

# Oregon Lawyer

University of Oregon School of Law ■ 2002



New Dean  
**Laird Kirkpatrick**

knows most of the Oregon Bar —  
and has taught 3,000 of them



29 Best Law, Crime and Justice **Movies**

First **Frohnmayer Award** for Public Service

Woodwards, Verderors and **Lawes of the Forest**

Remembering **Chapin Clark**

# MESSAGE FROM THE DEAN



Our school's 5,000 graduates are the living proof of the excellent legal education we offer to the people of Oregon—and, indeed, to the nation. I have taught so many of you, and have learned from so many of you, that I can describe with confidence the kind of lawyer our school produces:

Someone who is devoted to the public good.

Someone who makes a significant contribution to whichever branch of the law she or he chooses to practice.

Someone who has made a difference.

In fact, that is the theme of this 125th anniversary of the University of Oregon—celebrating those who have made a difference.

Our law graduates have made a significant difference in Oregon law, legislation, commerce, and

civic development. I'll mention only two out of many, many fine lawyers: Norm Wiener '47 and the late Minoru Yasui '39, recipients of the law school's 2002 Award for Meritorious Service. Their life work still affects the lives of Oregonians: Norm for his leadership in Oregon's vital timber industry and Min for upholding the civil liberties of Japanese Americans and righting a national wrong.

This year I intend to see many of you in person as I visit Portland, San Francisco, Washington, D.C., and other cities in Oregon, Washington, and California. The goal of these visits is to find out what you are doing, what you are thinking, and how you believe the law school can continue to make a difference to our increasingly national student body.

I will take what I learn from you during those visits and use those insights to make our school even stronger.

In closing, I would like to tell you how glad I am to be here, first as a student, then as a professor, and now as dean. Fulfilling this role is a great honor. My door is always open and I want to hear from you—from the alumni who prove our value as Oregon's public law school.

*James Kilpatrick*

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**Robert Richmond '70**  
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**Rohn Roberts '79**  
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*Eugene, Oregon*

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Shareholder, Harrang, Long, Gary, Rudnick  
*Eugene, Oregon*

**William Wiley '75**  
Principal, Wiley & Company  
*Lake Oswego, Oregon*

### Ex officio

**The Hon. Doug Mitchell '83**  
President, Law School Alumni Association



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# NEWS



Dave Frohnmayer

## Dave's Night

### *Law Alumni Surprise UO President with the New David B. Frohnmayer Award for Public Service*

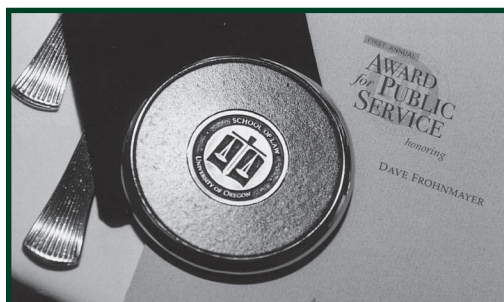
University of Oregon President **Dave Frohnmayer** was prepared to be honored with an award for public service last April—after all, his wife, sister, son, and 170 close friends were at the law school alumni Portland banquet, all dressed up.

But the alumni board of directors didn't tell him this was only the first in a series of annual awards to be named in his honor. That was truly a surprise, said outgoing board president and moderator **Cynthia Fraser**, who kept the secret until she announced the establishment of the annual David B. Frohnmayer Award for Public Service late in the evening of the Portland spring gala.

The award presented to Frohnmayer was sculpted by **Paul Buckner**, professor emeritus of the UO Department of Art. He made it out of the same block of myrtle he used to create the UO president's medallion.

"I am honored to receive this award for public service, as well as very humbled to learn that it will be named after me," Frohnmayer said. "It has been very moving, this evening, to hear my friends and colleagues speak, and, especially, to listen to my sister share stories of our childhood."

Frohnmayer, a former state representative and Oregon attorney general, began his career as a professor of constitutional and administrative law at Oregon and served as the law school's fifteenth dean from 1992 to 1994. The law school faced a particularly troubled time in the early 1990s, and under Frohnmayer's leadership it regained public support, secured new resources, and rebuilt its reputation with the profession.



The annual law school alumni Frohnmayer Award recognizes "a graduate, faculty member, or friend whose public service brings honor to the school."

The Hon. **David Schuman '84**, Oregon Court of Appeals judge and a former professor at the law school, presented the award at the April 5 event, which took place at the Embassy Suites Hotel in downtown Portland.

"In my profession, I have been blessed to work for Dave Frohnmayer in three of his roles: when he was Oregon attorney general, dean of the UO law school, and university president," Schuman said. "No one could imagine a better exposure to legal knowledge, political courage, personal kindness, and integrity."

Friends, family, and former students of Frohnmayer traced the path of his career in several speeches at the event.

**Mira Frohnmayer**, Dave's sister, is a professor and chair of vocal studies at Pacific Lutheran University in Tacoma, Washington. She shared a picture of the Frohnmayer siblings—Dave, Mira, and John—and told stories of their childhood and the family influences on Dave's life of public service.

Former student **Valerie Fisher '74**, a partner in

the Portland firm Ater Wynne, talked about Dave's first year of teaching at the law school. **Bill Gary**, president and managing partner of the Eugene firm Harrang Long Gary Rudnick, described his long friendship with Dave and their years of working together in the Oregon attorney general's office. Law school dean **Laird Kirkpatrick '68** spoke about Dave's years on the faculty and as dean.

Nearly 1,100 of the law school's graduates practice in Portland, and a number of Portland firms were well represented at the banquet, including Cosgrave, Vergeer & Kester; Davis Wright Tremaine; Kent Custis; Miller Nash; Preston Gates & Ellis; Schwabe Williamson & Wyatt; and Tonkon Torp.

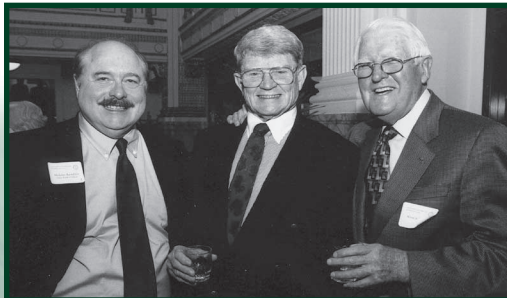
Each year, the Frohnmayer Award will recognize individuals whose outstanding services to the community exemplify the contributions the legal profession makes to society. Award recipients need not necessarily be alumni of the school. The next award will be given in Portland on April 4, 2003.

# A Night to Remember

*Memories of the inaugural Frohnmayer Award banquet*



(l. to r.) Valerie Fisher '74, Lynn Frohnmayer, Marcia Baldwin, and Mira Frohnmayer.



(l. to r.) Nicholas Rockefeller, Bob Fraser, Norm Wiener '47.



Nancy Stephens and Ken Stephens '67.



Bill Gary shares stories about Dave as Oregon attorney general.



Cynthia Fraser '87 and Dave Frohnmayer.



(l. to r.) Marilyn Blackhurst, Kent Blackhurst '50, and Mary Ann Myers.



(l. to r.) Kurt Unger '02, Richard Mollison '69, and Maria Mollison.

## Nominate Your Public Service Hero for the 2003 Frohnmayer Award



Remember that pro bono lawyer? Those colleagues who always did the right thing? Now is the time to nominate one of them for the 2003 Frohnmayer Award for Public Service, to be given at the annual law school alumni gala in Portland on Friday, April 4.

**Doug Mitchell**, alumni board president, said, "To make this truly an alumni event, we need your nominations. Please take a moment to send your suggestions to us!"

The UO law school award will recognize a graduate, faculty member, or friend whose public service brings honor to the school. Please include your name and contact information, the name of your nominee, their contact information, and their relationship to the law school. Write a few words—no more than a page—giving your reasons for the nomination, then e-mail or mail it to [ctapp@law.uoregon.edu](mailto:ctapp@law.uoregon.edu), or Connie Tapp, UO School of Law, 1221 University of Oregon, Eugene OR 97403-1221.

