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SPRING 2001



10 • Class of '77 Presiding

Over 70 of 145 Oregon judicial seats are held by UO alumni, nine of whom graduated in 1977. **OREGON LAWYER** spoke with the Class of '77 judges about the experience of being a law student in the mid-seventies and how it relates to being a judge almost quarter of a century later.

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IN BRIEF

The Oregon Way Appropriate Dispute Resolution Conference Draws National Speakers

Did you know?
One-third of UO law faculty are trained as mediators and 17 classes have integrated ADR content.

There are several indicators that mediation practices are changing Oregon's legal landscape: Oregon lawyers and litigants are turning more often to mediation in civil cases; free mediators are available in most court jurisdictions for small claims cases; and Oregon state law now requires that mediation be offered to couples who need resolution for custody issues.

In light of these changes, Oregon lawyers, law professors, community representatives, and students came together at the UO Law School last November

funded programs."

Keynote speaker, The Honorable Dorothy Nelson of the U.S. Court of Appeals, also places Oregon at the forefront of ADR legal education and practice. In a recent conference for Fortune 500 companies, Nelson named the UO as a model of ADR integration into law school curricula.

In her speech, Judge Nelson addressed the challenges that ADR presents to legal educators and predicted that there will be "a huge extension of the multidisciplinary practice of law." Nelson also encouraged the audience to look beyond simple problem-solving and into what she called "transformative mediation." In the best cases, clients are not just "better off" by the outcome of the mediation but somehow enlightened as to the cause and made aware of the potential growth opportunity presented in the conflict. In doing this, lawyers and other ADR providers "expand their parties' tools for dealing with the psychological, social and economic dynamics that drive litigation."

Presentations throughout the two-day symposium began some lively conversation. Peter Steenland, head of ADR for Oregon's Department of Justice, engaged in roleplays with Carole Houk, Dispute Resolution Specialist for the U.S. Navy, to demonstrate the difficult ethical issues that



The Honorable Dorothy Nelson in her keynote speech "ADR in the 21st Century: Challenges for Legal Education and the Legal Profession."

to discuss how mediation strategies can continue to help disputants avoid slow and costly court battles. Throughout "ADR 2000 Symposium", panelists presented the difficult ethical issues in ADR, the challenges that ADR presents for legal education and the legal profession, and Oregon's unique implementation of mediation alternatives.

Oregon is one of 10 states leading the mediation charge in school and neighborhood disputes as well as in the courts, says Joanne Hartman of the Washington D.C. based National Association for Community Mediation. Oregon Dispute Resolution Commission, which sets the minimum qualifications and training standards for mediators in community and court-connected mediation, funds neighborhood mediation centers throughout the state. At the conference, Susan Brody, Director of the ODRC, spoke about how Oregon is innovating new ways to "promote quality dispute resolution services in state-

can surface during mediation. A panel of Oregon judges, including the Honorable Susan Leeson, the Honorable William Riggs and the Honorable David Brewer, discussed how they implement ADR from the bench.

Given the rapid growth of this practice, and the eagerness with which the state and federal governments have supported and implemented it, it's clear that this kind of discussion is vital. Many symposium attendees were legal practitioners, some of whom received CLE units for attending. Lisa Kloppenberg director of the UO's ADR program, says the conference was intended to "share our enthusiasm, say how important it is in law curriculum and give us, as faculty and students, a chance to learn and connect with practicing professionals."

Not only did the program gain attention at the national level and create more financial support of the program's objectives, but the conference's goal of

Oregon is one of 10 states leading the mediation charge in school and neighborhood disputes as well as in the courts.

community outreach and education established some exciting opportunities for students. Matthew Hoffman, a third-year student, was asked to extern with a large insurance company that is now required to use ADR processes with their clients. Hoffman will review and evaluate their in-house mediation program.

Kloppenberg Reflects

Says Goodbye to UO

Lisa Kloppenberg, after nine years of distinguished teaching at the University of Oregon, will become Dean of Law at the University of Dayton, Ohio. At 38, she'll become one of 24 women law deans in the nation and, certainly, one of the youngest. Kloppenberg credits her mentors for inspiring her to assume this leadership role.

The Honorable Dorothy Nelson, the *first* female dean for a school of law, has been a crucial influence to Kloppenberg. A clerk for Judge Nelson at the start of her career, the two have continued to work closely as educators, sharing a vision and passion for teaching alternatives to litigation.

From Dave Frohnmayer to Rennard Strickland, Kloppenberg believes that the UO has also provided her with good models of what a dean should be: "Rennard Strickland has advocated for us to take leadership positions, with the ABA and other professional organizations." Approaching the Dayton deanship as an opportunity to mentor others in a similar way, one of her priorities will be to foster an atmosphere of respect and mutual support within the school.

In 1992, faculty support was Kloppenberg's main attraction to the UO. After five years in private practice, she chose to begin her teaching career at Oregon because she sensed its strong commitment to the mentorship of young instructors. "Senior faculty really wanted us to succeed, and they served as role models in teaching and scholarship." She valued the opportunity to participate in the Teaching Effectiveness Seminar, during which she observed several classes and learned from the wide range of her colleagues' teaching styles. In just two years, Kloppenberg herself received the Distinguished Faculty Award for outstanding instruction.

Kloppenberg hopes to provide Dayton faculty with similar opportunities for scholarly exchange, a chance to explore their own classroom practices in a program much like the one established by Dom Vetri at the University of Oregon. Kloppenberg also plans to translate what she's learned as director of the ADR program into a new program for Ohio, while she ad-

mits that it's difficult to leave a program so clearly headed for success.

"Student involvement has been vital to the success of ADR," she says. "Our program has, by and large, been built on student-initiated efforts... This student body is a mature and motivated group." Citing also the support from administration and alumni, Kloppenberg believes the ADR program will continue to flourish, stressing the ways in which the faculty has already made the UO a national model for curriculum integration.

Jane Gordon, Associate Dean for Student and Program Affairs, emphasized the role that Kloppenberg has played in laying the groundwork for ADR's future success: "Lisa is full of energy and the program she has started holds tremendous promise for our students, alumni, and practitioners. We're sorry she won't be here to continue her work, but we wish her the best in her new adventures."

Though the deanship is certain to offer many "new adventures", Kloppenberg also plans to continue teaching one course a year at University of Dayton. "Teaching motivates me to remain up-to-date on the issues. My students and research assistants have both challenged and bettered my scholarship." One of the fruits of that collaboration is Kloppenberg's book (to be published this summer), *Playing It Safe: How the Supreme Court Dodges Hard Issues and Stunts the Development of Law*.

Kloppenberg feels that the students of Dayton share something in common with those at Oregon: their devotion to the public interest. Having taken pro bono work throughout her career, Kloppenberg is dedicated to making justice accessible for underrepresented people and political groups. By example, she's encouraged her UO students to do the same.

"Law is about empowering others," says Kloppenberg. And, it's clear, so is leadership. The guiding principle of her career—in teaching, public service, and mediation—bodes well for the University of Dayton.



Lisa Kloppenberg, Director of the ADR program, will leave in July to become dean at the University of Dayton.

Appropriate Dispute Resolution Program
Upcoming Event:
Mediation Training for Senior Lawyers
(See the Docket for details, inside back cover.)

Generosity of Spirit

Ellen Rosenblum, Multnomah County
Circuit Court Judge

The Honorable Ellen Rosenblum ('75) spoke with the OREGON LAWYER at the end of a particularly difficult week that included extensive media coverage of a case she was involved with. She managed, however, to put the week in perspective to speak with us, saying: "Maybe it's just some kind of a signal that too many good things have happened recently!" Those

COURTESY ELLEN ROSENBLUM



Ellen Rosenblum with American Bar Association President-elect Robert Hirshon at the ABA meeting in San Diego.

"good things" include the honor of receiving the Justice Betty Roberts Award from Oregon Women Lawyers and election as Secretary-Elect Nominee of the American Bar Association. Judge Rosenblum's professional dedication and generosity of spirit are immediately apparent when speaking with her.

Q How did it feel to be nominated (by the ABA) in San Diego last week? It must be quite an honor.

A It felt great. It was the culmination of a year-long campaign during which I really had to get to know all sixty-seven of the nominating committee members. It was a truly enjoyable experience to meet with these lawyers from all over the country and discuss our hopes for the profession and the ABA. The honor is in representing Oregon and the judiciary as an ABA officer.

The official election will be at the annual meeting in August in Chicago. I won't actually take office until August 2002. They give you a year to "learn the ropes" first.

Q You've been involved with the organization

since '88?

A Actually, I've been a member of the ABA since '75. I used to go to ABA meetings in Chicago with my dad (a law professor) when I was a little girl. He really wanted me to join, so he paid for my first year of membership when I graduated from the Oregon Law School. But, I couldn't get actively involved until the late 80's due to lack of time and resources to attend the meetings.

In '88, after serving on the Oregon Bar Board of Governors, I found out about serving as a delegate from Oregon to the ABA House of Delegates. I ran and won and have been in the House in various capacities ever since. From three members when I first started, we will soon have eight in our delegation.

It's great to see a full row of Oregonians in the huge room where the House of Delegates meets. This number—typically much smaller for a state our size—is a reflection of the very high level of participation of Oregon lawyers in ABA activities.

Q You've seen the ABA through the 90's... What do you think will be the issues that will come to the forefront for the association in the next decade and, even more specifically, your term?

A The central issue that I have been working on as a member of the ABA's Commission on Racial and Ethnic Diversity in the Profession is developing and retaining a diverse bar. Ideally, the number of lawyers of color in the bar should be proportional to the numbers in the population of the community in which the lawyers work. We have a long way to go, so this issue must remain in the forefront.

Next on my list would be issues pertaining to access to justice and the high cost of legal services. The ABA has played a major role in ensuring the funding of the Legal Services Corporation and will remain vigilant in this area.

Another focus will continue to be the issues of multi-disciplinary and multi-jurisdictional practice. Though the ABA has taken a position in opposition to MDP's, the issue is not going to go away. And, in the cyberspace age, more cooperation between lawyers and the courts in different states and countries will be required, while at the same time maintaining appropriate ethical standards.

Finally, I would add that the satisfaction of lawyers is a primary and ongoing mission. The ABA serves as advocate for the profession. Each of its over 400,000 lawyers deserves a sense that the ABA is helping him or her succeed in the practice of law. A serious concern that the ABA tries to address is the tricky balance of family and career.

Q How do you find balance with all your professional and personal volunteerism, your family,

and your judiciary responsibilities?

