France, Germany, and Mexico.

Anthony J. Campiti, a labor and employment lawyer for Thompson & Knight LLP in Dallas, was included in the "Texas Rising Stars" list for 2009 by *Texas Monthly*.

Heather Beck Crowder became a partner in the tax and advisory firm of KPMG LLP for her work in providing tax services to energy and natural resources clients in the Houston area. Since she first joined the firm in 1996, she has offered multinational corporations her technical expertise on tax credit issues. In addition, she serves as a member of the United Way Young Leaders and resides in Houston with her husband and daughter.

Karen Feldman, a former partner of Tindall & Foster PC in Houston, has carried her position over to the newly merged firm Foster Quan LLP. Her experience in immigration issues contributes to the firm's active role in U.S. immigration policies.

Frank Wu was elected by Winstead PC as a new equity shareholder. Wu specializes in securities and mergers and acquisitions in the firm's Dallas office.

1997

Jeffrey Andrews of Thompson & Knight LLP in Houston has joined the firm as a partner in its corporate securities and intellectual property practice group. Formerly a partner at Mayer Brown LLP, Andrews's ten-year practice focuses on the highly specialized field of outsourcing. With his extensive experience in structuring and negotiating international information technology and business-process outsourcing across a wide range of industries, he offers in-depth knowledge of computer software and other highly complex technology. He has represented

buyers and providers in numerous transactions. Andrews has been named to *Chambers USA's* "Leaders in their Field" legal directory for his sound advice to clients.

On November 5, 2008, Governor Rick Perry appointed **Dan Hinde** as judge for the 269th District Court of Harris County, Texas. Hinde was sworn in by U.S. District Judge Sim Lake, '69.

1998



Lisa Chavarria has been named a full equity partner at Austin's Stahl, Bernal & Davies LLP. Specializing in wind energy law, she provides counsel to clients throughout the United States in all aspects of wind development. Chavarria also advises clients on regulatory matters before the Texas Public Utility Commission.

Bill Childs, an associate professor at the Western New England School of Law in Springfield, Massachusetts, has been promoted to full professor starting in the fall of 2009. In addition, he will become the associate dean for student affairs, overseeing admission, alumni, and career services beginning July 1, 2009. In his spare time, Childs hosts and produces a radio show along with his children called "Spare the Rock, Spoil the Child" on WRSI in Northampton, Massachusetts.



Kelly Dybala, a partner at Weil, Gotshal & Manges LLP's corporate practice in Dallas, was named one of the "Texas Rising Stars" for 2009 by *Texas Monthly*.

Royce Poinsett has joined the Austin office of McGinnis, Lochridge and Kilgore LLP as a member of their legislative and government relations section. Previously, he served as counsel to Governor Rick Perry and then as counsel to former Texas House Speaker Tom Craddick.

1999

Elliot Clark, a specialist in commercial litigation with Winstead PC in Austin, was elected by the firm as a new income shareholder.

Former Palaun President Tommy Remengesau appointed **Alexandra Foster** associate justice of the Supreme Court of Palau. Recommended by the Judicial Nominating Commission headed by Chief Justice Arthur Ngiraklsong, Foster was previously an assistant U.S. attorney for the District of Columbia, where she led criminal prosecutions. After her judicial clerkship, she became a litigator at Washington, D.C., firm Zuckerman Spaeder LLP.



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Yolanda Cornejo Garcia, a partner for Weil, Gotshal & Manges LLP's litigation and regulatory practice in Dallas, was named one of the "Texas Rising Stars" for 2009 by *Texas Monthly*.

Justin Hoover of Winstead PC in Fort Worth was elected by the firm as a new income shareholder. Hoover specializes in securities and mergers and acquisitions.



Bradley S. Knippa, who represents corporate clients for Jackson Walker LLP's Austin office in transactions ranging from mergers, acquisitions, equity services, venture capital transactions, and contract negotiations, was named one of *Texas Monthly's* "Texas Rising Stars" for 2009.



Pepper Hamilton LLP in Philadelphia, Pennsylvania, appointed **Isla L. Long** as partner on January 1, 2009. As a member of its commercial insurance and reinsurance practice group, her practice in complex commercial litigation and insurance insolvency led her to achieve esteemed recognition.



Allison Sell McDade joined Pirkey Barber LLP as a senior associate. Based on her experience as an intellectual property litigator for Fulbright & Jaworski LLP, she uses her expertise in trademark and Internet law with a specialty in enforcement and domain-name issues. She graduated with honors from the Law School and was a member of the *Texas Law Review*.

Sarah E. McLean, a corporate and securities lawyer at Thompson & Knight LLP in Austin, was included in the "Texas Rising Stars" list for 2009 by *Texas Monthly*.

Kari Potts of Thompson & Knight LLP was named one of the "Texas Rising Stars" for 2009 by *Texas Monthly*.

Bobby Voigt, a litigator for intellectual property in Austin, was elected by Winstead PC as a new income shareholder.