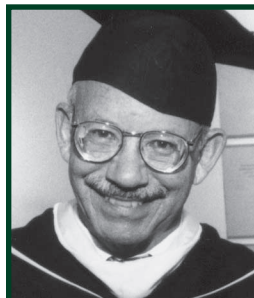
For more information, call (541) 346-3800.



## Commencement 2002

*Stay Alert! Says Speaker Peter DeFazio*

U.S. Rep. **Peter DeFazio** delivered the commencement address to the murmurs of a proud audience and the rustling of an excited graduating class at the Hult Center's Silva Concert hall last May 19. He eloquently—and briefly—addressed the importance of the rule of law, taking only about six minutes for the entire speech. Despite the problems of Enron, elections, medical ethics, civil liberties, and national security, DeFazio said that what makes the United States unique among nations “is our ability to settle the most extraordinarily complex, controversial disputes peaceably through the rule of law.”



U.S. Rep Peter DeFazio

Class speaker **Courtney Olive**, from Charlotte, North Carolina, delivered a speech entitled “I Don't Feel Any Different, but My Friends Beg to Differ.” An *Oregon Law Review* editor and moot court board member, Olive earned a certificate for his pro bono work and served as president of the UO Williams Chapter of Phi Alpha Delta, a national law fraternity.

Third-year class representatives **DeAnna Horne** and **Ashley Dye** presented the 2002 class gifts to benefit future students of the law school. One \$7,000 gift will fund a trial practice award for UO law students through the Wayne T. Westling Memorial. Westling, a noted professor of trial practice at the UO, died last summer. The second gift will help defray education debt for graduates who work in public interest law through the law school's new loan repayment assistance program (LRAP).

Horne, a native of Toledo, Ohio, specialized in criminal practice, and was Women's Law Forum codirector and a Criminal Law Student Association officer. Dye, from Elizabethtown, Kentucky, specialized in environmental and natural resources law and was a Land, Air, Water officer in 2001–2.

Professor **James Mooney**, selected by the graduating class as their commencement marshal, delivered the traditional charge to the class. Mooney, who has taught at the UO law school since 1972, is a nationally recognized expert in contract law and American legal history.

## Order of the Coif 2002

A highlight of commencement is the announcement of the Order of the Coif, the top ten percent of the class. The national law honor society celebrated its hundredth anniversary in 2002. The UO has been an affiliate for sixty-eight years. In addition to top student **Kevin Kono**, other members of Coif are: **Alisa Anderson, Deena Bothello, Heather Cavanaugh, Matt Donohue, Peter Johnson, Adam Kelly, Mike Large, Andy Lee, Bill Narus, Carla Rhoden, Loren Scott, Natalie Scott, Michele Smith, Mary Thompson, Adrienne Whitworth, and Linda Wicks.**

He urged the 175 graduating law students, “Stay alert, believe in yourself, expect a miracle.”

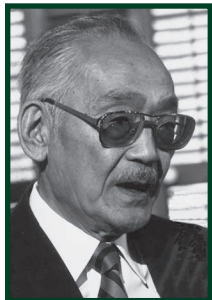
Student Bar Association President **Sara Pirk** greeted the graduates and set the stage for more speeches, recognitions, and awards. The Racine, Wisconsin, native specialized in environmental and natural resources law and served as this year's cochair of Land, Air, Water, the oldest student environmental law society in the world. Pirk was an editor of the *Journal of Environmental Law and Litigation* in 2001–2.

## On Their Merits

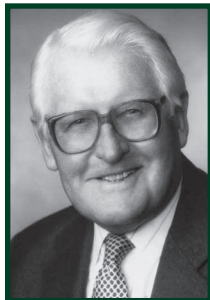
### *Civil Rights Hero, Timber Attorney Share Top Law School Honors*

A civil rights hero and a noted Oregon timber industry attorney shared top honors at the 2002 commencement ceremonies on May 19. The late Denver civil rights attorney **Minoru Yasui** and Portland attorney **Norman J. Wiener** were both selected by the law school faculty for the 2002 Meritorious Service Award, given each year to recipients who have made extraordinary contributions to legal education and the law.

Norman J. "Stormin' Norman" Wiener, eighty-two, earned both his bachelor's degree and his law degree at the UO. He entered law school in 1940, but was interrupted by active duty in the army during World War II. After graduation in 1947, he went on to a distinguished career in complex litigation and forest products law at Portland's Miller Nash law firm. His clients included some of the most influential companies in Oregon—Willamette Industries and Louisiana Pacific, among others. In 2001, Timberline Lodge, a client for forty years, named a high-speed chairlift "Stormin' Norman" after Wiener. He served on the UO Foundation board of trustees for ten years and was a member of both the law school's board of visitors and alumni association board. He endowed the law school's Walker-Wiener fund for student and faculty research in legal ethics and other topics. Wiener has personally known every dean of the law school since **Wayne Morse**.



Minoru Yasui



Norman J. Wiener

Noted Denver civil rights attorney Minoru "Min" Yasui earned his law degree in 1939. He was the first Japanese American graduate of the UO School of Law and subsequently the only practicing attorney of Japanese ancestry in Oregon. At great personal cost, Yasui challenged the

constitutionality of the restrictive laws against Japanese Americans during the wartime hysteria of 1942. On the evening of March 28, 1942, he walked up and down Portland's Third Avenue for two hours and insisted on being arrested for breaking curfew laws specifically aimed at Japanese citizens after the attack on Pearl Harbor. Yasui spent the weekend in the drunk tank. Convicted and stripped of his U.S. citizenship, he underwent months of indignity and solitary confinement before the U.S. Supreme Court reinstated his citizenship in 1943.

In the 1980s, he was party to a successful set of lawsuits—the famous *coram nobis* cases—that overturned the World War II convictions and helped lay the groundwork for a federal apology and reparations payments to internment camp survivors. Yasui died in 1986.

His posthumous award will be given by former dean **Rennard Strickland** and Professor **Keith Aoki** to Min Yasui's widow, **True**, on December 12, 2002, at the Minoru Yasui Community Volunteer Award Luncheon in Denver.



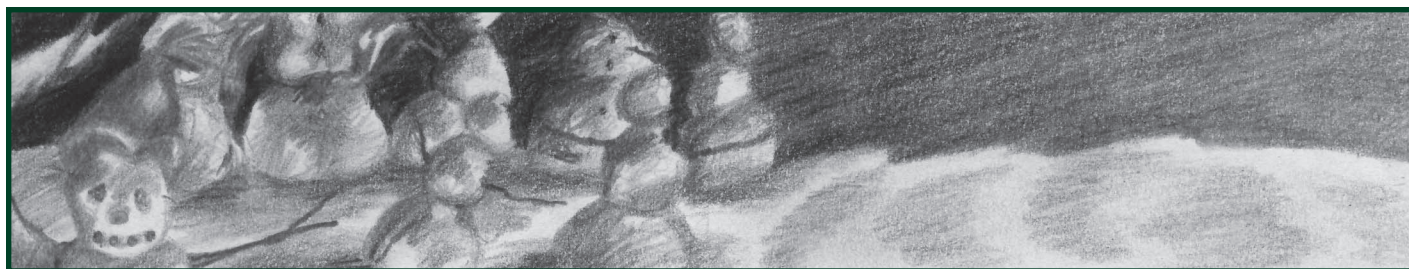
Dad Grads



Top student Kevin Kono '02 with Wendy Wendt '01



Oregon Law Review editors, 2001-2



New web calendar  
illustration by UO arts major  
Amber Thomas.

[http://  
www.law.uoregon.edu](http://www.law.uoregon.edu)

### Click and repeat. 6,208 times.

Webmaster and designer **Tom Goodman** and system administrator **Jeremy Zane** unveiled a faster, easier-to-use law school website in August that includes new content from nearly every department and features 2,000 new pages, 4,208 redesigned pages, and 375 new graphics.

Goodman, who came to the law school from England last fall, is a prizewinning web designer. In 2000, he won first prize—£10,000—from network component manufacturer 3com for creating

interactive intranets for reed.co.uk, a British recruiting firm. He took home another £8,000 as Young Web Designer of the Year from now-defunct web music company Acen Technologies in 1999.