A My family keeps me grounded. At this point, with two kids in their teenage years, I probably get more than I give. They are really great—and very understanding, most of the time. My husband has been extremely supportive—I would never have been able to advance in my career and do as many “extra-judicial” activities during these child-rearing years without that support.

Also, I’m energized by the things I choose to do. I think if you’re finding energy through your outside commitments, rather than finding them a drain, they actually help you keep balanced and focused at work.

“It was very exciting to be part of something new—women in large numbers entering the profession.”

Q You’ve been a strong advocate for women in the profession and have just been recognized for those contributions. Can you comment on your decision to become involved in this particular way?

A I have never had to make a conscious decision to become involved in issues pertaining to women in the profession. As a woman who got her law degree in the mid-seventies, it just comes pretty naturally. It was very exciting to be part of something new—women in large numbers entering the profession. Obviously, we wanted to succeed and for those following us to, as well. If doing what comes naturally results in recognition, that is fine, but it is certainly not why we do it. Oregon Women Lawyers (OWLS) is an extremely important organization, with plenty of work cut out for it to continue to ensure the equality and satisfaction of women in the legal profession in Oregon.

sight into the seriousness of a career in law.”

The justices heard oral arguments, determining whether a defendant’s property was illegally searched, violating Article I, Section 9 of the Oregon Constitution. A short post-argument discussion followed and students had the opportunity to pose questions about the law, though pending cases could not be discussed. Chief Justice Carson said that he particularly enjoyed this part of the visit. The justices later attended a luncheon with faculty, students and members of the Lane County Bar.

Greena Ng was not alone in thinking that the recent visit helped the judges seem more “three-dimensional.” During the panel, one of her classmates leaned over and whispered how surprised she was to find that they were “funny.” The only contact students previously had with the justices was through their opinions, so to hear Chief Justice Carson quote some words of wisdom from Robert Fulghum’s *All I Really Need to Know I Learned in Kindergarten* had a humanizing effect: “share everything... play fair... live a balanced life—learn some, think some, draw, dance and play and work every day some... take a nap every afternoon...” Greena recalled, “When the Chief Justice commented that taking naps was becoming more important to him these days, laughter erupted from the packed auditorium.”

Supreme Ethics

Oregon Supreme Court Justices
Visit Knight Law Center

On March 6th, Supreme Court Justices came to the Knight Law Center to hear oral arguments and speak with students about legal ethics and professionalism. The justices visit each law school in Oregon once a year.

Each of the seven judges discussed, with humor *and* seriousness, their personal experiences on the bench and as attorneys. One judge shared that an acquittal he obtained for a client resulted in the death of a woman. First-year student Greena Ng said “Hearing about some of the ethical dilemmas that the judges have experienced as practicing lawyers and in the decisions that they make as judges provided in-



Justices heard oral arguments and spoke with students about ethics and professionalism in the law.

Corporate Contracts

Howell & Hollywood Entertainment Establish New Externship

In the spring of '99, Jason Howell enlisted the help of his advanced contracts professor Jim Mooney to petition the faculty curriculum committee. The 2L had, on his own initiative, spent the winter and early spring months volunteering at the Hollywood Entertainment Corporation, wading through complex contracts to gain practical experience in doing business-law projects for a national corporation. Not only did the committee grant Howell the externship credits, but his success has started a trend.

Hollywood, which does business as Hollywood Video and is the second largest retailer of videos, DVDs and games in the nation, now provides valuable experience in corporate legal practice to one University of Oregon student per term. The students work approximately 12 hours a week for 3 credits and receive hands-on training in business, employment and intellectual property law. Faculty sponsor Carl Bjerre helped to establish the externship on an ongoing basis because he felt that Hollywood Entertainment offers students an opportunity to work with first-rate corporate lawyers who *also* happen to be good educators.

Shelley DeLeo, Vice President of Legal Affairs, says she's been pleased with the "intellectual output" of the externs from the UO: "Though all three have been unique in personality, they've shared a few com-

mon traits. Aside from their enthusiasm, they've all shown a willingness to drill down into the issues and an ability to follow through on deadlines."

Remembering the huge stack of papers he inherited during his first research project at Hollywood Howell admits to being overwhelmed at the start. His experiences at the Law & Entrepreneurship Center gave him the confidence he needed, however, when the time came to present his recommendations to in-house counsel. Eventually, Howell was also able to assist outside counsel (from Fulbright & Jaworski L.L.P.) with a trademark infringement case.

As a student focusing primarily on business and intellectual property law, he believes the externship provided him with a unique opportunity to develop the legal skills he'll most need as a practicing professional. "The quality of the experience, projects, and attorneys at Hollywood is equivalent to working for a large law firm," says Howell.

"They've all shown a willingness to drill down into the issues and an ability to follow through on deadlines."

Robert Lowry, '80, Lois Ackerman, Rennard Strickland and Dave Frohnmayer honor the Orlando Hollis bequest.

nm.kovf



Enduring Influence

\$4.5 Million Hollis Bequest Funds Scholarships and Endowed Chair

Orlando Hollis ('28), former dean, has left an extraordinary \$4.5 million gift to the School of Law for use in funding 50 third-year scholarships, as well as one endowed professorship. \$3.5 million is earmarked for scholarships, doubling the number of awards currently available. Scholarships will be given to students with an interest in the fields of legal procedure and conflict of laws. The holder of the endowed professorship, the Orlando John and Marian H. Hollis Chair of Law, will also share those interests.

In addition, Hollis left his entire library and many personal effects, including notes from his investigation of UCLA and University of Washington in 1957 which led to their suspension from the PAC-10 for conference rule violations; a biography of Judge Matthew Deady inscribed by the judge to his son in 1891; and the bell that Hollis rang to signal the end of exam periods. Hollis also kept notes on every law student from the late 40's to the late 60's.

"Dean Hollis had been a major force in Oregon law since 1929, when he first joined the UO law school faculty," says President Dave Frohnmayer. "His strong and enduring influence helped shape the high standards in place today."

See You in Moot Court

UO Teams Score Victories in Regional Competitions

Best American Team, Regional Client Counseling Competition, Spokane, WA

Devorah Signer and Russa Kittredge, third-year students, placed first among all American teams competing in the regional client counseling competition in February.

Teams from Oregon, Washington, Montana and Canada role-played with clients, trying to get information from them and offer preliminary solutions.

As volunteers at the Lane County Law and Advocacy Center, both Kittredge and Signer had prior experience in interviewing clients. This experience helped prepare them for the competition, but the team honed their skills with coach Floyd Prozanski, Former State Representative for District 40, in the weeks before Spokane.

Prozanski, who has worked with client counseling teams at the university for 14 years, was pleased with their performance. "Russa and Devorah were just in sync with each other. Intuitively, they knew how to complement each other's strengths."

Because Canadian teams placed in first and second, no team will represent the region at U.S. nationals. Though just two points away from first, Kittredge and Signer accepted the end of their competition with grace. "Sure, it was exciting to compete, but meeting the other students made it fun as well," said Kittredge.

Upon graduation, Kittredge plans to work part-time while raising her 4 month-old daughter; Signer will work in the Honors Attorney Program at the Oregon Attorney General's office.

Bankruptcy Moot Court Team Wins State Competition, Salem, OR

A discerning panel of judges—including Oregon Supreme Court Chief Justice Wally Carson, United States Bankruptcy Judge Elizabeth Perris, and Portland bankruptcy practitioners Mike Caro and Teresa Pearson—ranked the team of Ed Talmadge (3L) and Teresa Shill (2L) first in Oregon last February.

The team traveled to New York to compete against 23 other teams in late March, arguing a Chapter 11 case that involved complex sovereign immunity issues. Local practitioners and Eugene bankruptcy court representatives, including Judge Albert Radcliffe,

helped the students prepare their oral argument.

Ed is a veteran to the competition, having advanced to nationals last year, and Teresa brings some valuable practical experience to the team. She's worked for four years with John Pries, a Eugene attorney and UO grad ('87) who works in the field of bankruptcy and has encouraged her to study the law.

Teresa focused on the constitutional aspects of the case while Ed specialized in the statutory laws that apply. Both students became involved in the competition through Andrea Coles Bjerre's Creditors' Rights class. Coles Bjerre is also the team's coach.



Russa Kittredge, Devorah Signer and Floyd Prozanski

Morse Center Student Fellowships

The new Morse Center has initiated a program of awarding \$10,000 scholarships to a member of each law school class. This year's "Morse Fellows" were selected on the basis of scholastic merit and a demonstrated interest in public service.

First year: Aaron Thomas James

Aaron is a 1998 graduate of the Clark Honors College at the University of Oregon, where he majored in history and minored in business administration, graduating with honors. He has worked as a legislative aid to Senator Ron Wyden, as well as a legislative correspondent and intern. Aaron traveled to Cambodia to research his Honors College thesis, "A Critical Analysis of the Khmer Rouge Socio-Economic Plan: 1975-1979." He is the 1996 recipient of the Bogan Award for outstanding leadership and academic qualities from the UO Interfraternity Council.

Second year: Tiffany A. Harris

Tiffany is a 1994 graduate of Earlham College (Richmond, Indiana), where she majored in history. She earned departmental honors and was inducted into the Phi Beta Kappa Society. After earning her B.A., Tiffany served as the dean of women's programs at the DeSisto School for troubled teens and as scholarship coordinator for the Colorado Outward Bound School. Fluent in French and proficient in several indigenous languages, she has traveled extensively in West Africa and conducted graduate research on the Senegalese immigrant experience in France.

Third year: C. Michael Arnold

Mike graduated from Truman State University (Kirksville, Missouri) in 1997 summa cum laude with a major in political science and a minor in international studies. He has been awarded the Outstanding Trial Advocate Award, the James T. Landye Scholarship, and the Bradley Scholarship. The only UO student to attend the Democratic Party of Lane County's platform convention, Mike co-authored a human rights and justice plank with Rep. Kitty Piercy. Currently, he is serving as trial clerk at the Lane County District Attorney's Office.

Finalists for the 2001-2002 Morse Fellowships are currently being selected.

CENTERS

Labor in a Global Economy

Wayne Morse Center
for Law and Politics

Bookmark:
The full text of
Lichtenstein's speech is
available at
[www.morsechair.uoregon.edu/
Lichten.html](http://www.morsechair.uoregon.edu/Lichten.html).

On February 5, 2001, the University of Oregon Library System and the Morse Center launched a special exhibit titled "Boss of the Waterfront: Wayne Morse and Labor Arbitration." On display until April 20 at the Knight Library, the exhibit features materials from the Wayne Morse Papers housed in the UO Knight Library and examines Morse's lifelong involvement with labor issues.