Scott A. Wheatley, a partner at Jackson Walker LLP in Fort Worth, was named one of *Texas Monthly's* "Texas Rising Stars" for 2009. He represents a broad range of clients in real estate, title insurance, and financial-service industries in state and federal courts. He serves as lead counsel in complex commercial litigation, has won significant jury trials involving complex commercial disputes, and has successfully defended national securities and class action lawsuits.

2000

Harry R. Beaudry, a corporate and securities lawyer at Thompson & Knight LLP in Houston, was named one of the "Texas Rising Stars" for 2009 by *Texas Monthly*.



Ryan Bull became a member of Baker Botts LLP's Washington, D.C., office as a trial litigator. His practice focuses on the resolution of international dispute through litigation and arbitration. He has been actively involved in commercial arbitrations on behalf of major American, Russian, Chinese, French, and Korean companies. He has also prosecuted and defended claims in U.S. trial and appellate courts on a wide range of international and commercial legal issues.



Robin K. Dodds was hired as a new associate at Jackson Walker LLP's Austin office for her work in prosecuting and defending residential, commercial, and business litigation, as well as insurance coverage. She has handled the representation of homeowners and contractors before the Texas Residential Construction Commission and advises local chapters of national building organizations.



Dr. Lekha Gopalakrishnan joined Winstead PC's Dallas office as a shareholder in the intellectual property practice group. Her extensive legal experience encompasses all areas of intellectual property law, including patent procurement in chemical and biological disciplines, technology licensing and litigation involving patents, trademarks, and copyrights. She also conducted postdoctoral research in the Department of Cell and

Molecular Biology at the University of Texas Southwestern Medical Center in Dallas and has coauthored several peer-reviewed scientific papers. As a member of the American Bar Association, the State Bar of Texas, the Dallas Bar Association, the Dallas Asian American Bar Association, and American Intellectual Property Bar Association, she serves as a key member of Winstead PC's legal team.

Mike King has become a partner at Baker Botts LLP in Houston. King represents energy companies in upstream transactional matters, focusing on acquisitions and divestitures of oil and gas properties and project development.



K&L Gates LLP of Dallas appointed **Chris Kratovil** as a partner in the firm effective March 1, 2009. Kratovil practices in the firm's appellate, constitutional, and governmental litigation group. Recognized for his authority on judicial challenges, he displays extensive knowledge handling appeals, particularly in the U.S. Court of Appeals for the Fifth Circuit and in the Texas Court of Appeals. Married to Siobhan Fitzpatrick Kratovil, '00, who practices law with Balestri & Associates, the Kratovils recently had their second child, Cara, who joined her three-and-a-half-year-old big sister Cate.

Weil, Gotshal & Manges LLP in Houston has selected seven new partners worldwide, including **Douglas McClellan**, who specializes in patent litigation. He has advised clients in patent and trade secret matters involving semiconductors, chemicals, computer software and hardware, medical devices, the Internet, and automotive parts. While at the Law School, McClellan was a member of the Legal Research Board, Order of the Coif, and the *Texas Law Review*.

Elizabeth A. Niemeyer was promoted to partner at Finnegan, Henderson, Farabow, Garrett & Dunner LLP, an intellectual property law firm in Washington, D.C., Niemeyer represents international and domestic clients facing patent litigation in the U.S. International Trade Commission and federal district courts. She also prosecutes patents and provides patentability opinions in the areas of electrical technology, semiconductor devices, and optics.



Chad Smith became a partner in Jackson Walker LLP's Dallas office in the real estate practice group. He represents both buyers and sellers of raw land, office complexes, industrial projects, and retail centers. Smith regularly works on cases involving retail, office, warehouse, and ground lease negotiations on behalf of landlords and tenants.



Marcello E. Tamez, a partner with Jackson Walker LLP, was selected as a "Rising Star" in the December 2008 issue of *Scene in S.A. Monthly* for his work in transactions, international, corporate, securities, and real estate practice. As an advisor to clients looking to sell or acquire commercial ventures or establish commercial operations, he has been involved in transactions that have a combined value of billions of dollars. He also works with foreign investors seeking to create business in San Antonio and throughout Texas. Tamez has represented clients as they plan and prepare for major corporate events such as depositions, joint ventures, recapitalizations, minority investments, and other liquidity events.



Amber Taylor Welock became a partner at Brown McCarroll LLP in Dallas.

2001

Alex Alleman, a lawyer for Winstead PC's securities and mergers and acquisitions groups in Austin, was elected by the firm as a new income shareholder.

Todd E. Chen was elected to partner at Thompson & Knight LLP's corporate and securities practice group in Houston. With extensive experience in mergers and acquisitions, public and private offerings of securities, and international business transactions, he provides legal services to a diversity of clients.

Lorin Combs, a lawyer in the areas of real estate development and investments for Winstead PC in Dallas, was elected by the firm as a new income shareholder.

Janet P. Jardin, a tax lawyer for Thompson & Knight LLP in Dallas, was included

in the "Texas Rising Stars" list for 2009 by *Texas Monthly*.