"It was nice," Goodman said. "The problem is, with all the Internet companies going out of business, you don't see awards like that anymore!"

Luckily for the law school, the dot.com industry's loss is our gain.

## Pro Bono Champs

### *Law School wins State Bar Pro Bono Challenge*



Jane Steckbeck, Career Services

**"Advocating for the underprivileged is the heart and soul of lawyering."**

Pro Bono. It's not glamorous. The pay is awful. It takes a lot of time. But UO law students do it anyway—and they do more of it than students from any other law school in Oregon.

Last year, UO law students contributed 3,190 pro bono hours, winning the Oregon State Bar Pro Bono Challenge in the law student category. U.S. District Judge **Anna Brown** presented the awards at a reception on March 14 in the ceremonial courtroom at the federal courthouse in Portland. The bar gave special mention to **Dan Strausbaugh '02**, who performed over 300 hours of pro bono service to Lane County Legal Aid and Lane County Law and Advocacy Center. Student officers of the 2001–2 Pro Bono Committee, which oversees the program, were **Angela Schmitz '03**, **Margie Schroeder '02**, **Catherine Hoskins '02**, **Susan O'Toole '03**, **Nicole Richardson '04**, and **Kyoko Wyse '04**.

The Pro Bono Committee of the Oregon State Bar's New Lawyers Division first developed the event in 1997 to tap in to lawyers' competitive natures for the good of the community.

In 1996, the law school initiated its student pro

bono program—the first in the state of Oregon. Students who perform forty hours of pro bono work during law school receive a certificate, a letter of commendation from the Oregon Supreme Court, and special recognition for their contribution to the underserved.

Career Services Assistant Director **Jane Steckbeck**, who coordinates the program, said, "I love this part of my job because I genuinely believe that advocating for the underprivileged is the heart and soul of lawyering."

When law students represent underprivileged people or causes, "several amazing things happen," Steckbeck said. First, inexperienced students quickly develop skills in client interviewing, problem solving, and information gathering; second, they gain confidence; third, it helps them make sense of law school; fourth, they get good job references; and fifth, "many students will make a difference in the life of someone who, without student help, would not be able to resolve their problem."

Students volunteered in Seattle, Roseburg, Las Vegas, Denver, New York, and all over Lane County. They worked for a volunteer income tax program, Court Appointed Special Advocates, Environmental Law Alliance Worldwide, the city of Eugene's Teen Court, and for domestic violence and crime victims, civil law and senior law services, public defenders, and district attorneys in many locations.



# ADRA Stands for Outstanding

## *Dispute Resolution Student Group Wins National Recognition*

A group of UO law students who advocate for alternatives to litigation achieved national recognition with a new award by the American Bar Association. The Appropriate Dispute Resolution Advocates, or ADRA, was the first recipient of the Chapter of the Year Award, created by the ABA Section of Dispute Resolution to recognize outstanding law student work in this arena.

The honor was awarded at a luncheon during the bar association's annual New Vistas in Dispute Resolution conference in Seattle in April. UO third-year law student **Kevin Rack** accepted the award on behalf of the UO chapter.

**Charisse Dickson**, 2002–3 chapter chair, said, "I think the reasons for our success are pretty straightforward. We believe that effective dispute resolution methods are essential in today's society, and we worked very hard to reach out to other students at school, to practicing attorneys, and to the community in general."

Members of the group completed 135 pro bono hours with Eugene's Community Mediation Services and other local agencies. More hours were spent researching a new mediation program for the Hillsboro, Oregon, police department and presenting the findings to the Eugene Police Commission.

In addition, the ADRA helped organize basic mediation training for other law students, mentored incoming students, and sponsored or participated in other program lectures and training.

**Jane Trost**, an active ADRA member and officer, is a first-year law student who recently returned to Oregon from a twelve-year career in computer graphics in Los Angeles. She was impressed by the effectiveness of the law school's thirty-two-hour basic mediation training.

"It was great—being exposed to ways of speaking to people, how to ask questions and how to get a response as opposed to projecting a response," Trost said. "One of the most interesting things I learned is that the officially noted problem in a dispute is rarely what the dispute is really about. In my law career I definitely want to explore options other than traditional litigation to solve problems."

Graduating law students of 2002 include ADRA officers **Rita Molina**, 2001–2 chair, **Catherine Hoskins**, 2000–2001 chair, and **Hilary Kratochvil**, 2001–2 secretary. In 2002–3, elected officers will include chair Charisse Dickson, vice chair **Maggie Langlas**, secretary **Tenielle Fordyce-Ruff**, treasurer **Courtney Cooper**, activities coordinator Jane Trost, and pro bono coordinator **Katie Dzurec**.

For more information about ADRA, call or e-mail faculty adviser **Jane Gordon** at (541) 346-1557 or [cdickson@law.uoregon.edu](mailto:cdickson@law.uoregon.edu). Find out more about the ADR curriculum on the UO School of Law website, <http://www.adr.uoregon.edu/>.



ADRA members (left to right starting at the bottom row): Charisse Dickson (chair), Maggie Langlas (vice chair), Kara Loffelmacher, Courtney Cooper (treasurer), Deb Eldredge, Julanne Batterton, Philip Huang, Jessica Skelton, Steven Skelton

## ADR on the Fast Track

### *Conflict resolution program excites students... and reaches everyone from crime victims to teachers and insurance adjusters*

After a whirlwind organizational year, Appropriate Dispute Resolution program director Jane Gordon and assistant professor Michael Moffitt sponsored six symposiums and conferences for groups as diverse as insurance adjusters and K-12 teachers, mentored a prize-winning student group, revitalized a mediation clinic, taught an undergraduate class in conflict resolution and helped settle a touchy labor negotiation. That was just the beginning. The 2002-03 calendar is just as full.

Ten percent of the law student body competed in the first round of the Moot Court Negotiation Competition earlier this fall, and over 50 attorney and student volunteers participated as judges and organizers. Two teams went on to win and place at

the regional finals in Portland. Team members **Summer Stinson** and **Shannon Sivell-Cross** and **Janet Hasegawa** and **Clement Sze** look forward to the national competition next spring.

Next February 28, ADR will collaborate with Community Mediation Service of Eugene and the Wayne Morse Center on a **Restorative Justice Conference**. Restorative Justice draws on the concept that some aspects of mediation may fill a void in the criminal justice system. By facilitating structured interactions between certain criminal offenders and their victims, restorative justice techniques aim to provide opportunities for genuine communication, healing, and in some cases, restitution.



Jane Gordon, Appropriate Dispute Resolution Program director

# Criminal Justice

*Suspicious, Arrests, Trial, Sentencing—Race Matters Each Step of the Way*



2001–2 Morse Professor Charles J. Ogletree Jr. with UO law faculty members Robin Morse Collin and Ib Gassama.

**By Margaret Hallock**  
Morse Center Director

Fall 2002 begins the Wayne Morse Center's second year of inquiry into current issues in criminal justice. It will be difficult to top last year's exciting program. **Charles J. Ogletree Jr.** brought a high level of excitement to the law school and the Oregon policy community. As he said in one law school class, "Race is constant and pernicious at every point in the criminal justice system—suspicion, arrests, trials, juries, bail, convictions, and sentencing or probation. If we don't deal with race, we will have a dual criminal justice system."

## Wayne Morse Center for Law and Politics

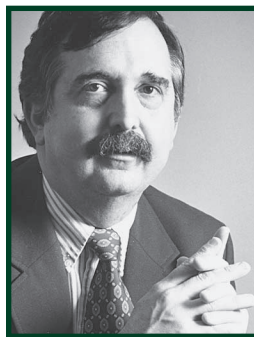
Brings scholars and activists to Oregon who exemplify the Morse ideals of foresight, intellectual independence, and integrity.

Room 220  
Knight Law Center  
(541) 346-3700

[http://  
www.morsechair.uoregon.edu/  
index.shtml](http://www.morsechair.uoregon.edu/index.shtml)

Morse Chair Professor **Robert P. Mosteller** is teaching a fall seminar at the UO School of Law on evidentiary issues that arise when children are victims and witnesses in the criminal trial process. The course will look particularly at issues involved in child sexual abuse prosecutions.