Nelson Lichtenstein, an eminent labor historian from the University of Virginia, gave the keynote address at the opening of the exhibit. The author of several books on labor history, Lichtenstein spoke about "The Lost World of Workplace Justice." "Can the workplace be transformed into an 'industrial democracy,' not just in factories and mines, but in every enterprise where people exchange their labor for a livelihood?" Lichtenstein asked. "Wayne Morse once thought so, devoting some of the best years of his life to the realization of that vision."

"Boss of the Waterfront" gives special focus to Morse's work as a labor arbitrator. In 1937, while dean of the UO School of Law, Morse ruled on several labor disputes along the Pacific Coast. He was so successful in his work that he became the main arbiter between the two most contentious factions on the coast, the International Longshoremen's and Warehousemen's Union and the Waterfront Employers Association.

In 2000-01, the Morse Center has focused its inquiry on the theme of "Labor in a Global Economy," hosting two Morse Professors—William Gould and Dana Frank—and sponsoring numerous projects, including new undergraduate courses, research on

Oregon's immigrant labor force, the exhibit at the Knight Library, and a forum on labor history.

The Morse Chair continues to bring distinguished scholars to the UO, such as this year's visit by William B. Gould IV, a Stanford University law professor and former chair of the National Labor Relations Board. During his stay at the law school, Gould taught a short course, gave two public addresses, and met with students, law school faculty, and members of the labor community. Among other things, he argued for the establishment of an international labor court to address the growing inequity between workers and employers in the new global economy.

Over the next two years, the Morse Center will explore issues relating to the criminal justice system. The 2001-02 Morse Chair will be Charles Ogletree, Harvard Law School professor and prominent legal theorist. Ogletree has written extensively on criminal justice administration and directs the respected clinical program at Harvard. He co-authored *Beyond*

the Rodney King Story: An Investigation of Police Conduct in Minority Communities and was legal counsel to Anita Hill.

Professor Ogletree will visit the law school in October, 2001 to lecture on "Race, Class and the Criminal Justice System." He will return in the spring and anchor a conference on the death penalty on March 1-2, 2002 at the UO.

For more information about any of the Morse Center speakers or activities visit its Web site, www.morsecenter.uoregon.edu or call 541-346-3700.



Margaret Hallock and Nelson Lichtenstein at the opening of "Boss on the Waterfront."

Students as Legislative Fellows

Ocean and Coastal Law Center

Camilla Erin Boyte has received the Dean John A. Knauss Marine Policy Fellowship. Established in 1979, this fellowship offers a unique opportunity for those with an interest in ocean and coastal resources and in national policy decisions affecting those resources. Camilla has been placed in the United States Senate Subcommittee on Oceans and Fisheries within the Committee on Commerce, Science, and Transportation, which covers a wide range of ocean and coastal

issues and has jurisdiction over the “wet” side of NOAA.

During her fellowship, she will be participating in almost all aspects of the legislative process and will write briefing memos for Senator Snowe (R-ME), Senator McCain (R-AZ) and other members of the Committee.

Other activities will include participating in meetings and issue briefings, arranging hearings (both in D.C. and in the field), writing talking points for Senators Snowe and McCain, drafting legislation, participating in legislative negotiations, writing bill reports, and tracking House legislation.

Some issues Boyte will be working on this year include completing reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act, the Marine Mammal Protection Act, the Coastal Zone Management Act, and authorizing portions of the Coast Guard and NOAA budgets.

In Salem, Kurt Unger works with the Oregon Coastal Zone Management Association. Through Professor Richard Hildreth, Unger was introduced to Onno Husing ('88), Director of OCZMA. Unger remembers how, during a class visit, Husing mentioned the Legislative Fellowship opportunity: “Onno’s excitement was contagious. I promptly applied.” Housed in Senator Joan Dukes office, he looks forward to working with the other seven senators and representatives of the Coastal Caucus.

Already some major issues for the coast have surfaced: Can conservation hatcheries be used effectively to supplant endangered wild stock? Can Oregon legally remove sea lions that are preying on endangered salmonids? Can a compromise be found between Oregon’s strict land use schemes and Measure 7? Is the Columbia River Dredging project really necessary and, if so, can environmental degradation be minimized?

The worst drought Oregon’s seen in years makes the salmon controversy even more difficult, not to mention the fact that Oregon must decide in this session whether to go ahead with its own form of utility deregulation.

The Business of Law

Law and Entrepreneurship Center

Second and third year law students are now able to focus their law school training on small and emerging business law by enrolling in a course of study that leads to a Statement of Completion in Law and Entrepreneurship. This new course of study, which was approved by the law school faculty in October, is patterned in part after the already existing Statement of Completion in Business Law and certifies that the holder has successfully completed coursework designed to equip him or her with the knowledge and skills necessary to give sound advice and counsel to new ventures and emerging businesses.

One way that some of these skills are gained is through the satisfactory completion of three courses currently offered through the MBA curriculum of the UO’s College of Business: Seminar in Entrepreneurship; Marketing for Entrepreneurs; and New Venture Planning. In addition to their business-related law courses, students are required to demonstrate competence in the fundamentals of financial and managerial accounting. Accounting for Lawyers is being offered to teach these skills.

Seth Millstein, 2L and Coordinator for the Law and Entrepreneurship Student Association (LESA), enrolled in the Seminar in Entrepreneurship this winter. He says, “What has been the most interesting is that I walked into



“This is truly a great lesson to learn before I get knee deep in the waters of business.”

the class believing that I was an entrepreneur. I’m leaving it realizing I’m truly not.” After listening to one particularly inspiring speaker in the class, Millstein changed his view of entrepreneurship. “A ‘true’ entrepreneur is buying and selling things all the time, taking wild swings and stabs... hitting and missing with abandon,” says Millstein. “This is truly a great lesson to learn before I get knee deep in the waters of business.”

Barbara Aldave, the new Director of the Law and Entrepreneurship Center, has been instrumental in getting this program approved. Aldave expects that the number of students seeking the statement of completion will grow as students become more familiar with the opportunity. While the JD/MBA degree is still offered to law students, this new option appeals to students because it doesn’t require an additional year of study, says Aldave.



Judge Patricia Crain (middle right) and student colleagues in Grayson Hall, circa 1977.

CLASS OF '77

*P*residing

BY JILL LEININGER

Back when tuition was 700 dollars a term and you could get an 89 cent breakfast at the Mill Race, when “the new building” meant Grayson Hall and word processors were “cutting-edge”, students sat according to seating charts and their classes were decided by last name. However, the traditions and character of the UO Law experience in 1977 were much the same as they are today: students dedicated to the public interest, faculty dedicated to the students, and a feeling of “home” in the halls.

Judge Jeffrey Mattson of the Oregon Tax Court says, “I felt at home [with my classmates] because there was a lack of pretension, and a fair bit of irreverence.” Humor, he says, was a definite characteristic of the class. Nowhere is this more clear than in *The Dissent*, the law students’ biweekly paper, which printed items like N.T. Wilson’s recipe for Henry Kissinger Memorial Salad: “When I first thought of composing a recipe in honor of our out-going Secretary of State, naturally, ‘turkey’ came immediately to mind. After reconsideration, however, a mixed jumble of vegetables with a thick coating of oil and cold fish seemed equally appropriate.”

The paper also printed an expense report for the ’77 Over-the-Hump party, another UO law tradition that has stood the test of time. The Robert Cray Band, now with a double platinum album, was hired to play the gig for only \$350. “With the posting of this accounting, the Ad Hoc Long Term Social Functions Committee is hereby dissolved. Please direct further inquiries to: the Ad Hoc Long Term Social Functions Committee, c/o Royal Regal Hotel, Kingston, Jamaica.”

Ironic, maybe, that this “irreverent” class has more graduates holding court in the state of Oregon than any other. Ironic, but not surprising, 1,200 students applied for the 179 openings in the fall of 1974, and the entering class held an avg. GPA of 3.40. Within this talented group, nine people would eventually be elected or appointed to a judicial seat in the state of Oregon: Judges Rex Armstrong, David Brewer, Cynthia Carlson, Patricia Crain, Terry Leggett, Jeffrey Mattson, Richard Rambo, Martin Stone, and Susan Svetkey.

Almost 25 years later, eight of these nine graduates strained to recollect their younger days in interview, often avoiding questions in what seemed to be a mixture of shyness and embarrassment: “Oh, I don’t know—that was before I got married and got organized!” Or, “Ask Dave, he paid attention!” As Circuit Court Judge Patricia Crain said, the details of her legal education may be gone, but it’s the “spirit of the experience” that remains.

The Spirit of the Experience

One of the first things recalled in separate interviews, by Judges Jeffrey Mattson and Terry Leggett (Circuit Court Judge, Marion

County) were the weekly poker games, just one way they got to know people “from the other part of the alphabet.” Judge Leggett related how Bill Uhle (’77) taught her to gamble—maybe too well. When she began winning she learned that it’s bad form, even on a nickel table, to gather up your winnings and go home. “So I kept trying to lose the money so I could go home and study, but the more I tried to lose, the more I won!” Late nights weren’t a habit for Leggett, who leans in on her elbows to tell me how she refused to be even a minute late to her eight o’clock “Legislative and Administrative Processes” (LAP) class with Professor Hans Linde—then puts on a thick accent to demonstrate what would happen if she was.

Everyone, it seems, has a story about Hans Linde. Characterized as both “meticulous” and “brilliant,” Linde is somewhat of a legend among these alumni. Judge Rex Armstrong remembers walking into Professor Linde’s office soon

after he arrived to law school and saying, in effect, “I’m here.” He had read about Linde’s clerkship with William O. Douglas and decided to go to law school to study with him. Having no real intention of becoming a lawyer, he was interested primarily in the *idea* of the law—and he found a mentor in Linde.

Judge Martin Stone of Coos County, who had studied pre-law at Willamette University, also chose to come to the UO because the faculty had been highly recommended by attorneys he knew in Salem. At that time, the faculty included Linde, Dave Frohnmayer, Jim Mooney, and Chapin Clark as dean. Lane County Circuit Court Judge Cynthia Carlson also remembers Wendell Basye, affectionately called “Count Basye” by his students, and Don Brodie, whose classes in labor law fed her love for the profession.