Jeff Kitner has been made a partner at Jackson Walker LLP's Dallas office in the litigation practice group. With a focus on commercial and business litigation, he has represented plaintiffs and defendants on a variety of matters in state and federal courts. Kitner was also named one of *Texas Monthly's* "Texas Rising Stars" for 2009.



Crowe & Dunlevy in Oklahoma City, Oklahoma, appointed **James W. Larimore** as one of two directors of the firm effective January 1, 2009. Larimore focuses his practice in business and commercial transactions, securities laws, and taxation. An honors graduate of the Law School, he served as a member of the *Texas Law Review*.

Josh Lebar, a lawyer in the areas of real estate development and investments for Winstead PC in Houston, was elected by the firm as a new income shareholder.



Andrew Maebius has been made partner at Armbrust & Brown LLP in Austin. Maebius's practice focuses on real estate transactions, specializing in the representation of residential and commercial projects.



Kassandra "Kassie" McLaughlin has been named partner at Brown McCarroll LLP in Dallas.



Richard B. Phillips Jr. became a partner in Thompson & Knight LLP's trial practice group in Dallas and achieved a board certification from the Texas Board of Legal Specialization. As an associate in the firm's trial practice group, he focuses his practice on appellate matters and has represented a variety of clients in the Texas Supreme Court, Texas Courts of Appeals, and the United States Court of Appeals for the Fifth Circuit. Phillips assists clients in evaluating potential appellate issues and providing trial support, including preparing dispositive motions, the jury trial, and post-trial motions. He also

maintains a trial docket focused on complex commercial matters, including securities and class actions. He was named one of the "Texas Rising Stars" for 2009 by *Texas Monthly*.

Seyfarth Shaw LLP promoted **Amy K. Skryja** of its San Francisco office to partner in its labor and employment group. She has successfully represented management and other administrative agencies before federal and state courts in defense of wrongful terminations, age, race, gender, discrimination, sexual harassment, and other statutory, contract, and tort-related claims. She regularly advises clients on day-to-day employment law issues. She is admitted to the California State Bar and U.S. District Court for the Central and Northern districts of California.



William E. van Egmond has been elevated to director at Crowe & Dunlevy in Oklahoma City, Oklahoma. Specializing in aviation title, finance, and regulatory law, Egmond graduated from the Law School with the Louis A. Donaldson scholarship.

Marlen D. Whitley, a corporate and securities lawyer at Thompson & Knight LLP in Houston, was named one of the "Texas Rising Stars" for 2009 by *Texas Monthly*.

2002

Mid-South Super Lawyers named **Austin Amos** a "Rising Star" for 2008. An associate for business and real estate law at Quattlebaum, Grooms, Tull & Burrow PLLC in Little Rock, Arkansas, Amos was chosen as being among the top 2.5 percent of the region's up-and-coming lawyers.

Christina C. Ashworth of WilmerHale in Washington, D.C., was elevated from associate to counsel in the firm's litigation and controversy department and remains a member of its complex commercial litigation and intellectual property litigation practice groups. Previously, as a trial attorney in the commercial litigation branch of the Civil Division in the U.S. Department of Justice, she defended federal agencies at both trial and appellate level. She focused on cases involving breach of contract, violation of the Fifth Amendment, employment claims, government procurement,

and international trade. She has been highly involved in all aspects of civil litigation and has argued numerous cases before the U.S. Court of Appeals for the Federal Circuit and the U.S. Court of Federal Claims.



Luke J. Ellis, who focuses his practice for Jackson Walker LLP's Austin office on complex commercial litigation with an emphasis on condemnation, eminent domain, real estate, consumer issues, and business litigation, was named one of *Texas Monthly's* "Texas Rising Stars" for 2009.

Joshua W. Mermis of Johnson, Spalding, Doyle, West & Trent LLP in Houston has been elected to membership in the Fellows of the Texas Bar Foundation for his outstanding professional achievements and commitment to the improvement of the Texas justice system. Every year, one-third of the State Bar members are invited to become fellows and are elected by the Texas Bar Foundation Board of Trustees.

Kallie (Smythe) Myers, a tax lawyer for Thompson & Knight LLP in Dallas, was named one of the "Texas Rising Stars" for 2009 by *Texas Monthly*.

Kerry O'Brian recently formed O'Brian Law PC in Austin after working at the Texas Office of the Attorney General and at a law firm for five years. O'Brian specializes in workers' compensation, employment, and labor law.

2003

King & Spalding LLP's Houston office promoted **Roberto Aguirre-Luzi** (LLM) to partnership effective January of 2009. Prior to his promotion, he worked as an associate for Marvel, O'Farrell & Mairal in Buenos Aires, Argentina. With a Latin American focus, his practice includes advising multinational corporations on complex arbitrations before the World Bank's International Centre for the Settlement of Investment Disputes. He also has experience under UNCITRAL, AAA, and ICC rules.



Amanda L. Bush, who represents clients for Jackson Walker LLP's Austin office in a variety of matters including complex

commercial litigation, intellectual property litigation, First Amendment litigation, and entertainment law, was named one of *Texas Monthly's* "Texas Rising Stars" for 2009.