After the "day care" cases focused public attention on the difficulty in achieving accuracy and fairness when children are victims and witnesses, vigorous debate continues among social scientists. Can false charges be suggested to children by interviewers with preconceived views that abuse occurred?



**Robert P. Mosteller,**  
2002–3 Morse Chair  
Professor

### ■ Death penalty conference

The stunning success of last spring's national conference on the death penalty exposed the university and the community to the deeper issues in this contentious policy debate. More than fifty of the biggest names on both sides of the death penalty debate spoke at the event. It's interesting to note that one of the speakers at that conference, **George Ryan**, governor of the state of Illinois, recently ordered an unprecedented set of clemency hearings for nearly all 158 death row prisoners in his state.

For the coming year, our lens will sharpen its focus to examine some of the nitty-gritty issues in criminal justice: the impact of sentencing policy and incarceration.

### ■ Victim's rights and sentencing

This year's Morse Chair Professor, **Robert Mosteller**, will examine sentencing policy, victims' rights, and offer a course on evidentiary issues in cases involving children. A law school conference will explore the possibilities for restorative justice. Special in-depth projects will study women in prisons and the use of prison labor. We also will sponsor forums on community policing and police relations with youth and people of color.

We invite you to join us for our continuing educational and thought-provoking discussion of the criminal justice system.

## Children in the Witness Box

*Evidence Expert Robert Mosteller Visits Oregon*

Mosteller, the Chadwick Professor of Law at Duke University, has taught and published widely on the subjects of evidence law and criminal procedure. He is the coauthor of *McCormick on Evidence* and is board president of the Center for Death Penalty Litigation. He has written extensively about his concern that a proposed "victims' rights" amendment to the U.S. Constitution would undercut Bill of Rights protections. Mosteller's other writings have explored issues in the prosecution

of child abuse where children are victims and witnesses.

—Cheri Brooks

# Law Library Opens to All Oregonians

*Use your public library card at one of the top-ranked academic libraries in the Northwest.*

Got a public library card? As of September 3, it will get you into the stacks of one of the best academic libraries in the Northwest. The UO library system—including the John E. Jaqua Law Library—launched a new service program that allows any Oregon resident who is eighteen or older to borrow from its 2.4 million-volume collection.

“We have always had a strong commitment to providing legal information to the public, and this is a terrific way for us to meet the growing demand for information about the law,” said associate law librarian **Mary Clayton**.

Clayton estimates that about two-thirds of the law library’s collection can be checked out. But many of the primary research tools in law, such as statutes and court cases, are noncirculating and will remain so.

The Jaqua Law Library boasts outstanding col-



Faculty librarians (L to R): Stephanie Midkiff, Mary Clayton, Dennis Hyatt, Angus Nesbit (not pictured: Andrea Coffman, Joni Herbst)

lections in ocean and coastal law, environmental law—including one of the earliest forestry law texts known—as well as Indian law and policy, judicial and legal biography, jurisprudence, and constitutional and intellectual history.

The law library contains primary materials for research in U.S. federal and state law and over 1,000 law journal titles. Its collection of over 380,000 volumes supports research in U.S. law, international law, and interdisciplinary studies in a number of areas, including psychology, journalism, business, and medicine.

“Law permeates our culture and our lives,” said UO law librarian **Dennis Hyatt**, “and for our collection to be available to the public is a fitting way to return the investment taxpayers have made in our public university library. Of the states who are doing similar programs, we are the most open to public borrowing.”



## Two ways to use the Law Library

1. Use your **bar-coded library card** from any Oregon library.
2. If you don't have a library card, or if our computer system can't read the bar code on your card, buy an **Oregon Card** from any UO library circulation desk for a one-time charge of \$5.00.

### Information:

(541) 346-3065.



## Is there a solution for law student debt?

Today's law students leave school with a debt load approaching \$50,000. For those who intend to pursue legal aid, clerkships, and other public interest jobs—with salaries in the mid-twenties—the numbers don't add up. A group of 2002 UO law graduates and current students are helping their future colleagues by kick-starting a loan

repayment assistance program (LRAP). To contribute, e-mail or call **Matt Roberts**, assistant dean of external relations, at [giving@law.uoregon.edu](mailto:giving@law.uoregon.edu) or (541) 346-3865. Pictured: LRAP committee (L to R) **Matt Donohue, Aoife Cox Rinaldi, Lisa Hartrich, Katelyn Randall, Tiffany Harris, Margie Schroeder, and Kurt Unger.**



## Help Wanted

Are you a recent graduate? A not-so-recent graduate? Perhaps even a graduate of another law school? Find a job in the legal profession through the *Career Services Placement Bulletin*. It's free your first year out of law school, only \$10 thereafter. Graduates of other law schools may subscribe for an annual fee of \$30. Find out more from Kay Bailey, (541) 346-1565 or [kbailey@law.uoregon.edu](mailto:kbailey@law.uoregon.edu).

## Welcome the Class of 2005

*New Students Serious, Diverse, and High-Achieving—  
and There Are Lots of Them!*

**"This is a very serious group of new students."**

The University of Oregon School of Law greeted over 180 new student lawyers in August with a whirlwind introduction to an intensive first year of contracts, criminal and civil law, torts, and legal research and writing. They are the largest class in five years, with the highest entering scores since 1996.

Law school admissions director **Katherine Jernberg** credited a demographic bulge and a faltering job outlook for a 26 percent upswing in law school applications nationwide. "The events of September 11 also seemed to play a part at our law school," she said. "More students mentioned an interest in international law, conflict resolution, and diplomacy in their personal statements."

She believes a \$124,000 increase in Dean's Scholarship funds attracted higher-achieving students to the UO. "This is a very serious group of new students," Jernberg said.

**Alma Zuniga**, twenty-eight, is one of those serious new students. She graduated last June from the UO with a bachelor's degree in psychology. A native of Zacualpan, Nayarit, in Mexico, Zuniga said she knew she wanted to be either a lawyer or a forensic psychologist from an early age. "I want to make a difference in people's lives. By becoming a lawyer, I will have a little more power to do something to change laws, to lobby, to look for ways to help. And my mother always wanted me to go to school, do something for myself. I want to realize her dreams," Zuniga said.

In the Pacific Northwest, nearly 29 percent more students took the law school admissions test last June than the year before. The median LSAT score of the UO law entering class is 159, up two points from 2001. The average national score for this standardized test taken by prospective law students is 150 or 151, on a scale of 120 to 180.

Minority student enrollment is also keeping pace with last year's class. Fifteen percent of the entering class identify themselves as ethnic or racial minorities, higher than the percentage of minorities in Oregon's population.

Although the average age of the entering class is twenty-five, students range in age from twenty to forty-two. Law will be a second career for many of them. **Cheryl Brooks**, thirty-eight, is a magazine writer and editor and the mother of a high school senior. "My child is getting ready to leave the nest, and it's a good time to change careers. It's hard to make a good living in journalism, and I'm looking ahead," Brooks said.

Like many of the public law school's current students and nearly one-half of the 2001 law school graduating class, Brooks is interested in public interest law and public service. "There are good role models out there for public service law. I see myself doing that kind of work, but I'm trying to keep an open mind."

The Class of 2005 joined 350 second- and third-year students in the Knight Law Center for the fall law semester that began August 21.

## Facts In Evidence

### *Achievements, Appointments and Awards*

**Frank Hilton '66** has been elected to the board of governors of the Oregon State Bar. He joins three other UO School of Law graduates, **Bill Carter '68**, **Sarah Rinehart '81**, and **David Hytowitz '75**.

**Bob Newell '77**, a partner at Davis Wright Tremaine in Portland, assumed the gavel as the president of the Multnomah Bar Association this year. Three UO law graduates received the Award of Merit from the MBA: **Marvin Fjordbeck '83**, Metro senior assistant counsel; **William Henderson '80**, attorney at law; and **Robin Selig '81**, Legal Aid Services of Oregon. The award is given for outstanding service to the profession, justice system, and the community.