Although he himself was not as protégé of Linde’s, Judge David Brewer (Oregon Court of Appeals) says the professor changed his life. Others talked of coming to study with Linde, but Brewer admitted he was almost scared off by him in his first year. After finishing his LAP final—or, rather, not finishing it—Brewer went back to his dorm room, packed up his ’71 VW bug, and returned to California to become a smokejumper. While his impetus to study the law was strong (something he attributes to growing up in a family of “very limited means”) he had his doubts about competing with Ivy League scholars. However, when grades came out, the future appellate judge had received an “A”. The next fall, he moved back to Oregon and eventually graduated “Order of the Coif.”



THIS “IRREVERENT” CLASS HAS MORE GRADUATES HOLDING COURT IN THE STATE OF OREGON THAN ANY OTHER.

Similarly, Judge Richard Rambo says that his motivation for studying the law came from a need to prove himself to his family and friends in Klamath County, where he grew up as part of the Klamath Tribe and currently serves as a circuit court judge. Neither parent received an education above the 8th grade, so it was somewhat unexpected when Rambo announced he would attend the UO to get his BA. A friend asked him why he would want to go back to college—"you'll just flunk out." But his naysayers were more of a motivation than a discouragement. Rambo, a Phi Beta Kappan, says he appreciated the "dose of reality" he received from

the work world before entering the UO: "I knew this was my last opportunity and that I should take it and make it work."

Judge Leggett was also a "first," not only the first in her family to go to college but part of the first surge of women to enter the profession. There was a substantial increase in the female student population beginning in the early seventies when the school moved from Fenton to Grayson Hall to "raise the school's horizon." Of the 179 students entering the school in the fall of '74, 46 were women, the highest enrollment until that point. Former registrar Lois Ackerman compared that to the Class of '67, which didn't include one female student among its 47 graduates. It was the "beginning of the bulge," said Judge Crain, who was proud to note that over half of the law students at the UO today are women. Crain, who organized the Law Women intramural basketball team (with Judge Ann Aiken '79), believes this "unique circumstance" created a bond between the women of the class.

All three women said that self-sufficiency was their primary reason for pursuing a law career. "I didn't go into law school to change the world, nor crusade for any particular cause," says Carlson, "It was about being financially independent."

Judge Crain's perception was that the women were, on average, three to four years older than her male classmates. These women had seen a bit of the world, she said, though she was careful to add that this didn't mean they were "cynical," but perhaps more practical or grounded. Crain herself had just moved back from South America with two children. Being a mother of two and having had some real world work experience, she says she went into school with the knowledge that "you can't take yourself too seriously." As a judge, she continues to remind herself of that.

Judge Brewer admits to being "young and green," but remembers the class as a whole being a slightly older group, and estimates the average graduate was about thirty years old. Acknowledging the women's movement and the effect that women had upon the class culture, he also points

out that many Vietnam vets were returning to school after the war. Brewer says his education was influenced by the counterculture as it exposed him to issues that are now considered of national importance, environmentalism for one, and increased his sensitivity to those issues.

Bob Bulkley, who graduated first in the class of '77, remembers how Mark Greenfield, now a successful environmental attorney in Portland, "sat him down to discuss environmental matters." This type of dialogue with classmates, he says, through the Law Review and the student ACLU, kept him engaged with his study. Also seeking mentorship from Linde, the Princeton-trained historian was an assistant professor and pre-law advisor at Rocky Mountain College in Montana the year he advised *himself* to attend the UO.

Clearly, the "pre-law" experience was widely different for each person—three had children, one traveled the world, one drove a truck, three had been to graduate school. But despite their different motivations for coming to law school, all of them found something in common in the first few years: they all had to come to terms with their orientation to the law, and their expectations of it.

Some were idealistic about what the law could accomplish. Cynthia Carlson turned to the law after becoming disillusioned with psychology, which she expected to be a harder science at the time she chose it as her undergraduate major. But Carlson was soon to discover a different "gray matter" in the law. She said, "I think I believed that if you found the right book, the answer would be there in black and white, and nobody could dispute it and it would be inarguable. Well, I quickly learned there was a lot of gray."

Richard Rambo, who also had a psychology background, felt empowered by the idea that his individual course of action could do something for his community. For him, it was a time of "great hope," though tempered a bit by Watergate. With hearings shown on TV and scrutinized by the public, Rambo recalls: "There were lawyers all around us. I was starting law school with the belief that lawyers were of great service, yet I began to hear such negativity that it did make me doubt my goals for a while."

Judge Rex Armstrong remembers the precise moment in his second year when the law was demystified for him. A faculty member had written an article for the Oregon Law Review to which Armstrong, one of the editors, had objections. He approached the instructor to discuss the problem he had with the argument and the professor eventually altered his position. Armstrong says this taught him that "Nothing is magical about these ideas. *Everyone* can have access."

UO Alumni on the Oregon Bench

1940s

Edwin E. Allen '49
Ralph E. Currin '48
Charles H. Foster '49
Henry L. Hess, Jr. '49

1950s

Robert B. Abrams '52
Frank R. Alderson '51
James C. Goode, Sr. '55
Robert E. Jones '51
Malcolm F. Marsh '54
Richard H. Mengler '52
Thomas M. Mosgrove '53
Edwin J. Peterson '57
Don H. Sanders '51
Loren L. Sawyer '59
Richard L. Unis '53

1960s

Alan C. Bonebrake '67
Kimberly C. Frankel '69
Helen J. Frye '66
Stephen L. Gallagher, Jr. '68
James R. Hargreaves '68
Robert D. Hemdon '68
Bryan T. Hodges '65
Donald L. Kalberer '60
Mitchell A. Karaman '61
Robert L. Kirkman '68
Thomas V. Kolberg '67
William L. Lasswell '62
Charles P. Littlehales '69
James A. Mason '62
Jack L. Mattison '68
Robert B. McConville '64
Lavaughn A. Merryman '63
Maurice K. Merten '69
Richard W. Riggs '68
Lyle C. Velure '66
Warner V. Wasley '68

“Hanging Out a Shingle” v. Working a Government Job

The transition to the world of legal work was not as easy for everyone as it was for Judge Jeffrey Mattson. Federal tax professor Milt Ray referred Mattson to the Department of Revenue during his third year of law school. It was a “good match” for Mattson, who also holds a B.A. in accounting from the UO, and he began to work 40 hours a week as a hearings officer while finishing his degree. Mattson says the arrangement was both a “foot in the door” and a “bargain for the state,” which paid only \$3.50 an hour for his services!

Others also established productive apprenticeships in the law. When Professor Hans Linde became Justice Hans Linde in 1977, Armstrong followed to clerk for him in the Oregon Supreme Court. Crain clerked for the Honorable Charlie Porter. “To tell you a bit about how things were different then,” says Crain, “my first case was a lawyer on trial for a speeding ticket—defending himself, of course!” Back then, speeding tickets went to trial, and just about anyone could “hang up a shingle and be their own boss”, she says.

Judges Rambo and Carlson were two graduates who did exactly that. When asked about the transition to private practice, both told of the money they lost because they were not prepared to run a business. A sole practitioner for two years, Carlson admits, “Thinking back, this was not a good way to begin a law practice. It was trial and error on the business end as well as with the practical aspects of being a lawyer—how many copies do I make, where do I take them to file...” Because Carlson didn’t have the opportunity to get clinical trial practice during law school, she received her first real taste of trial law in those two years. Unknowingly, she often “bit off more than I could chew,” taking, for instance, a securities case without the needed insurance to do so. “It’s also a skill to know what cases to turn away,” says Carlson.

Rambo says he felt unprepared for the one-on-one interactions with clients, particularly when it came to asking for their money. “The client would tell me his/her story and I would analyze the *problem*—my legal education was great for that—but in dealing

with the *person*, I do think I was underprepared.” Rambo says he’s glad that legal education today is paying more attention to client relationships, particularly the ethical aspects of advocacy.

Both Judge Rambo and Judge Carlson would eventually take positions as public defenders in Baker and Lane counties, respectively. Carlson enjoyed criminal defense even more than she expected, saying, “I thought I’d stay one and half years and get some trial experience, but I stayed 15 years!” Carlson says that this experience, more than any other, taught her who she was as a lawyer.

But can graduates today afford to take court-appointed cases? Or clerk for the courts? No, say most of these judges. Brewer notes that his office can only pay clerks \$2000 a month for two years, whereas Portland firms are paying \$100,000 a year to start. In the seventies, government jobs used to pay *better* than private practice for new graduates. Brewer made about \$9,000 a year with a firm in Eugene, while Bulkley earned \$16,000 clerking in the 9th circuit for the Honorable Alfred Goodwin (*51).

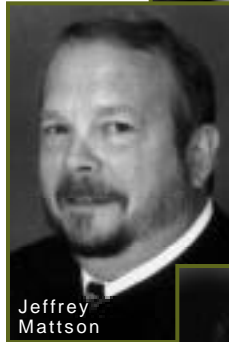
But the bigger difference lies in the amount of debt students now accrue in law school, sums often exceeding \$100,000. Given the high cost of legal education and the wider gap in compensation, many are concerned that promising graduates will be less likely to choose government jobs or pursue public interest law. As long as there is this burden, our self-selected pool will diminish, says Brewer. He thinks that the government would be better served by using the business model approach and exploring different ways “to get the best product.”

And why is Judge Brewer so invested in the idea? He feels he received what amounted to a free public education at the UO. He and most of his classmates were “pretty poor” during law school but, because their education was funded at about 60% by the state, most left with only a small debt to shoulder. Brewer, Leggett and Bulkley even came to the UO from out-of-state, but tuition rates then didn’t distinguish between in-state and out-of-state students (though there was a cap on the number of out-of-state students admitted). Currently, the percentage of state support is closer to 10%, and out-of-state tuition surpasses \$15,500 a year.

Both Crain and Brewer feel that loan forgiveness programs should be pursued for those who enter into government jobs or public interest law. However, one of the obstacles



Patricia Crain



Jeffrey Mattson



Terry Leggett



David Brewer

to establishing that kind of financial incentive is, as Brewer sees it, a popular misconception that public interest law is limited to a particular political orientation.

Despite the disincentives, Judge Carlson observed that many talented young lawyers *are* taking court appointed cases, even though they could make much more in their private practices. This work, in comparison to their regular salaries, is basically pro bono. While Armstrong stresses the importance of this work, he feels the government should be able to employ people at an adequate wage, and thinks loan forgiveness programs should be reserved for people doing *true* public interest work.