Andrew D. Graham, who practices complex commercial litigation in trial and appellate courts for Jackson Walker LLP in Dallas, was named one of *Texas Monthly's* "Texas Rising Stars" for 2009.



Justin Mapes, an associate at Weil, Gotshal & Manges LLP's corporate practice in Dallas, was named one of the "Texas Rising Stars" for 2009 by *Texas Monthly*.

2004

William R. Cruse has joined Blank Rome LLP's Philadelphia office as an associate in the commercial litigation group. Cruse previously practiced at Weil, Gotshal & Manges LLP, where he concentrated in commercial, copyright, and trademark litigation. As a member of Weil Gotshal's electronic discovery task force, which focuses on issues raised by the discoverability of electronic data, he contributed revisions of a treatise on electronic discovery.



Shannon Zmud of Jackson Walker LLP in Dallas was named one of *Texas Monthly's* "Texas Rising Stars" for 2009. Her areas of practice include intellectual property law, media law, gaming law, and business litigation.

2006

Alejandro Suárez (LLM) of Fredrikson & Byron PA in Minneapolis, Minnesota, has been named one of the "25 on the Rise" in 2008

by the Hispanic Chamber of Commerce. The award recognized twenty-five Latino men and women who have demonstrated extraordinary levels of dedication, enthusiasm, and vision in their careers and in the community. His experiences include the structuring of mergers, acquisitions, and private equity transactions involving different jurisdictions. Suárez also represents businesses and industries that do business in Mexico and Latin America. As the only certified foreign legal consultant for Mexico in the state of Minnesota, his expertise remains highly valued. He is also the cochair for the Mexico Committee of the American Bar Association and a member of the planning committee for the ABA's section on international law for its spring 2009 meeting.

2007



Aliaquanda L. Derrick has been hired as an associate at the Dallas office of Jackson Walker LLP in the field of labor and employment litigation. Prior to joining the firm, she served as a law clerk for Justice Scott A. Brister of the Texas Supreme Court.

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Nicholas Franklin has joined the trust department at Firstbank Southwest as vice president and trust officer.

Brian Stoltz joined Thompson & Knight LLP's trial practice group in Dallas. He completed a judicial clerkship in 2007–2008 with the Honorable Carolyn Dineen King in the U.S. Court of Appeals for the Fifth Circuit.

2008

Toni Nicole Anderson joined Thompson & Knight LLP's corporate and securities practice group in Dallas. She received her JD, with honors, from the Law School and a BBA and MBA, both magna cum laude, from Florida A&M University in 2004.



Salvador Castañeda joined Jackson Walker LLP in Austin as an associate. With a focus on cross-border business transactions and international trade, he previously led a team specializing in the acquisition of distressed asset portfolios in Latin America. He coordinated diligence teams of lawyers and business consultants in the analysis, negotiation, and closing of real estate deals and non-performing portfolios in Argentina, Brazil, Ecuador, and Mexico. Born in Brownsville, he is a dual citizen of Mexico and the United States, and is fluent in Spanish and Portuguese.



Jackson Walker LLP in Austin selected **Lisa Miller** as a new associate in the firm's transactions and health care sections. Miller received her JD, with honors, from the Law School, where she served as managing editor for the *Texas Journal of Oil, Gas and Energy Law*.



Baker & Hostetler LLP appointed **Erin K. Murdock** as an associate in its Cleveland office. While attending the Law School, she served as the managing editor for the *Texas International Law Journal* and interned for the Honorable Frank R. Monroe, '69, in the United States Bankruptcy Court, Western District of Texas.

Karen M. Rose joined Thompson & Knight LLP's tax practice group in Houston. Before receiving a JD from the Law School, she received a bachelor's degree, summa cum laude, from Wofford College in 2005.

Jon Schnautz has joined Thompson & Knight LLP's Austin office as an associate. He received his JD, with honors, from the Law School and his bachelor's degree, summa cum laude, from the University of Texas at Austin School of Journalism.

James Sonnier joined Thompson & Knight LLP's oil and gas practice group in Houston. Prior to graduating from the Law School he received a bachelor's degree in English from the University of Texas at Austin in 2005.



Sarah Steward-Lindsey became an associate for Lisklow & Lewis in Houston. She practices energy and business litigation as well as maritime, oilfield, and insurance matters. Steward-Lindsey earned her degree, with honors, from the Law School and served as editor in chief of the *American Journal of Criminal Law* and was a member of the Board of Advocates.



Matthew Swantner was appointed as an associate in the litigation section at Jackson Walker LLP's Austin office. He received his JD, with honors, the Law School, where he interned with the Honorable Robert Pitman, '88, U.S. magistrate judge for the Western District of Texas.



Jackson Walker LLP's Austin office hired **Anna Trimble** as an associate in the transactions section of the firm. She received her JD, with honors, from the Law School, where she was the recipient of the Texas Endowed Fellowship and worked as the associate editor of the *Review of Litigation*.