The **Domestic Violence Clinic**, a joint project of the law school, Legal Aid, and community women's advocates, will receive the bulk of a \$465,000 federal grant awarded to the Oregon Stop Violence Against Women Project. This will help fund the clinic for the next two years, and is good news both for UO law students and the battered women of Lane County. Law students in the clinical program represent clients in contested restraining and stalking orders.



Merv Loya

**Peter Ozanne** has been named executive director of the Office of Public Defense Services, beginning next January. Ozanne started his career as a public defender in 1971 in California. He developed the law school's first trial practice program when he was an associate professor here during the 1980s. He most recently taught a sentencing class at the law school in 2001-2.

**Lorenzo Mejia '86** has been appointed to the bench in the Circuit Court of Jackson County. Mejia has been a senior attorney and administrator with the Southern Oregon Public Defender for many years and is married to Medford sole practitioner **Cristina Sanz '88**.

**Merv Loya**, career services director and assistant dean, has been appointed to the new President's Advisory Committee on Future Issues of the Oregon State Bar. The group will examine issues facing the legal profession over the next five to twenty or more years and will make recommendations to the board of governors. On another note, Merv and his son Kari competed in the New York City Marathon in November. Merv finished in less than five hours.

## Wine Law

### *Students found legal forum for industry issues*



Left to right: PWLS members Maggie Lenglas, Jeffrey Johnson, Erin Fullner, Jeffrey Ott, Allyssa Walton

Second-year law students **Jeff Johnson** and **Jeff Ott** want the wine industry to know that there's a new arena in which industry members can discuss legal issues—the Pacific Wine Law Society (PWLS).

PWLS was founded in January 2002, and has quickly grown from an idea shared between two friends to a large student organization of over thirty members. Cofounder Ott says the group advocates for the fast-growing Oregon wine industry: "We're working on *The Students' Guide to Oregon Wine*—a publication aimed at converting the historically beer-drinking twenty-one to thirty-year-old market segment into wine aficionados." PWLS expects to publish the guide early in 2003.

## Global Ocean and Coastal Law Center

Research and education in the laws of the ocean, its resources, and the development of coastal zones.

### ABI's Best

Assistant Professor **Andrea Coles-Bjerre** with **Natalie Scott '02**, who is wearing the 2002 American Bankruptcy Institute Medal of Excellence she won last spring. Scott is now clerking with Judge **David Brewer** at the Oregon Court of Appeals.



# Seaworthies

## *Two UO Law Students Win Coveted Knauss Marine Policy Fellowships*

For the second year, two UO law students have been awarded prestigious Knauss Marine Policy Fellowships. **Kassandra Brown '02** and **Rachel Peitsch '02**, research assistants at the law school's Ocean and Coastal Law Center, are interning during 2002 in Washington, D.C., with executive branch agencies involved in marine resources management.

Kassandra "Kasey" Brown has been assigned to the oceanographer of the Navy at the Naval Observatory. "A naval admiral is head of the ocean commission, so I will be working on ocean policy," Brown said. "I will be working on some homeland security issues as well, since I expressed an interest.

My interest in the military has recently been renewed in the light of this nation's tragedy."

Rachel Pietsch researched Norwegian salmon farming regulations as a Rotary Ambassadorial Scholar to Bergen, Norway, in 1998–99. She said, "My background is in fishing—five generations of my family have been Columbia River salmon fishermen in Astoria. My unique, practical experience with the fishing industry probably helped me win the fellowship."

The Knauss Fellowship program allows outstanding scientific scholars—rarely law students—who have an interest in policy decisions affecting marine, ocean, and Great Lakes resources to spend one year in Washington, D.C., learning and honing the skills needed for leadership and research. The National Sea Grant program matches highly qualified graduate students with hosts in the legislative branch, the executive branch, or other institutions located in the Washington, D.C., area. Sponsoring administrative agencies have included the National Oceanic and Atmospheric Administration (NOAA), the Environmental Protection Agency (EPA), the State Department, and the Department of the Navy.

Two other UO law students won these coveted fellowships in previous years. **Drew Minkiewicz '01** served as a Knauss fellow in 2000, and is now the counsel for minority staff of the ocean and fisheries subcommittee of the Senate Commerce Committee in Washington, D.C. **Camilla Boyte '02** will complete her Knauss Fellowship with the Senate Commerce Committee at the end of this year.

# Can Oregon Eliminate Racial Profiling?

## *UO President, Law Professor Part of Statewide Effort*

**Dave Frohnmayer**, UO president and former dean, is leading a six-year, statewide effort to eliminate improper racial profiling from police work. He is chair of a new committee created by the 2001 legislature to address the problem of discrimination both in the selection of people who are stopped by police and in differential treatment in arrests and booking. **Keith Aoki**, UO associate professor of law, and **Peggy Nagae**, a former member of the board of visitors, are also part of the eleven-member group.

The committee will act as a statewide clearinghouse to evaluate data collected from citizens during police stops. They will also help communities

devise policies and training for police interactions with the people they stop and question.

Last December, a telephone survey found that 39 percent of the 800 adult Oregonians surveyed said they thought race, ethnicity, or national origin "sometimes" unfairly influenced police to stop people. Another 17 percent thought those factors "often or always" influenced police.

For more information on the work of the committee—the Law Enforcement Contacts Policy and Data Review Committee—visit the website, [http://www.ocjc.state.or.us/Racial\\_Profiling/LECPDRC.HTM](http://www.ocjc.state.or.us/Racial_Profiling/LECPDRC.HTM).

# Fresh Ideas

## *Faculty Visitors Experts in Admiralty, Taxes, Local Government and International Environmental Law*

Some of the most invigorating aspects of life at law are exposures to the fresh expertise and experience of the members of our visiting faculty. This year, law faculty visitors include a University of Washington professor who holds a merchant marine master's license, a newly elected Lane County commissioner, a Ukrainian law professor, and a taxation expert from a Eugene firm.

**Craig Allen**, a law professor at the University of Washington, will share his expertise in admiralty law and coastal and marine law this fall. Allen is a graduate of Portland State University and UW, where he was honor law graduate, law review editor in chief, and a prize winning legal writer. He joined the UW faculty after retiring from the Coast Guard in 1996.

**Gwen Griffith**, a shareholder in the Eugene firm Speer, Hoyt, Jones, Poppe, Wolf and Griffith, will teach a federal tax class this fall while law professor **Nancy Shurtz** takes a leave. Griffith, a Stanford law graduate and former Willamette law professor, is the author of two books on taxation and numerous articles. In addition to federal taxation, her practice areas include public and private partnerships and business planning for nonprofit organizations.

**Tom Lininger** returns to the law school fall term after a spirited campaign for the East Lane seat on the county board of commissioners. The newly elected commissioner is a former federal prosecutor who has taught various courses as a visiting assistant professor since 1999. He graduated from Yale

and Harvard Law School. This year, he will teach evidence and legal ethics. Lininger is married to Associate Professor **Merle Weiner**. They share an interest in expanding local access to free legal assistance for victims of domestic violence.

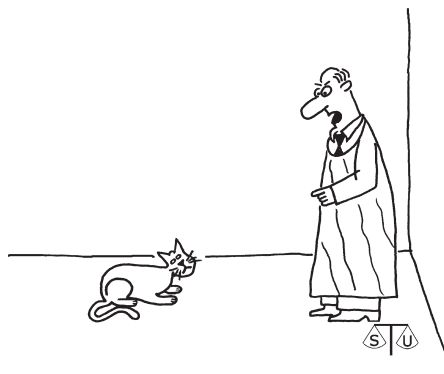
**Svitlana Kravchenko** will teach a course in environmental law and environmental democracy spring semester. She is professor of international law at Lviv National University in Ukraine and is currently the Carlton Savage Visiting Professor of International Relations and Peace at the UO. Kravchenko is in the forefront of the movement for the protection of environmental human rights in Eastern Europe and the rule of law in international environmental matters. She directs E-LAW Ukraine, a branch of the Environmental Law Alliance Worldwide. Kravchenko and long-time UO environmental law professor **John Bonine** were married in Oregon last year.