Civil liberties work with the ACLU allowed Armstrong, early in his career, the luxury of pursuing the ideas he's most interested in. "I spent a lot of time in my private practice handling cases on appeal that dealt with free speech as religious liberty issues, particularly Rajneesh Purim and the controversy involved with the establishment of that city." He says he could devote that time because the firms he worked for were generally willing.

He believes his position as Court of Appeals Judge gives him some of the same freedom. As Bulkley noted, they can allocate the time given to a case "based on the legal significance of the work rather than on the economic value of the work." Both agree that this is one of the major benefits of being in the appellate court system.

While it's important to make government and public interest work a more viable choice for graduates, Brewer agrees that financial compensation is not the reason someone would chose to do the work: "In the end, our salaries really don't have anything to do with why we're here."

On Judging

Socrates said, "Four things belong to a judge: to hear courteously, to answer wisely, to consider soberly and to decide impartially." Judge Rambo elaborated on this by saying that the attention of a judge must be attuned to hear much more than words. "Reading body language is an art," he says, expressing a real interest in people and human nature.

It's clear that each of these judges shares a basic respect for the law and, more importantly, for the people it serves.

Judge Armstrong believes this attribute, more than any other, determines whether people leave a courtroom feeling as if justice has been upheld. "You can have a trial judge that is absolutely meticulous in rulings but doesn't treat the lawyers, the witness, or the jurors with respect and, no

matter how legally correct those rulings are, people will come away from the courtroom feeling as if they have not been participants in the justice system." Judge Brewer, who served as a circuit court judge for six years, adds, "To be a successful trial judge you must truly like people—and I don't mean in the abstract! There are very, very few people who don't like the *idea* of people, but many more who don't like a lot of people as individuals." He lists a basic affection and empathy for people, along with an ability to communicate verbally, among the most important characteristics of a trial judge.

Judge Crain insists that anyone of any temperament can be a judge. I asked her if perhaps that belief came from an experience of being told that women "didn't have the right temperament" to judge. She acknowledged that while the stereotype of women as "emotional" can exist, it certainly doesn't enter her courtroom, "at least not with lawyers who know me." On the other hand, she says that most lawsuits are *based* on emotion and that being attuned to emotion can help judges "connect with the underlying need of the client." As long as it doesn't affect sound decision-making, emotion *can* be recognized by the court to positive effect, particularly in divorce cases, says Crain.

As more women have assumed all ranks within the legal arena, the legal conversation has slowly changed, says Leggett. Children and women have been more protected by the law, as evidenced by the 1981 statute that made sexual assault against children illegal, the increased prosecution of domestic violence cases, and the move toward early intervention in the juvenile courts. Leggett's jurisprudence is informed by the belief that access to justice is dependent upon the inclusion of diverse voices in the judicial process. Also a professor at Willamette University in Salem, she believes that the curriculum in every law school class should address culture and gender.

The appellate judges say they must make more of a conscious effort to remember that people are attached to the ideas presented in the cases before them. Though it's perceived as less important to have a rapport with people or be a verbal communicator in the appellate courts, Brewer finds it to be equally significant: "The ideal trial judge has exactly the same strengths that the ideal appellate judge does. It's just that it rarely comes in one package." Judge Armstrong believes that the appellate court in Oregon is structured to benefit from the diversity of strengths within its judges—but that the collective process requires that all of them share an attitude of cooperation and tolerance, one that's founded upon a deep curiosity about the issues.

Whether in trial or appellate courts, most

1970s

Ann L. Aiken '79
Rex E. H. Armstrong '77
Mary A. Bearden '78
David V. Brewer '77
Cynthia D. Carlson '77
Allan H. Coon '72
Patricia M. Crain '77
Gregory G. Foote '72
Clifford L. Freeman '76
Lauren S. Holland '78
Donald W. Hull '70
Dale R. Koch '71
Darryl L. Larson '71
Terry A. Leggett '77
Jeffrey S. Mattson '77
John A. McCormick '76
Richard K. Mickelson '74
Carl Myers '75
George W. Neilson '73
Philip L. Nelson '76
Roxanne Osborne '79
Albert E. Radcliffe '72
Richard B. Rambo '77
Ellen G. Rosenblum '75
Bernard L. Smith '71
Martin E. Stone '77
Michael C. Sullivan '73
Susan M. Svetkey '77
Stephen N. Tiktin '73
Raymond B. White '72

1980s

Daniel J. Ahern '85
Michael H. Bennett '82
Paula J. Brownhill '81
William D. Cramer, Jr. '81
Daniel L. Harris '82
Thomas M. Hart '86
Barbara A. Haslinger '81
Eveleen Henry '85
Jad B. Lemhouse '89
Karsten H. Rasmussen '83
Suzanne M. Upton '89
Cameron F. Wogan '84

judges list open-mindedness as a requisite characteristic of the bench—and all of them spoke about the justice system from a perspective that seeks to serve the public respectfully and honestly. “It’s very scary for people to walk into a courtroom,” says Carlson. “Judges shouldn’t display temperament or impatience.” A judge must always be conscious that he or she is sitting in a black robe six inches above everyone else, says Judge Brewer, because “everything you say from the moment you step onto that platform, if not managed properly, can be an abuse of power.”

Judge Leggett says her awareness of the power dynamic in court cases definitely affects her approach to judging. She attempts to ensure that people with money or power don’t necessarily have the advantage in her courtroom, and describes how her work with children and the elderly have helped to shape that approach. The value of everyone’s right to justice is also clear to Judge Mattson, who compared a forty million dollar case he’d mediated the week before with a forty-five dollar tax dispute he’d handled that morning: “Everybody’s problem deserves fairness.”

Judge Armstrong, having had the experience of being arrested in China, emphasized how privileged Americans are to have a system that is founded on the concept of equality, one that provides people a way to get answers based on principle and not upon the influence or resources that others may have. He said that he is acutely aware of “the tremendous power the government has, and the function that [the courts] perform in making sure that power is appropriately and fairly used.”

“To do that work is a tremendous way to live a life,” he says.

*“Opinions Change,
Values Don’t”*

Appellate judges Brewer and Armstrong and state attorney Bulkley were interviewed together, in a “panel” of sorts. Serious disagreement was balanced with levity, interrupted by train horns, and, amazingly, taken seriously all at the same time. They rephrased each other’s answers, prodded one another when they’d talked too long, and called attention to each others’ pasts with a kind of sibling familiarity. When Judge Armstrong asserted that “paradox was the essential truth,” Judge Brewer suggested sitting in the lotus position on the lawn.

Judge Brewer arranged the joint interview, including Bob Bulkley for a “shot of truth.” If Brewer was the Leader, Bulkley would be the Professor and Armstrong the Philosopher. Judge Armstrong believes that the synthesis of all their personalities and perspectives contributes to the effectiveness of the court: “I’ve be-

come acutely aware in the six years I’ve been here how differently people think... I go about understanding things as wholes, immediately thinking about ideas and relationships that most people wouldn’t think would have anything to do with that issue. And I think that the very difference of how I go about it adds value to the work that the court does. But it could only add value if you’re open to appreciating the other ways in which people do that same work.”

The collaborative process is both a challenge and a relief to Judge Brewer. “No single case is the product of one mind or one way of looking at the world. Bob Bulkley and I might not, if writing on a blank slate, write a given statute on a given subject exactly the same way, but 99 times out of 100 we’ll apply the law in the same way. That’s an enormous comfort to me.”

Relatively unguided, these three contemplative minds eventually moved from the topic of changing each others’ minds to the idea of changing their own. Joking that his best arguments are always the ones he makes as he’s driving home, Bob Bulkley said, “You don’t know exactly what you’ve done until you’ve had five more cases on a similar issue.” Armstrong gives the example of having to confront an old law review article he’d written when one of his colleagues in the appellate court wrote a dissent using some of his views from that article. “I found my understanding had continued to evolve and [this new case] required a new and slightly different discussion.” Judge Brewer observed that Armstrong’s values probably hadn’t changed, but that his insight had.

A core value that Brewer believes all three of them share is the belief in essential justice. “We believe in the importance of individual liberties and understand the delicacy of balancing these liberties with the interest of larger groups. I don’t think I’ve ever changed those core values in the last 25 years. What I would do in admitting personal frailty is to distinguish between opinions and values. My *opinions* have changed a lot over the years... As younger people, even when we’re idealistic, we often tend to be dogmatic in our views. Some of those edges have rounded for me.”



Rex Armstrong



Cynthia Carlson



Richard Rambo

FACULTY

Faculty Profiles

In December, **Nancy Shurtz** was the keynote speaker at the New Mexico Women's Bar Association Convention on "Equal Rights in New Mexico: Balanced Theory, Thorny Reality." At the Association of American Law School conference in San Francisco, Shurtz spoke on the panel entitled "The Popular QTIP Marital Deduction: Sexism in Estate Planning?" Shurtz also presented to Portland small businesses on "Keeping What You Earn: The basics of State and Federal Taxation."

Future speeches include "Eco-Taxation: The Two Kinds of Green" (to be given at the 2001 Public Interest Environmental Law Conference) and "An All-Women's Law School", a paper which she'll present to the law school faculty in April.

Caroline Forell spoke on Women & the Law to the Oregon Board of Nursing in Portland this past January.

Forell's "A Law of Her Own", co-written with Donna Matthews ('97), continues to gain public attention and will be published in paperback this summer. Duke Law School's Public Interest Book Club selected it as the March book of the month and invited her to Duke to speak about the book. Stephanie Wildman reviewed "A Law of Her Own" in 98 Michigan Law Review 1797-1821 (2000) and Forell also appeared on UO Today (produced by the Oregon Humanities Center and the Knight Library/Media Services) during the week of March 12.

Mary Wood was the keynote speaker at a conference held by the Department of Justice in Boise, Idaho, where she spoke on "Enforcement Issues on Public Lands." Wood also presented public lands issues at a U.S. Fish and Wildlife conference in Sunriver, OR in March. This year, she received a scholarship grant from Gary and Anne Marie Galton to focus on the use of ADR in resolving broad wildlife disputes between tribes, states and the federal government. A teaching grant to integrate ADR into her hazardous waste law curriculum complements that effort. Wood also received a 2001 summer research award, granted through a com-

petitive university-wide process, to investigate the state ownership doctrine under wildlife law. Wood is currently finishing several works, including a two-part series on tribal treaty rights to protect wildlife capital, published as two separate articles in the Idaho and Vermont law reviews, and a piece on tribal forestry laws for the revised edition of Felix Cohen's Handbook of Federal Indian Law.