Emily S. Tubb joined Thompson & Knight LLP's corporate and securities practice group in Dallas. She received a JD, with honors, from the Law School and a bachelor's degree in economics and English, magna cum laude, from Georgetown University in 2005.



Jackson Walker LLP hired **Travis Wussow** as an associate in its environmental and regulatory practice areas. In dealing with regulatory issues with the Texas Commission on Environmental Quality and U.S. Environmental Protection Agency, he assists his clients on matters involving the steel, concrete, and the cement manufacturing industries. Wussow graduated with honors from the Law School and was the articles editor for the *Texas Law Review*.

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In Memoriam

Gaynor Kendall, '32, died on January 22, 2009.

Samuel M. Passman, '35, died on January 21, 2009.

James J. Laney, '36, died on January 29, 2008.

Herbert Gordon Davis, '37, died on November 2, 2008.

William S. Lott, '40, died on February 11, 2009.

John D. Moseley, '40, died on March 3, 2009.

N. Alex Bickley, '41, died on October 3, 2008.

Ben White, '41, died on December 8, 2008.

J.O. Couch, '42, died on January 25, 2009.

Joseph F. Weiler, '42, died on November 18, 2008.

M. Warlick Carr, '47, died on July 9, 2008.

Richard Avent, '48, died on July 21, 2008.

J. Henry Doscher, '48, died on October 5, 2008. A long-time Abilene lawyer and university professor, he is remembered as a chivalrous, charitable gentleman. Before earning his JD from the Law School in 1948, he served in the Navy during World War II. After a position as a briefing attorney for the Texas Supreme Court, Doscher moved to Abilene and joined the firm Wagstaff, Harwell, Wagstaff and Alvis. He eventually opened a private practice and taught business law at McMurry University. Doscher established several funds at the Community Foundation of Abilene when it was founded in the mid-1980s.

John A. Grambling, '48, died on February 24, 2009.

John Heyburn, '48, died on February 20, 2009.

Thomas Edwin Taulbee, '48, died on October 5, 2008.

The Honorable O'Neal Bacon Sr., '49, died on February 5, 2009.

Robert C. Barnett, '49, died on January 10, 2009.

Albert L. Bartley Jr., '50, died on October 18, 2009.

George Lee Brundrett, '50, died on February 7, 2009.

James A. Morris, '50, died on December 16, 2008.

The Honorable Harold Barefoot Sanders Jr., '50, died on September 21, 2008, at the age of eighty-three. Over a long and distinguished career Sanders served three terms in the Texas legislature, as a U.S. assistant deputy attorney general, as legislative counsel to President Lyndon Johnson, and as chief judge for the United States District Court for the Northern District of Texas. Sanders served in World War II in the Navy aboard a destroyer in the Pacific Theater.

Following his military service, he attended the University of Texas at Austin where, in 1948, he was elected president of the student body. It was during this time he first became known by his middle name, Barefoot, his grandmother's maiden name. There is a famous story about his successful campaign for student body president: on election day, UT Austin students woke to find stenciled imprints of a bare foot all over the campus. Sanders would play on the representation of a bare foot in various ways in campaigns throughout his political career.

He attended the Law School, and upon graduation entered into private practice in Dallas. In 1953, Sanders was elected to the first of three terms in the Texas House. During this period he was responsible for shepherding such important legislation as the creation of the Trinity River Authority, among many other initiatives. He was instrumental in helping the Kennedy-Johnson ticket win Texas in 1960. Following the election, President Kennedy appointed him federal attorney in Dallas. A few years later he joined the Department of Justice in Washington, D.C., where he supervised all of the United States attorneys, until he was asked to be President Johnson's legislative counsel. Johnson recognized Sanders's many gifts, and realized that to bring his dream of the Great Society to fruition, he needed people like Sanders on his team. After working in Washington for many years, Sanders returned to private practice in Dallas in 1969. He ran for a seat in the United States Senate in 1972, but lost to John Tower as part of the Nixon landslide.

In 1979 Sanders returned to public service when President Jimmy Carter appointed him United States district judge for the Northern District of Texas; from 1989 to 1995 he was chief judge of the court. His appointment to the federal bench was the beginning of a remarkable, nearly three-decades long judicial career during which he presided over litigation surrounding the desegregation of public schools in Dallas and improving conditions for the mentally ill in state hospitals. Sanders's oversight of the *Tasby* litigation—a desegregation plan for the Dallas Independent School District that lasted for decades until it was finally settled in 2003—is widely lauded. He ordered the construction of magnet schools and made most busing voluntary. While in the Texas Legislature, Sanders

helped draft the Texas Mental Health Code. As a federal judge, he oversaw the restructuring of the state hospitals for the mentally ill in the wake of a civil rights reform lawsuit, *R.A.J. v. TDMHMR*. The case was named for the initials of the original plaintiff in 1974, and it sought to improve living conditions and treatment for patients in Texas's eight state psychiatric hospitals. As a friend and graduate of the School of Law, Sanders was honored with a lifetime achievement award in 1999, and for his remarkable commitment to public service by the William Wayne Justice Center in 2005. Many UT Law graduates served as clerks in his courtroom. Sanders retired from the bench in 2006.