Visiting assistant professor **Judd Sneirson** also begins his second year in Oregon this fall. He looks forward to teaching business law in the coming year, as "the field has been very eventful lately." Sneirson came to the law school in 2001 from Willamette University College of Law in Salem. Before moving to Oregon, Sneirson practiced litigation in New York City with Willkie Farr & Gallagher, where he handled primarily corporate and securities matters. He graduated from Williams College in 1992 and received his law degree from the University of Pennsylvania in 1996.

## Legal Laughs

The cartoons in this issue come to us courtesy of **Stu Rees**, a San Diego entertainment lawyer and Harvard law graduate. Stu represents more than 100 cartoonists, animators, comic book artists, and other creative types in their negotiation with the major comic strip syndicates. His daily law cartoons are available for chuckles and licensing at <http://www.stus.com>.

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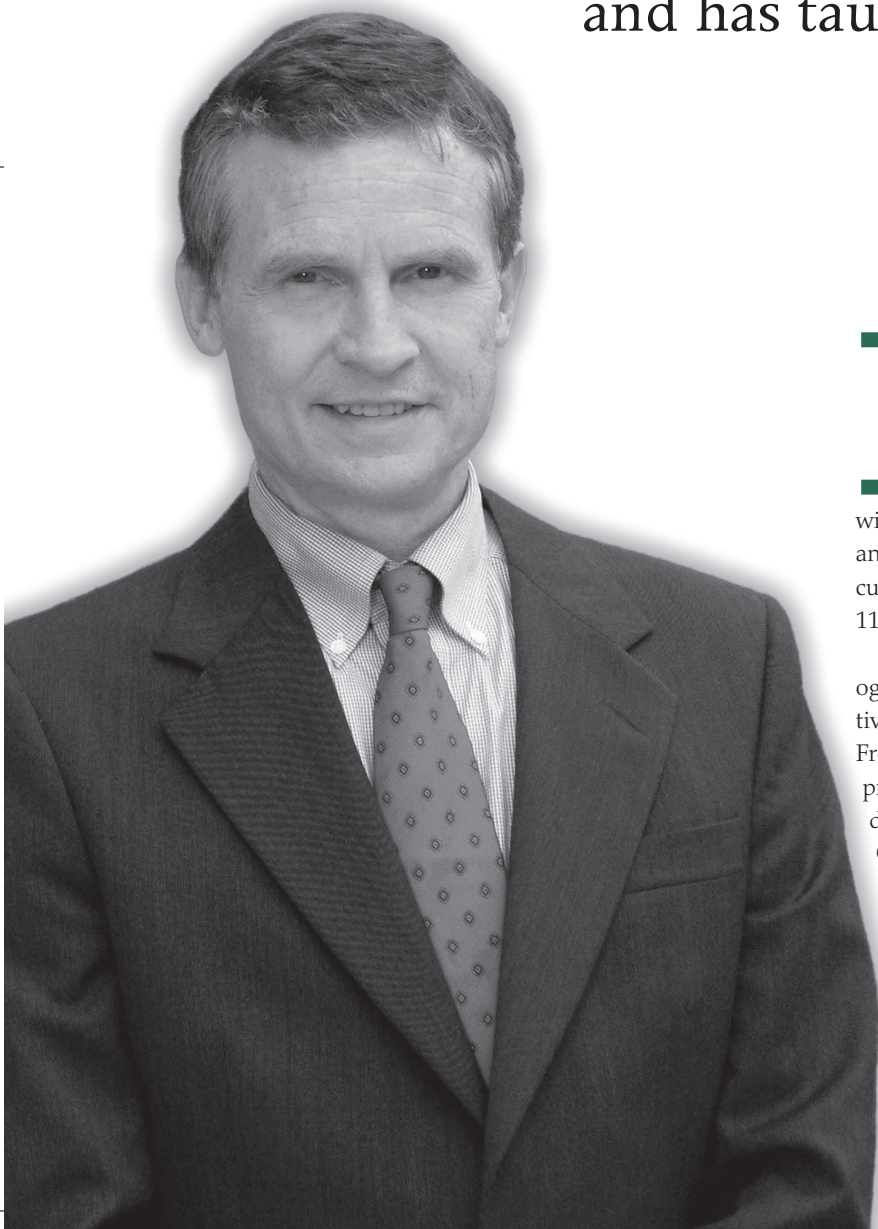
"Don't you give me that look of contempt."



# Laird Kirkpatrick

## Named Dean

The evidence scholar,  
law reformer and  
national policy maker  
knows most of the Oregon bar members...  
and has taught 3,000 of them



By Eliza Schmidkunz

**I**N ONE SENSE, Laird Kirkpatrick is the consummate law school insider. The prize winning teacher and evidence scholar graduated from the University of Oregon School of Law in 1968 and has been a member of the faculty for twenty-eight years. When he took office last August 1, with a good natured handoff by predecessor Rennard Strickland and cake and coffee in the faculty lounge, there was none of the culture shock experienced when a newcomer takes the helm of a 118 year old institution.

Beyond the law school, Kirkpatrick enjoys instant name recognition among Oregon lawyers and judges. He wrote the definitive treatise on Oregon evidence law, now in its fourth edition. From 1976 to 1980, he helped create Oregon's new rules of civil procedure as a member of the Oregon Council on Court Procedures. As chair of Governor Neil Goldschmidt's Task Force on Corrections Planning and a member of the Oregon Criminal Justice Council, he played a key role in the revision of Oregon's sentencing laws. In 1995, Oregon bar members elected him to be their representative in the American Bar Association House of Delegates, the policy-making body of the ABA.

"With declining state support, this is a critical moment in public higher education," Kirkpatrick said in an interview earlier this fall as he packed up his faculty office in preparation for





**“Among the people who count—judges, lawyers, and academics—no one would name the top public law schools in the country without including Oregon.”**

the move downstairs. “I suppose I do have an advantage in communicating to our 5,000 alumni how essential their support is in keeping this a law school we can all be proud of.”

**National Reputation**

At the same time, Kirkpatrick’s national reputation eclipses even his fine statewide reputation. He is the coauthor of an evidence course book adopted by more than ninety law schools; he also wrote two works, *Evidence: Practice Under the Rules* and the five-volume treatise *Federal Evidence*, that are used in courthouses and federal prosecutor’s offices across the country. A well known commentator on evidence law, he has been cited often by the U.S. Courts of Appeal and even by the Supreme Court. As a high official in the criminal division of the Justice Department, he participated in several key cases during the last years of the Clinton administration.

In addition to his state and national reputation, Kirkpatrick has yet another source of insider knowledge—a close personal relationship with a law student.

The eighteenth dean of the University of Oregon School of Law will celebrate his thirty-fifth law class reunion next year and his twenty-ninth year on the UO faculty. Between his graduation and his deanship, he occupied one of the highest policy posts in the criminal division of the U.S. Department of Justice, helped reform Oregon’s civil procedure, evidence, and sentencing laws, and published a five-volume treatise on federal evidence that has been cited by the Supreme Court.

Ryan, one of his two college age sons, entered UCLA law school this fall. “It is fun to compare notes with him,” Kirkpatrick said. “He is viewing law school from the point of view of an entering student and I am looking at it as a dean. It’s important for me to stay keenly aware of the other perspective.”

It is this combination of personal ties, national reputation, and experience in the larger world of American jurisprudence that leads Kirkpatrick to say decisively that the law school already has the elements of a first rate institution: “Among the people who count —judges, lawyers, and academics—no one would name the top public law schools in the country without including Oregon.”