Lisa Kloppenberg and **Robin Morris Collin** spoke about diversity and mediation at the Oregon Mediation Association's annual conference. Federal district judge Ann Aiken and tribal judge Don Costello joined the panel, entitled "Gender, Racial & Tribal Perspectives: Difference Matters". Blending theory and practice, panelists drew upon the critique of mediation by feminist and critical race scholars to help mediators better assess and deal with power imbalances.

Kloppenberg also spoke on court-annexed environmental mediation in Washington, D.C. in early March and will return in late April. In October, she chaired a panel on the Supreme Court's recent rulings at the National Association of Women Judges meeting in Los Angeles.

Also in October, **Richard Hildreth** completed a research project supported by the University of Oregon Office of Research and Faculty Development and the School of Law's John Luvaas Faculty Fellowship. His paper is entitled "Evaluation of the New Carissa Incident For Improvements to State, Federal, and International Law." Some of the state legislative changes recommended in the report have been included in bills pending in the Oregon legislature.

Dean Rennard Strickland has received the Haywood Burns Award from the Northeast People of Color Conference for his work in human rights and his leadership in the legal academy. "Haywood was an extraordinary man, a great legal educator, distinguished lawyer and indefatigable defender of human rights... I know [he] would have been proud to have his name and contributions associated with Rennard", says Ibrahim Gassama.

Jim O'Fallon has been elected to membership in The American Law Institute.

Margie Paris has been invited to contribute an article to the Oxford Companion to American Law. She was also invited to participate in a symposium at St. Louis University Law School on the Independent Content of Due Process. An article written in connection with that symposium will be published

in the *St. Louis Law Journal* this spring. Paris has a contract with NYU Press for a book on search and seizure law (to be published in 2002) and has also published an article in the ABA's *Criminal Justice Magazine* about the law enforcement practice of profiling. After it was published, the ABA selected the article to be republished in its "Best of the Sections" magazine for sole practitioners.

In January, **Ibrahim Gassama** accepted the Society of American Law Teachers Award for Humanitarianism and Peacemaking. He is the third recipient of this distinguished prize. "Ibrahim Gassama represents qualities SALT is dedicated to fostering and honoring—a commitment to equality and human rights on a truly international scale, reflected in his years of personal service to these ideals," said Cynthia Grant Bowman, chair of the SALT Awards Committee.

Associate Professor **Merle Weiner** is working on another article about international abduction (see *Professors in Print* to find her most recent). The International Society of Family Law has accepted this paper for presentation at its North American Regional Conference to be held in Ontario, Canada in June.

Keith Aoki was a signatory and contributor (in the drafting stage) to Amicus Briefs on three pending cases filed with the 9th and 2d Circuits. All three cases raise tough cutting-edge cyberspace/intellectual property problems, i.e., "cracking" DVD-movie encryption, using search "bots" to gather information from the Web, and allowing compressed music files to be easily exchanged among as many as 60 million Napster users. The cases are: *Universal City Studios, Inc. v. Reimerdes*: Amicus Brief, filed Jan. 26, 2001 with 2d Circuit Federal Court of Appeals; *eBay Inc. v. Bidder's Edge, Inc.*: Amicus Brief, filed June 22, 2000 with the 9th Circuit Federal Court of Appeals; *A & M Records v. Napster, Inc.*: Amicus Brief, filed August 2000 with the 9th Circuit Federal Court of Appeals.

David Schuman returned to the faculty in January after four years as the Deputy Attorney General of Oregon. In that capacity he served as the state's second-ranking legal officer, under Attorney General Hardy Myers. Shortly after resuming his teaching duties and beginning new scholarly projects, he was appointed to the Oregon Court of Appeals by Governor John Kitzhaber.

An excerpt from **Garrett Epps'** new book, *To an Unknown God: Religious Freedom on Trial*, ran in the February 25, 2001 *Washington Post Magazine* under the headline "Nino to the Rescue."



David Schuman was appointed to the Oregon Court of Appeals by Gov. John Kitzhaber on March 6th. He sent the following to the law school faculty.

Dear Friends,

In light of recent events I feel not only like I have died and gone to heaven, but also that I have died and gone to my own funeral—a funeral at which the dearly departed's colleagues observe the proprieties by exaggerating—indeed, fabricating—his virtues and ignoring his vices. If half of what's been said were true I would count myself lucky. Thank you.

It is not possible for me adequately to express my debt to, or my affection for, this law school and the people who serve it. My life has revolved around this institution since August 21, 1981, when I attended 1L orientation as an already-middle-aged ex-English teacher. For better or for worse, it has formed me—at least partly, I am its creation. As Deputy Attorney General I conceived of myself as holding office while on temporary leave of absence from my true identity. One day last fall, for the first time, I was introduced as a CLE without the "professor on leave" qualification, and I was suddenly forced to think of myself as having a persona separate from the academy. I decided on the spot to come back—to come "home." And now I am leaving again, and doing so abruptly. I never seriously expected the Governor to appoint me to the bench, at least not so quickly. Now that he has, I will take the appointment with pride and (believe it or not) humility, because it is something I have always wanted and because I don't think anybody who cares about the things I care about or espouses what I espouse can turn it down. But even when I learn to think of myself as a judge, it will be as a judge who is professing the law, on leave from the University of Oregon Law School.

David Schuman
Professor of Law
University of Oregon Law School

Professors in Print

2000-2001

Keith Aoki, *Privacy and Encryption Control Exports: A Crypto Trilogy* (Bernstein, Junger & Karn), part of "Learning Cyberlaw in Cyberspace" website, available at <http://www.cyberspacelaw.org/aoki> (October 1999, updated, June 2000)

Keith Aoki (with Margaret Chon): *Nanook of the Nomos: Critical Race Praxis and Legal Scholarship*, 5 U. Mich. J. of Race & L. 1 (2000)

Garrett Epps, *To an Unknown God: Religious Freedom on Trial* (St. Martin's Press 2001)

Caroline Forell (with Donna Matthews), *A Law of Her Own: The Reasonable Woman as a Measure of Man* (NYU Press 2000); paperback edition due out July 2001.

Caroline Forell, "What if a Prosecutor Pursued Bush?" *Register-Guard*, 13 Feb. 2001.

Leslie Harris, (with Lee Teitelbaum) *Family Law* (2d ed., Aspen Publishers 2000)

Leslie Harris, Oregon's Third Party Visitation Statutes: Do They Survive Troxel v. Granville? 20 Family Law Newsletter 1 (Oregon State Bar 2001)

Richard Hildreth, "Legislature Needs to Respond to New Carissa Issues," *Oregonian*, 12 Jan.



Congratulations to **Ibrahim Gassama**, recipient of the Society of American Law Teachers Award for Humanitarianism and Peacemaking. Selected for the award based on his longstanding commitment to human rights, Professor Gassama has worked extensively with TransAfrica, an advocacy group on foreign policy; coordinated the work of the Lawyers Committee for Civil Rights Under Law in South Africa; led a delegation of election observers during Haiti's contested elections; and participated in a study of the effects of a proposed ban on European subsidies to the Caribbean banana industry. Gassama says, "I am honored to receive the award and see it as a tribute to those people whose plights I have sought to highlight in my work." Shown here are **Professor Michael Axline**, **Professor Gassama**, **Professor Nancy Shurtz**, and **Assistant Professor Dennis Greene** at the SALT awards dinner in San Francisco, January 6.

2001.

James O'Fallon, *Nature's Justice: Writings of William O. Douglas* (OSU Press 2000)

Suzanne E. Rowe, *Legal Research, Legal Writing, and Legal Analysis: Putting Law School into Practice*, 29 Stetson L. Rev. 1193 (2000)

Suzanne E. Rowe (with Barbara Busharis), *The Gordian Knot: Uniting Skills and Substance in Employment Discrimination and Federal Taxation Courses*, 33 J. Marshall L. Rev. 303 (2000)

Rennard Strickland, *Rethinking Fairness, Diversity, and Appropriate Test Use in Law School Admission Models: Observations of an Itinerant Dean*, 31 U. Tol. L. Rev. 743 (2000)

Rennard Strickland, *Things Not Spoken: The Burial of Native American History, Law and Culture*, 13 St. Thomas L. Rev. 11 (2000)

Rennard Strickland, *Singing Sheriffs, Laughing Cowboys, Lady Desperadoes*, 4 Plateau Journal 28 (2000)

Rennard Strickland, *Spiders, Toads, and Lawyers: Justice in the Cultural Context of Native and Anglo-Americans*, 4 Plateau Journal 57 (2000)

Rennard Strickland, "Creating Opportunity: Admissions in US Legal Education," in *AALS, Conference of International Legal Educators—The La Prestra Conference* (Association of American Law Schools 2000).

Merle Weiner, *International Child Abduction and the Escape From Domestic Violence*, 68 Fordham L. Rev. 593 (2000)

Mary Wood, *The Tribal Property Right to Wildlife Capital (Part 1): Applying Principles of Sovereignty to Protect Imperiled Wildlife Populations*, 37 Idaho L. Rev. 1 (2000)

Forthcoming

2001-2002

Keith Aoki, *Space Invaders: Critical Geography, the "Third World" in International Law and Critical Race Theory*, 40 Vill. L. Rev. (2001)

Keith Aoki, *Is Chan Still Missing? Asian Americans in the American Imagination: A Review of "Snow Falling on Cedars"* in *Screening Justice* (Rennard Strickland, Tere Foster & Dennis Greene eds., 2001)

Keith Aoki, *A Tale of Two Cities (and Beyond): Thoughts on Asian American Electoral and Political Power After 2000*, 8 UCLA AAPA L. J. (2001)

Lisa Kloppenberg, *Playing It Safe: How the Supreme Court Dodges Hard Issues and Stunts the Development of Law* (NYU Press 2001)

Margaret Paris, *Law on the Street: Search-and-Seizure, Race, and Respect in American Life*, NYU Press (2002)

An Active LSAA

The University of Oregon School of Law Alumni Association is under new leadership with the addition of Matt Roberts, Assistant Dean of External Relations. Matt Roberts' past experience in marketing and program management and his commitment to furthering communication between the alumni and the law school is already reflected in the OREGON LAWYER'S new "Docket," a schedule of upcoming law school events. (See inside back cover.)

The Alumni Board will continue its focus on closing the gap between the law school and the alumni with outreach opportunities through mentoring, continuing education and community events. The Portland dinner celebrating Oregon Judges who have graduated from the University of Oregon School of Law is just one example of an alumni-sponsored event.