Martin L. Allday, '51, died on December 8, 2008.

Will A. Hadden Jr., '52, died on December 5, 2008.

William N. Patman, '53, died on December 9, 2008.

William Reed Quilliam Jr., '53, died on July 14, 2008.

Franklin Jones Jr., '54, died on December 18, 2008.

William M. Kerr Sr., '54, died on January 17, 2009.

Jack Yates, '54, died on January 26, 2009.

Donald G. Canuteson, '55.

Jamie H. Clements, '55, died on February 26, 2009. While at the Law School, Clements was elected a state representative from the district covering Crockett and Huntsville. He was sworn in at age twenty-one and became the youngest person ever to serve in the Texas Legislature. Clements served two terms while completing law school in 1955 and then served a third term from 1958 to 1959. In 1956, Clements joined the U.S. Marine Corps and became a combat infantry officer assigned to the legal division at El Toro Marine Corps Air Station in California. He moved to Temple in 1960 and became a staff member of Scott & White

Hospital there. As general counsel, he was very close to many of the physicians on staff. Clements also served on the City Planning Committee of Temple, the Temple City Council, and as mayor from 1970 to 1974. He was a member of the UT Centennial Commission, the Executive Committee of the Chancellor's Council, the Eyes of Texas Foundation, the UT Athletic Foundation, and the Keeton Fellows at the Law School. Clements is survived by his wife of forty-seven years, his three children, and eleven grandchildren.

Virgil Cassell Morelle, '56, died on November 18, 2008.

Eleanor Barclay Darnell, '57, died on December 18, 2008, at the age of eighty-eight. Before becoming an attorney, Darnell held a variety of jobs depending on where her father, Joseph Rogers Darnell, was stationed at the time. As an army physician and surgeon, her father traveled around the world and Eleanor followed him. She was the private secretary to the chief of surgery at Emory University in Atlanta, Georgia, and worked for the engineer board at Fort Belvoir, Virginia. In Frankfurt, Germany, she was the administrative assistant for billeting (housing) during the American occupation. Darnell recently received recognition from the State Bar of Texas for over fifty years of honorable law practice. She is survived by her niece, two nephews, a brother, and godchildren.

Guy Jackson III, '57, died on February 23, 2009 at the age of seventy-seven. He wrote the epitaph for his gravestone, describing himself as a dutiful son, loving father, faithful husband, soldier, Freemason, public servant, and "iconoclastic S.O.B." Jackson was descended from an Irish immigrant, Humphrey Jackson, one of Stephen F. Austin's original three hundred colonists who settled in eastern Harris County. Jackson dedicated twenty-three years of service to the military as a lieutenant colonel in the Army and the National Guard. He also served as president of the National Guard Association of Texas. After earning his JD from the Law School, he managed a general practice and a title company in Anahuac. Last year he was recognized for his fifty years of service to the State Bar of Texas and as a Freemason. Jackson is survived by his wife of forty-seven years; two sons; and a daughter.

Judge James Smith Miles, '57, died on December 12, 2008.

Dick Eyster, '58, died on February 24, 2009.

James E. Geary, '58, died on November 7, 2008.

Morgan Shipman, '58, died on December 4, 2008.

Mac Tichenor Sr., '58, died on January 3, 2009.

The Honorable Eduardo E. de Ases, '59, died on February 21, 2009.

James B. Devine, '59, died on September 13, 2008.

The Honorable Andrew L. Jefferson Jr., '59, died on December 8, 2008. Jefferson was the first African American in his class at the Law School; he also became the first African American assistant district attorney in Bexar County. In 1962, Jefferson served as the assistant U.S. attorney in the Western District of Texas, and in 1968 he was a trial and relations lawyer for what is now ExxonMobil. From 1970 to 1974, Jefferson was a judge for the former Court of Relations No. 2 in Harris County, followed by taking the bench of the 208th Criminal District Court. President Jimmy Carter elected Jefferson to the U.S. Court of Appeals for the Fifth Circuit. He is remembered for being a pioneer in law for African Americans and for his unrelenting dignity.

Phocion S. Park III, '59, died on September 1, 2008.

James L. Truitt, '59, died on July 11, 2008.

John C. Chambers, '60, died on February 8, 2009.

Thomas Cook, '61, died on December 5, 2008.

Harvey Pippen Jr., '61, died on December 25, 2008.

Don L. Dickson, '62, died on September 9, 2008.

James B. Barlow, '63, died on December 4, 2008.

John C. Culpepper Jr., '63, died on December 19, 2008.

W. Carroll Kelly, '63, died on September 6, 2008.

James Lawrence Dalton, '64, died on November 27, 2008.

Willard Randoly Elliot, '64, died on October 1, 2008.

Scott Kneese, '64, died on November 25, 2008.

Colonel Joe Lynn Woodward, '64, died on December 31, 2008.

Jack Raymond Napier II, '65.

The Honorable John William Black, '65, died on October 2, 2008.