**Opening Moves**

Before he accepted the position—enhanced with an endowment from the Knight family and now called the Philip H. Knight Deanship—Laird Kirkpatrick requested more scholarship aid to students as part of the package he negotiated with the University of Oregon administration. The deanship came with \$124,000 in new

**Laird Kirkpatrick**  
Highlights of a  
Legal Career

**2002**

Takes office as Philip H. Knight Dean, eighteenth dean of the UO School of Law

**1999–2001**

Appointed to top policy post in the U.S. Department of Justice, Criminal Division, and as commissioner ex officio, U.S. Sentencing Commission

**1998**

Chair of Evidence Section, American Association of Law Schools

**1995–97**

Elected delegate to ABA House of Delegates

**1995**

Coauthors *Modern Evidence: Doctrine and Practice*

**1994**

Federal Evidence, second edition published

**1993–99**

Serves on board of American Judicature Society

**1992**

Named Hershner Professor of Jurisprudence

**1988–2002**

Four editions of *Evidence Under the Rules* published

**1987–89**

Chair, Task Force on Corrections; produces Oregon corrections masterplan

**“There is an enormous reservoir of good will toward the school. I hope to reconnect with our alumni in a variety of ways.”**



**2000▲**  
With U.S. Attorney General Janet Reno at the Department of Justice.



**1986▲**  
Celebration of the publication of the second edition of *Oregon Evidence*, with Federal District Court Judge Robert E. Jones, Oregon Supreme Court Justice Richard L. Unis '53, and Dean Maury Holland.

contributions to the law school’s scholarship fund.

The influx of funds he secured for the school may already have helped shape the entering Class of 2005.

This fall, the school greeted a new class with a median LSAT score of 159, two points higher than the year before. The minority enrollment of 16 percent is higher than 2001, and higher than the percentage of ethnic and racial minorities in the state population. The immediate results made sense to admissions director Katherine Jernberg: “I credit the increase in scholarship money for the improvement.”

As soon as he took office, Kirkpatrick set forth on an ambitious travel schedule to visit Oregon alumni in the Pacific Northwest and California. He has been joined in his travels by his wife Lind, the former bureau manager of BBC News, North America, whom he met during his two years in Washington, D.C.

The visits are part of his determination to make the school more visible, Kirkpatrick said: “There is an enormous reservoir of good will toward the school and I hope to reconnect with our alumni in a variety of ways. I want to hear from the practicing attorneys who studied here. In particular, we need to build a Portland presence, where so many of our graduates practice.”

**The Big Pond**

The head administrative and academic post at a medium sized law school in a public university like the UO is complex enough. Kirkpatrick is now at the helm of a three year old Knight Law Center that is already

bursting at the seams with 500 students, nearly thirty full time members of the faculty and library staff, an equal number of administrative and support staff, and many adjuncts, visitors, and clinical instructors.

Before taking on the dean’s job, however, Kirkpatrick had recently spent two years in a senior position at an organization whose complexity dwarfs the law school: the Criminal Division of the United States Department of Justice.

When he arrived in Washington, D.C., in March 1999, the Main Justice Building at Tenth Street and Constitution Avenue was reeling in the aftermath of President Clinton’s impeachment and acquittal by the Senate.

As part of the impasse between the Clinton administration and Congress, the criminal division had gone without top leadership for more than a year. When Assistant Attorney General James Robinson arrived in 1999, he nominated Laird Kirkpatrick to be approved as his counsel, one of the top policy posts in the division.

At the same time, he was appointed by Attorney General Janet Reno to represent the Justice Department as a commissioner *ex officio* on the U.S. Sentencing Commission.

Kirkpatrick’s home base during the runup to the new millennium was the workplace of 450 federal prosecutors who are responsible for enforcing laws dealing, among others, with cybercrime, fraud, child pornography, terrorism, organized crime, narcotics,

◀ 1982

After a faculty run, with Dean Derrick Bell and Assistant Professor Peter Ozanne.



▲ 2002

Trading places with outgoing dean Rennard Strickland.



2002 ▲

At commencement, with Meritorious Service Award recipient Norm Wiener '47.

**“He never lost his sense of community even as he experiences the heady stuff of a national academic reputation.”**

and money laundering—as well as developing policy and advising the attorney general and Congress on matters of criminal law.

### Miranda Warning Redux

Kirkpatrick's main assignment was to counsel the assistant attorney general on the issues of the day. Shortly after he arrived, the department faced a particularly interesting case involving the Miranda warning protection for criminal suspects.

That year, based on a little-used congressional statute, the United States Court of Appeals for the Fourth Circuit—covering the Southeast—ruled that voluntary confessions were admissible in criminal cases, even if the suspect talked before receiving a Miranda warning. There was considerable national concern that this could undermine the rights of criminal defendants and lead to police abuse.

The case was appealed to the Supreme Court. After intense discussion with federal law enforcement agencies, the Justice Department took the position that Miranda was based on constitutional law and could not be overturned by an act of Congress.

In the end, the Court agreed—and besides, they wrote, Miranda is so embedded in police procedure that it has become part of the national culture.

### Back Home

Kirkpatrick returned to unfamiliar territory in 2001. The law school had moved into its third building since

he had first come to Oregon as a new law student in 1965.

The warm and spacious Knight Law Center looked and felt much more like a suitable home for a major law school than either of the previous buildings. A full national search for a new dean was under way, as then-dean Rennard Strickland prepared to return to his numerous book projects, a sabbatical, and teaching.

Kirkpatrick was unexpectedly pulled in as a candidate—almost drafted—and began considering the deanship only when another colleague withdrew.

Now, several months into the job, he has had an enthusiastic reception from the hundreds of colleagues, former students, and friends who have studied with him and worked with him for thirty-five years.

Peter Ozanne, a UO adjunct law professor, friend, and colleague on the Oregon Task Force on Corrections during the late 1980s, said of Kirkpatrick, “What’s unique about Laird is that he’s attained national prominence and influence as a major legal scholar and, at the same time, stayed active in the development of Oregon law and public policy. He never lost his sense of community even as he experiences the heady stuff of a national academic reputation.”

Ozanne’s words accurately present Kirkpatrick’s strengths and his goals for the law school: a nationally known scholar with a strong sense of community, devoted to Oregon public service, guiding a school to help further its own national academic reputation.

1987

Elected to the American Law Institute

1986–87

Associate dean for academic affairs

1984

Receives UO Ersted Award for exceptional teaching.

1982–2002

Four editions of Oregon Evidence published

1980

Serves as interim dean between Chapin Clark and Derrick Bell

1978–80

Establishes first U.S. attorney’s office in Eugene as assistant U.S. attorney

1974

Joins UO law faculty

1971–74

Director of Litigation and then Executive Director, Portland Legal Aid Service

1970–71

Trial attorney for Johnson, Johnson & Harrang, Eugene

1968–69

Instructor, University of Michigan Law School

1968

Graduates from the UO School of Law (Coif), Editor in Chief, Oregon Law Review

1965

Earns A.B. cum laude from Harvard

1943

Born in Minnesota to an academic family

## An interview with Laird Kirkpatrick



# The First (Three) Hundred Days

**Q.** *If you had to sum up your goals for the law school in one sentence, what would it be?*

**L.K.** Above all, I want to see the law school continue its march forward to the front tier of public law schools.

**Q.** *How do you intend to begin?*

**L.K.** First, we need to tell the outside world about the excellence that is already here. Oregonians interested in becoming lawyers don't have to leave the state to get a first-rate legal education. We have an outstanding faculty, highly talented students, and one of the most beautiful and technologically advanced law centers in the country.

**Q.** *You are a UO law school alumnus yourself—do you have special plans for the alumni?*

**“We must establish greater visibility in Portland where so many graduates practice.”**

**L.K.** As soon as I took office, I began a series of visits to alumni on the West Coast—we've had very successful meetings with people all over Oregon, in Washington, and in California. I plan to continue to spend a good deal of time reconnecting with our alumni. I also will be encouraging our faculty to accept invitations to speak to alumni and participate in CLE programs. In particular, we must establish greater visibility in Portland, where so many graduates practice.

**Q.** *You mentioned the excellence of the law school in general. Do you see the need to strengthen it in any particular area?*

**L.K.** A law school of our size, with over 500 students, should have at least thirty full time, tenured, and tenure-track

teaching faculty [members]. That was the faculty size contemplated when our new

law center was built, but we are still several positions short. We have made some outstanding new hires in the last three years: Barbara Aldave as director of our Law and Entrepreneurship Center, Michael Moffitt in conflict resolution, Suzanne Rowe to direct legal research and writing, Robert Tsai in constitutional law, and Joe Metcalfe in criminal law and trial practice. Now we need to make equally strong hires in other areas, particularly business law.