This fall, the Alumni Association is looking forward to working with alumni and faculty to facilitate continuing education programs to benefit the legal community and provide educational opportunities at a reduced cost for Oregon graduates. These activities will also be publicized in the OREGON LAWYER Docket.

Finally, the LSAA welcomes all suggestions and encourages your participation.

CYNTHIA M. FRASER
PRESIDENT, ALUMNI ASSOCIATION

How do we look?

Eight months have passed since I first set foot in my new office. Where has the time gone? Since arriving at the university four years ago from the non-profit arts world, I've realized that time moves differently here, at a pace befitting a 124-year old school. While things never quite happen as quickly as I'd like, or as easily as they might have "on the outside," I'm positive about what I can accomplish for the school—and, as my tenure here lengthens, I hope you'll agree.

New staff and a new publication...changes are indeed taking place. And the first of those changes began with you! The new look and style of OREGON LAWYER is our first step toward promoting the law school as the first-rate institution we know it to be. Our new editor and designer have worked very hard to incorporate many of the comments we've heard throughout the years about the magazine. We hope that this issue reflects the articles of "sub-

ALUMNI



DENNIS FOSTER / DENVER POLICE DEPARTMENT

On Dec. 6, **Minoru Yasui** ('39) was honored by the city of Denver as one of 14 individuals who "made significant contributions" to Colorado in the past millenium. In 1945, Yasui was denied a license to practice law in Denver, based upon the "crime" he committed in protesting the unconstitutional treatment of Japanese American citizens during World War II. After imprisonment, Yasui did pro-bono work for the Japan American National Redress Committee and was eventually appointed to the Denver Commission on Community Relations, where he served as director for 16 years. Yasui's wife, **True**, is shown here with **Mayor Wellington Webb** in the 17-story civic building recently dedicated to his memory

stance" and "regional interest" you asked for, in a format you enjoy.

I'd like to encourage your continued feedback. Please write and let us know what you think. Do you know of an interesting classmate who you think we should profile? Do you have something to add or a comment to make on a judicial opinion? We want to hear it! My goal is to make this magazine your primary source for law school *information*, but I'd also like to see it serve as a forum for engaging each other in *discussion*.

OREGON LAWYER's new format is the first of many changes in store for the law school's outreach efforts. Although they may not happen as quickly as I'd like, I hope they will increase our ability to effectively communicate with our most important asset: you, the alumni.

MATT ROBERTS
ASSISTANT DEAN FOR EXTERNAL RELATIONS

CLASS NOTES

1960-1969

Hardy Myers, '64, was re-elected Attorney General for the state of Oregon in November, 2000. He is also a new member of the School of Law's Board of Visitors.

Bruce Smith, '65, has retired from the practice of law, following a stroke in December of 1999. He is a partner with the Eugene law firm of Gleaves, Swearingen, Larsen, Potter, Scott & Smith LLP.

1970-1979

Wynn Gunderson, '71, was recently elected Chair of the General Practice, Solo and Small Firm Section of the American Bar Association. The General Practice, Solo and Small Firm Section represents approximately 13,000 lawyers throughout the country, most of whom are in the private practice of law. Mr. Gunderson was elected to the position of Chair at the conclusion of the Annual Meeting of the ABA in New York in July 2000. He is also a member of the International Association of Gaming Attorneys and currently sits on its Board of Trustees. IAGA's membership consists of attorneys, regulators, and casino operators throughout the world. Mr. Gunderson is the senior partner in the law firm of Gunderson, Palmer, Goodsell & Nelson, LLP, in Rapid City, South Dakota.

J. Duncan Campbell, '73, recently received the Heart of Gold Award from the Providence Child Center Foundation for his dedication in helping disadvantaged children through the four organizations he has founded — Friends of the Children, Youth

Resources, The Children's Course and the Institute for Children. He is president of The Campbell Group in Portland.

Patrick Green, '73, was recently listed in The Best Lawyers in America, 2001-2002. The Best Lawyers in America directory is published biennially and regarded as the legal profession's premier referral guide. Green, a partner in the Portland, Oregon office of Davis Wright Tremaine, specializes in Trusts & Estates, assisting individuals and their families with wealth planning and business and personal exit strategies. He is a fellow in both the American Colleges of Tax Counsel and the Trusts & Estates Counsel, and holds an LL.M. in Taxation. Green serves on the board of trustees for the Oregon Health Science Foundation and the board of directors for the Northwest Christian Community Foundation. He regularly lectures on charitable planning, business succession and estate planning.

Richard Rasmussen, '73, has joined West Coast Bancorp, headquartered in Lake Oswego, Oregon, as Executive Vice President, General Counsel and Secretary.

Hollis McMilan, '75, was elected to the board of directors of the Multnomah Bar Association in Portland. He is with the Hollywood Entertainment Corporation in Wilsonville, Oregon.

Jerry Lidz, '77, was elected to the Looking Glass Board of Directors for 2000-2001. He is a partner in the Eugene law firm of Harrang Long Gary Rudnick.

Robert Newell, '77, was elected treasurer of the Multnomah Bar Association in Portland. He is with the Portland law firm of Davis Wright Tremaine.

1980-1989

J. Timothy Kleespies, '80, was appointed Vice President-Tax at Telephone and Data Systems, Inc. (TDS). His responsibilities include directing all tax activities and planning at TDS and its publicly-traded subsidiary, U.S. Cellular. He will be based in Madison, Wisconsin. Previously, he was director of Taxation at Universal Foods Corporation. TDS is a diversified telecommunications corporation founded in 1969, and primarily provides cellular and local telephone service.

Kathryn Whalen, '81, was elected secretary of the Oregon State Bar's Labor and Employment Law Section. She works for the Oregon Employment Relations Board.

Judith Woodruff, '81, was re-elected president of the board of directors of Clackamas Women's Services (CWS). The only domestic violence program in Clackamas County, CWS provides shelter to more than 350 women and children and responds to 6,000 crisis calls each year. She has served on the board for three years. Judith is an Assistant Attorney General for the State of Oregon.

Greg Moore, '82, has joined the board of directors of Strand, Atkinson, Williams & York, an investment brokerage and consulting business. He continues to provide advice on investment securities and consulting on the funding of FLLCs, CRTs, credit shelter trusts and other estate planning issues involving investment securities.

Fred Ruby, '84, was elected to the Beaverton City Council on Sept. 19, 2000. Prior to his election, he served on the Beaverton Budget Committee, the Beaverton Library Board and the Beaverton City Council as an interim member. He will serve a two year term. Fred is with the Portland law firm of Greene & Markley PC.

David Streicher, '84, has joined the Portland law firm of Black Helteline LLP as a senior attorney, and will focus his practice on Taxation, Estate Planning and Administration, and Business Law. He is a member of the Oregon Society of Certified Public Ac-



Streicher

countants, and has extensive estate planning expertise and experience. He was previously a partner at Draneas Streicher & Huglin PC in Portland.

Chuck Wolfe, '84, was named chair-elect of the Washington State Bar Association Environmental and Land Use Section. He will serve as chair-elect through fall 2001, and as chair during 2001-02. He has over 15 years experience in environmental, land use and administrative law in Washington and Connecticut. He serves as chair of Foster Pepper & Shefelman's environmental practice group in Seattle. His law practice focuses on regulatory compliance counseling, redevelopment of properties impacted by contamination and other regulatory constraints, site remediation and liability allocation, permitting, enforcement response, Clean Water Act and wetland issues.

1990-1999

Timothy DeJong, '91, recently became a shareholder in the Portland law firm Stoll Berne Lokting & Shlachter. His practice emphasizes class action securities fraud and business litigation. Following law school, he clerked for Judge Robert E. Jones in the U.S. District Court in Portland. He is the chair of the business litigation section of the Oregon Trial Lawyers Association and a member of the board of directors of the Oregon chapter of the Federal Bar Association.

Rebecca Wright Pritchett, '93, a shareholder in the law firm of Sirote & Permutt, has joined the firm's office in Birmingham, Alabama. She previously practiced in their Montgomery office. She currently serves as chair of the firm's Environmental and Natural Resources Law Division. The firm assists public and private sector clients in avoiding environmental liability and regulatory conflicts through compliance counseling and assistance with the environmental permitting process.

Daniel O'Connor, '94, has rejoined the Medford law firm of Huycke, Boyd & Maulding, LLP as a partner.

Martin Taleisnik, '94, is a partner at Caine & Taleisnik, specializing in criminal defense in the San Joaquin Valley in Fresno,

Keeping Pace with "Stormin' Norman"

Chairlift Named for UO Alum

In the winter of 1939-40, Mt. Hood's Timberline Lodge offered skiers the longest chairlift ride in the world, a one-mile trip you could make three times for just \$1. That was also the year that Norman Wiener ('47) joined up to work the new lift. Saving money for law school, Wiener admits "I was just a college kid, the lowest one on the block."

So, when the storms came on strong and the rest of the crew was huddled around the lift's diesel-powered radiator playing cribbage, Wiener was often sent into the freezing rain to knock ice off the lift with a hammer. Upon his return, someone in the crew would invariably quip, "Here comes stormin' Norman!"

That nickname has stayed alive over 61 years and, in a dedication ceremony this past December, it became the name for one of Timberline's newest lifts. The new "quads" are a far cry from the one-seaters that Norman and his crew once manned. "Back then, you couldn't even slow the

chairs down. You just had to adjust what you were doing to the speed of the lift."

Before his inaugural ride up the mountain, Wiener was asked to make a short speech in front of what he described as an "involuntary audience" of skiers waiting to get on the lift. Bracing himself against icy weather yet again, he briefly remarked on all the things that have remained unchanged in 61 years—the mountain, the weather, the impatience of skiers!—and obligingly restarted the lift.

The young operator of 1939, after a year of saving his pay from the lodge, was able to enter the UO Law School the following fall. However, Wiener was drafted for WWII in 1942 just after completing his second year. After two years of counterintelligence work in the army, Wiener re-

turned to his wife and child in Eugene, committed to complete his legal education. He admits, "[The transition] was tough for 8 weeks. Even the language seemed strange. There were words like 'torts' that I hadn't a thought to in years." Despite the long but his legal preparation, Wiener passed the 1947—and would eventually be admitted to practice in the federal courts of Oregon, Court of Appeals for the 9th Circuit and the Supreme Court.

The young attorney began his career at the Portland firm of K Wood, a predecessor of the firm Miller, N Wiener, Hager & Co where he would eventually retire in 1999. Wiener is proud to have practiced in the same place for 61 years. Considered the firm's "rain," he's read a document "Oregon's c firm" from 18 1997.