Thomas S. Goggan III, '67, died on March 21, 2009, at the age of sixty-five. Born in Dallas, he grew up in San Antonio and graduated from the Law School in 1967. Goggan spent the first fourteen years of his career practicing criminal and civil law, representing some of Austin's most illustrious characters and arguing cases in the U.S. Supreme Court and the U.S. Court of Appeals for the Fifth Circuit. In 1982, he and fellow Law School graduates founded Heard, Goggan & Blair. Goggan's talent for litigation served his firm well, and he continued to represent clients in complex tax cases until the end of his career. Goggan coauthored (with Matthew Bender) a text on ad valorem taxation; was an active member of the State Bar of Texas, where he served on the Administration of Justice and Administrative Law committees; taught continuing legal education classes; and was a member of the legal fraternity Phi Delta Phi. He is remembered for his wit and keen intellect. Goggan enjoyed life and sat-

isfied his intellectual curiosities by reading great works of world literature and political histories. He is survived by his wife, sister, two daughters, and four grandchildren.

Charles T. Newton Jr., '67, died on November 20, 2008.

Rolf E. Hiebler, '69, died on December 17, 2008.

James L. McMurtry, '69, died on December 29, 2008.

Robert H. Sparks Jr., '69, died on September 27, 2008.

David S. Shughart Jr., '70, died on September 8, 2008.

Frederick M. Baron, '71, died on October 30, 2008, at the age of sixty-one. Baron was a pioneer in mass tort litigation and a major Democratic fundraiser. He died from multiple myeloma (cancer of the bone marrow) at his home in Dallas. Baron began his career in toxic tort litigation as a young lawyer at Dallas-based Mullinax, Wells, Mauzy & Collins in 1974 when he won a large settlement for workers exposed to asbestos at an East Texas insulation factory by suing the manufacturers and suppliers of asbestos to the plant. The settlement was the first of many Baron would win representing people harmed by exposure to toxic and carcinogenic substances, most with the firm he founded in 1977, currently known as Baron & Budd PC. Baron was born in Cedar Rapids, Iowa, and moved to Smithville, Texas, as a teenager. After graduating from the University of Texas in 1968, he entered the Law School, serving as editor of the *Texas Law Review* from 1969 until his graduation. Baron and Budd grew rapidly by specializing in asbestos litigation and eventually broadened its practice to represent plaintiffs in a variety of toxic tort cases as well as in securities fraud cases, class actions, and commercial litigation. Among others, Baron won settlements for West Dallas children allegedly exposed to lead emissions from nearby smelters; residents of a Tucson, Arizona, neighborhood who may have been exposed to the carcinogen TCE in their drinking water; and people in Western

have been exposed to radioactive emissions from a nuclear power plant.

An active supporter of Democratic Party candidates and causes, Baron left the firm he founded in 2003 to devote himself to politics and charitable efforts. He served as campaign finance chair for former North Carolina Senator John Edwards's presidential campaign and was a supporter of and fundraiser for the campaign of President Barack Obama. He also supported former Dallas Mayor Ron Kirk, '79, in his unsuccessful 2002 U.S. senatorial campaign.

Baron's legacy of public-interest litigation and pro bono work lives on at the Law School in the Baron and Budd Public Interest scholarships. Administered by the William Wayne Justice Center for Public Interest Law, the scholarships offer financial support to law students who commit to working three hundred pro bono hours for nonprofit organizations that provide legal services to underserved people and communities.

Baron served as president of the Association of Trial Lawyers of America (now known as the American Association of Justice) in 2000. He helped found public interest law firm Trial Lawyers for Public Justice (now known as Public Justice) in 1983. Baron and his wife, Lisa Blue, were founders and board members of the Baron & Blue Foundation, which gives grants to nonprofit organizations serving poor and homeless people in Dallas. He is survived by his wife and five children.

Ronald M. Gipson, '71, died on August 4, 2008.

James William Spears, '72, died on September 7, 2008.

Douglas S. Harlan, '73, died on November 7, 2008.

Eugene A. Macha, '73, died on January 10, 2009.

M. Lloyd Selijos, '73, died on January 26, 2009.

F. Newton Millen, '74, died on October 31, 2008.

Paul A. Berlanga, '76, died on October 28, 2008.

Leonard Kirzner, '76, died on February 20, 2009.

Eric W. Schulze, '77, died on August 28, 2008.

Frank Arnold, '79, died on August 28, 2008.

Willie Kocurek, '80, died January 1, 2009, in Austin, at the age of ninety-eight. Kocurek was the owner of a popular Austin service station and appliance store, the Willie Kocurek Co.; a member and president of the Austin School Board; a lawyer; and a well-known community volunteer and speaker. Kocurek came to the Law School at the age of sixty-seven after retiring from work at his store. Upon graduation, he started a law practice in Austin, specializing in wills and probate.