With a practice focused mainly on the forest products industry, Wiener handled contract negotiations between Timberline and the U.S. Forest Service, renegotiated the terms of the lodge's special use permit. Wiener has represented the lodge for over 40 years and continues to do so even in retirement.

At 83 years of age, Wiener's advocacy for legal education and passion for law have not waned. From 1986-1998, he served as a member for the University of Oregon Foundation. Also a former member of the Law School Board of Visitors and Alumni Board, Wiener says he's been fortunate to work with several deans from Morse to Strickland.

For Timberline Lodge, for Miller & N Wiener and for the U of O, Norman Wiener himself is a valued constant—firmly rooted but still moving forward.

California.

Stephen Carpenter, '95, was deployed to Camp Bondsteel Kosovo as the Task Force Falcon Prosecutor with the U.S. Army's First Armored Division. He is scheduled to redeploy to Wiesbaden Germany in June 2001. While in Kosovo, he worked with the United Nations, NATO, the U.S. Department of Justice, as well as international prosecutors and judges in their attempts to draft a new criminal procedure code for Kosovo.

Peter Leichtfuss, '95, was elected to the board of directors of the Multnomah Bar Association's Young Lawyers Section. He is with the Portland law firm of Davis Wright Tremaine.

Shawn Wiley, '95, has joined Oregon's State Public Defender's Office as a deputy public defender. His responsibilities include felony cases. He was previously a sole practitioner in San Diego.

Susan Kanclic, '96, was appointed assistant attorney general in the government services section of the general counsel division of the Oregon Department of Justice. She previously clerked for the U.S. Court of Appeals for the 9th Circuit. She has been with the Department of Justice since 1998 where she was an honors attorney.

Laura (Reuland) Rago, '96, reports that she and her husband moved to Colorado. She was a Deputy District Attorney in El Paso County from 1997-1999. In March of 1999 Laura and her husband had a daughter, Emma Lucille. Laura recently took a job as a Deputy County Attorney. She hopes to relocate back to Oregon, which is home for her and her husband.

Meredith Allen, '97, was promoted to deputy public defender II at Oregon's Public Defender's Office. She will handle felony cases exclusively.

John Cullen, '97, has joined Bullivant Houser Bailey in their Seattle office.

Kevin Dunn, '97, recently opened The Law Office of D. Kevin Dunn located in Oakland, California. Kevin practices in the areas of surety insurance, criminal defense, and civil litigation.

Jed Goldfried, '97, has joined Dunn, Carney, Allen, Higgins & Tongue, LLP in

Portland. The firm's practice focuses on business and litigation.

LT Commander **Daniel M. Jaffer, '97**, USNR, was recalled to active duty by presidential order in May 1999, flying combat rescue helicopters in Kosovo. Former Republic of Yugoslavia. He is currently stationed in Sasebo, Japan where he is serving as the Assistant Air Department Officer (Mini Boss) on the Amphibious Assault Ship USS Essex (LHD-2). Daniel, his wife Renee, and their three children are enjoying Japan, and hope to see quite a lot of it during their two year tour there. He reports that "maybe when he grows up he will practice law."

Susan Ezzy Jordan, '97, has joined the Springfield, Oregon law firm of Harold, Leahy & Kieran where she will focus on litigation. She previously worked as a law clerk for the Lane County Circuit Court.

Kathryn Piele, '97, has joined the Eugene law firm of Harrang Long Gary Rudnick as an associate. She completed a one-year judicial clerkship with the Alaska Supreme Court in 1998, and most recently was a litigation associate with the law office of Robert Franz in Springfield, Oregon.

Thomas Jones, '98, formerly a judicial clerk for Judge Susan Graber of the U.S. Court of Appeals for the Ninth Circuit, has joined the Portland law firm of Davis Wright Tremaine as an associate. His practice will emphasize estate planning, and trusts and estates.

Sidney Moore, '98, was a contestant on Jeopardy! in February, 2001. He won four games, for a total of \$16,000, and came within "one too-conservative wager on a Daily Double of winning [a] car and getting an automatic invitation to the Tournament of Champions." He reports that he had a lot of fun.

Adam Weiner, '98, has joined the Portland law firm of Bricker, Zakovics, Querin, Thompson & Ritchey as an associate where he will focus on FELA and personal injury litigation. He was formerly a trial attorney with Metropolitan Public Defender in Multnomah and Washington counties in Portland.

David Elkanich, '99, previously with the Portland law firm of Bakker, Bender & Karpinski has joined the Multnomah

County section of the Metropolitan Public Defender.

Laura Frikert, '99, has joined Oregon's Public Defender's Office where she will handle a mixture of misdemeanor and felony cases. She was previously an associate with the Portland law firm of Portland Nash.



Kristen Richmond, '99, has joined the Anchorage law firm of Preston Gates & Ellis as an associate in their employment law division. Prior to joining Preston Gates, Kristen clerked for the Alaska Court of Appeals and worked in U.S. Senator Ted Stevens' office. She serves on the board of the Anchorage Young Lawyer's Association.

Tessa Sugahara, '99, was appointed assistant attorney general in the human services section of the general counsel division of the Oregon Department of Justice. During law school, she interned at Lane County Legal Aid and the Benton County district attorney's office. Following graduation, she was a sole practitioner in Portland.

Kyle Wuepper, '99, has joined the Portland law firm of Stoel Rives as an associate in their corporate practice group.

2000-2001

Brandon Bittner, '00, joined the Portland law firm of Hagen, Dye, Hirschy & DiLorenzo, P.C. as an associate.

Brooke Burns, '00, is an associate in the Portland law firm of Cosgrave, Vergeer & Kester.

Marla Cummins, '00, has become an associate in the Klamath Falls law firm of Boivin, Uerlings & DiLaconi. Her practice will focus on civil litigation, water rights, real estate, Social Security disability, and business law.

Katherine Felton, '00, has joined the Seattle law firm of Riddell Williams P.S. in the firm's Litigation and Dispute Resolution practice group. She worked as a summer associate for the firm in 1999.

Joseph Haddad, '00, has joined the Portland law firm of Stoel Rives in their liti-

gation practice group.

Janice Mackey, '00, is an associate at the Eugene law firm of Harrang Long Gary Rudnick, P.C. where her practice focuses on litigation.

Louis McDonald, Jr., '00, will practice real estate law and business law as an associate at the Portland law firm of Ball Janik.

Jonathan Mishkin, '00, flew in from Washington D.C. to give a presentation to students interested in pursuing an LL.M. in taxation. He also talked about jobs in accounting firms and scholarships. He received a \$16,000 Graduate Tax Scholarship from Georgetown University.

Jason Pistacchio, '00, joined the Portland law firm of Cosgrave, Vergeer & Kester as an associate.

Suzanne Powell, '00, has become an associate at the Eugene law firm of Arnold, Gallagher, Saydack, Percell & Roberts.

Carol Rhodes, '00, is with the Salem law firm of Saalfeld, Griggs, Gorsuch, Alexander & Emerick, joining the firm's real estate practice group. She will concentrate her practice on real estate transactions, land use and environmental law.

Daniel Robertson, '00, has joined the Roseburg, Oregon law firm of Aller & Morrison where he will concentrate on personal injury, wills, trusts, estate planning and elder law. He was previously the director of the Douglas County Museum of History and Natural History in Roseburg from 1983 to 1997 and served as a Roseburg city councilor from 1987 through 1990. He currently serves as chair of the Oregon Housing Council, the policy board for the Oregon Department of Housing and Community Services.

Harry Scarborough, '00, joined the Houston, Texas law firm of Fulbright & Jaworski LLP. He will concentrate on admiralty law, general insurance litigation and information technology litigation.

Nicholas Slinde, '00, has completed his judicial clerkship with U.S. District Judge Robert E. Jones, and has joined the Portland law firm of Grenley, Rotenberg, Evans, Bragg & Bodie.

Sandra Szczerbicki, '00, has joined the Portland law firm of Stoel Rives in their intellectual property practice group.

Keep Us Posted

Please send your news by September 1, 2001, for the Fall issue.

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U.S. mail

1221 University of Oregon
Eugene, OR 97403-1221

Career

Personal

Name

(first, last, maiden if applicable)

Firm/Business

(include city and state)

Title

Phone

E-mail

Year

Address change? yes no

Please return the enclosed photo: yes no

I would like to read more about...



Remembering Mrs. B

March 30, 1906-December 15, 2000

Lois Inman Baker, Law Librarian emerita of the University of Oregon, died this past December at 94 years of age.

A Phi Beta Kappan, she earned undergraduate and graduate degrees in Latin at the UO, then attended library school at the University of California in 1934-35. She also held a librarian fellowship at Yale Graduate School before coming back to Eugene to take her post at the UO Law School.

Appointed in 1938 by Orlando Hollis, Law School Dean and former high school classmate of Baker's, she remained in service to the Law School until 1968 when her eyesight no longer permitted her to work. She remained long-time friends with Registrar Lois Ackerman, "Mrs. A" to her "Mrs. B", and with Perry Morrison, professor emeritus of the UO's Library School.

Among current library staff, Lois Baker is recognized as being crucial to the development of the library in the 40's and 50's. Dennis Hyatt, upon being appointed associate law librarian in 1976, says he inherited a notebook that included Mrs. B's recipe for preservation salve. "I still have that memo," says Hyatt, remembering with fondness a dinner discussion with her

about the law library's history. The infamous salve was applied to all the leather and sheepskin-bound books in the library every six months.

"Clearly, Lois Baker's contributions will always be remembered in the annals of the University of Oregon and its School of Law, as she personally is remembered with fondness by her faculty and staff colleagues," says Dean Rennard Strickland.

Law alumni who knew or worked with her in the library also hold her in their highest regard. Alumnus Wally Kaapke, Class of '39, believed so deeply in the contributions Lois Baker made to the UO that in 1971 he established a scholarship in her name. Throughout the years, this scholarship has helped to fund deserving law students in their third year of study—and will continue as part of the legacy she leaves to the school.

From a Eugene pioneer family, Mrs. Baker was also a life member of the Lane County Historical Society. She is survived by her son, Alan, in Eugene and her brother, Cecil, in Sunriver.

Historian, librarian, and alumna, Lois Inman Baker will long be remembered as a notable figure in UO history.

In Memoriam

Lois Baker died December 15, 2000.

Fritz Giesecke, '49 , died October 9, 2000.

Robert Moulton '58 , died October 23, 2000.

Richardson Nahstoll died January 27, 2001.

Ernest Robertson, '27 , died May 7, 2000.