Previously, he earned his BBA from the University of Texas at Austin in 1933 and began courses at the Law School in 1943, but his plans for a law degree were interrupted by work and by service in the U.S. Navy during World War II. As might be guessed of a man who finished a law degree he had begun over thirty years earlier, Kocurek demonstrated a life-long commitment to education. He served as a member of the Austin Independent School Board from 1946 to 1949 and as president of the board from 1950 to 1954. He also served as president of the Texas Association of School Boards, director of the National Association of School Boards, and on the board of directors of the Region XIII Education Service Center, and was chairman of the "Forming the Future" committee for the school board in 1982 and 1983. Kocurek Elementary School, in Southwest Austin, was named after Kocurek and his wife, Maurine, in 1986.

Kocurek and his son Neal were named Austinites of the Year in 1989.

James R. Larkins, '80, died on August 4, 2008.

Bob Hasty, '85, died on December 22, 2008.

John F. Curry, '87, died on February 16, 2009, at the age of 47. A 1987 graduate of the Law School, he was a public defender in Wichita Falls and recently planned to start his own practice. Well respected in the community, Curry was an excellent attorney and a compassionate human being. He loved the law and worked tirelessly for truth and justice. A man of integrity, helping others was his passion.

Scott Derek Daniel, '91, died on December 27, 2008.

Jeffrey M. Cameron, '96, died on September 17, 2008.

Deborah Anne Moseley, '97, died on July 22, 2008.

Alex G. Nixon, '00, died on October 9, 2008.

A Potential for Transformation

More than fifty Texas counties have adopted a juvenile justice-policy plan designed by Hannah Miller, '09

A RARE GLIMPSE INSIDE maximum-security prisons in 2008 led Hannah Miller, '09, to groundbreaking work in policy reform at the Texas capitol.

"What I witnessed that day changed my life," the twenty-nine-year-old student said. "The cells were smaller than I ever imagined. Bodies cramped, eyes bloodshot and desperate," she recalled, noting the disorienting absence of natural light in windowless solitary confinement.

"Men were literally in cages," she said. "Twenty-three hours a day under fluorescent lighting, rocked to sleep by violent screaming from cell to cell." These conditions only aggravated inmates' mental problems, Miller said. "It was hellish—just absolutely dehumanizing."

But Miller said the experience moved her to refocus her legal career on policy issues affecting prisoners, particularly death-row inmates and juvenile offenders. Miller is now doing work at the Texas Legislature to promote less punitive, more rehabilitative alternatives to incarceration.

"You can't address these complex problems through legal representation alone," said Miller, who saw inside the prisons when she studied last year with attorney Michele Deitch, a criminal-justice expert at the Law School and UT's LBJ School of Public Affairs. "In many cases, policy reform may be the more effective mechanism."

Deitch said Miller, who graduated in May 2009, did "absolutely groundbreaking work" in Deitch's Texas Juvenile Justice System service learning course. As a policy intern with the Travis County Juvenile Court, Miller has had "an enormous impact right now on the direction of juvenile-justice reform," Deitch said.

Travis County may receive as much as \$17 million for a pilot project Miller helped design, and the proposal is already reshaping views of the future of juvenile justice. A response to the 2007 sexual-abuse scandal in the Texas Youth Commission, this project would fund counties to house and treat juvenile offenders in their local communities rather than send them to distant state institutions.

"Travis County and all of Texas will be better off because of her efforts," said Travis County District Judge W. Jeanne Meurer, Miller's supervisor. "Hannah condensed complex ideas for reforming Texas's juvenile-justice system into communications that seized the attention of the state's policymakers. She's triggered a potential paradigm shift in the way Texas deals with youthful offenders."

Miller says working on the proposal has inspired her to see the potential for change even amid tragedy, such as the sexual-abuse scandal that led to her efforts.



Hannah Miller, '09

"Working with juvenile-probation departments across the state, it has been amazing to witness their newfound enthusiasm for treating youth in the local community," Miller said. "The counties have started to embrace the belief that juvenile offenders, even those who have committed some of the worst crimes, have the potential to be of value in their communities. They no longer seem resigned to view these kids as criminals on their way to adult prison."

More than fifty counties have adopted Miller's proposal.

"This project has the potential to redirect juvenile justice in Texas," she said. "If the programs funded this session succeed, then the 2011 Legislature could embrace this concept statewide."

A Florida native, Miller came to the Law School after having attended Harvard Divinity School for a year and working in hospice care. Her time at the Law School, she said, has given her rich and varied experiences. She worked to improve conditions at the Hutto immigration facility; represented condemned prisoners in the Capital Punishment Clinic; published academic research on the issue of mental illness on death row in the *Texas Law Review*; attended arguments at the U.S. Supreme Court in a case she worked on with the Supreme Court Clinic; and worked in the legislative arena. After graduation, Miller plans to clerk for a federal appellate judge in Macon, Georgia.

In the summer of 2008, Miller was part of the legal team that secured an eleventh-hour commutation for an inmate sentenced to death in Georgia—a rarity in that state's history. She said she found a glimmer of hope in the state's recognition of her client's value.

"I believe," she said, "that everyone has basic worth as a human being and the potential for transformation."—*Laura Castro* ❁



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