**Q.** *And students... the entering class this year was especially strong, partly because of*

*increased scholarship money you brought in...*

**L.K.** Yes. I am committed to even greater outreach in our student recruitment efforts to make sure that we are attracting the most qualified and diverse student body possible.

**Q.** *In many of your speeches, you have talked about the importance of the law school's centers and special programs.*

**L.K.** In addition to providing real-world training opportunities to our students, our programs and centers link us to the university and the legal community. They are exceedingly important. The Center for Law and Entrepreneurship, the Appropriate Dispute Resolution Program, the Ocean and Coastal Law Center, the Environmental Law Program, and

programs in governmental service and public interest law—all of these need additional staffing and resources.

**Q.** *State budget problems make it a challenging time to become dean of a public law school in Oregon. How will you approach the funding issue?*

**L.K.** The law school has been working

**“Oregonians...don't have to leave the state to get a first-rate legal education.”**

hard to provide our students with a four-star legal education on a two-star budget. But in the face of declining state revenue, we need to persuade our alumni and friends that their contributions and support are more important now than ever before. State general funds now supply less than eighteen percent of our budget. Increasing the level of private support is absolutely critical in order to maintain the standards of quality that our students and the citizens of this state deserve.

**Q.** *Do you have a final word for the readers of this magazine?*

**L.K.** All of us who are alumni owe so much to this school. We wouldn't be where we are today without that legal

**“The ball is in [our alumni's] court — we can't move forward without them.”**

training. Clearly we can no longer have the kind of law school we want with public funds alone. The key to the law school's future will be measured by how our alumni respond to the changed financial circumstances facing the law school. The ball is in their court—we can't move the law school forward without them.



# Law school is about more than studying all night.

It's about student competitions that invigorate, guest speakers who inspire *and* student recruitment, homecoming celebrations, moot court travel, alumni outreach... even the unforeseen emergency.

There's only one way to pay for them.

## That's you.

Private fundraising secures the programs that meant so much to you in law school.

Please give generously.

*Jane Kieferich*

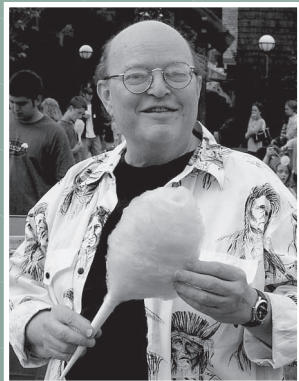
### The Dean's Fund

(541)346-3865  
dean@law.uoregon.edu  
**University of Oregon  
School of Law**



# FEATURE FILMS OF LAW AND LAWYERS

Selected and reviewed by Rennard Strickland



When Oregon's first-year students came to orientation this fall, they were treated to a night at the movies featuring the 1992 legal comedy *My Cousin Vinny*. Earlier, during his days as law school dean, **Dave Frohmayer** sponsored a series of "dean's list" film showings.

Great efforts, but why not go for broke? What would the very best law film festival in the world be like? To find out, we went to resident expert **Rennard Strickland**, who created the following list for a dozen and one nights of law and lawyers double features at the movies.

# A DOZEN AND



Night 1

## GREAT PERFORMANCES!

*The Passion of Joan of Arc* (1928) is a classic French silent film, based upon the historical transcription of the inquisition and trial of Joan of Arc. The masterpiece was destroyed in a fire, but a print of the original cut turned up in a Norwegian mental hospital in 1981. The second feature is *M* (1931), Fritz Lang's underworld. Renée (Maria) Falconetti's Joan and Peter Lorre's psychotic killer are stunning performances still considered among the screen's best.



Night 2

## SLAPSTICK!

The double feature of the Three Stooges in *Disorder in the Court* (1936) and the Marx Brothers in *At the Circus* (1939) gives us an absurdist view of law and courts, especially in Groucho's J. Cheever Loophole, the officious attorney.

**The Movies** • ADAM'S RIB (1949) • AT THE CIRCUS (1939) • BILLY BUDD (1962) • BORDERTOWN (1935) • BREAKER MORANT (1980) • COMPULSION (1959) • DISORDER IN THE COURT (1936) • THE FORTUNE COOKIE (1966) • I AM THE LAW (1938) • INHERIT THE WIND (1960) • INTRUDER IN THE DUST (1949) • JUDGE PRIEST (1934) • JUDGMENT AT NUREMBERG (1961) • M (1931) • A MAN FOR ALL SEASONS (1966) • THE MAN WHO SHOT LIBERTY VALANCE (1962) • MARKED WOMAN (1937) • MY COUSIN VINNY (1992) • THE OX-BOW INCIDENT (1943) • THE PASSION OF JOAN OF ARC (1928) • PATHS OF GLORY (1957) • THE TALK OF THE TOWN (1942) • TO KILL A MOCKINGBIRD (1962) • TOMORROW (1972) • TWELVE ANGRY MEN (1957) • THE VERDICT (1982) • THE WRONG MAN (1956) • YOUNG MR. LINCOLN (1939) • THE YOUNG PHILADELPHIANS (1959)

# At the Movies D ONE NIGHTS



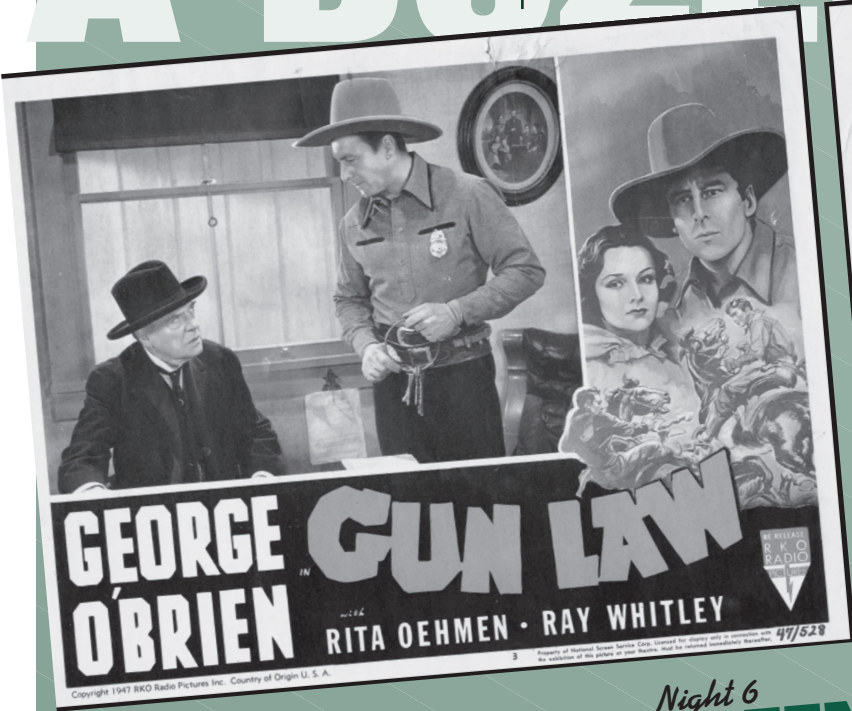
## Night 3 BETTE DAVIS!

A pair of Bette Davis melodramas, **Bordertown** (1935) and **Marked Woman** (1937), explore the life of a Hispanic lawyer (Paul Muni) in Depression-era L.A. and a New York Tom Dewey-like D.A. (Humphrey Bogart) closing in on underworld vice.

## Night 4 LAW PROFESSORS!

Law professors stepping out from the classroom and into the public arena are at the heart of **I Am the Law** (1938) with Edward G. Robinson and **The Talk of the Town** (1942) with Ronald Colman. Robinson is a law school dean who becomes a crime fighting district attorney, while Colman leaves the academy and learns the human side of the law from Jean Arthur and Cary Grant before being elevated to the Supreme Court.

Author, teacher, and American Indian law expert Rennard Strickland, Knight Professor of Law, was dean of the UO School of Law from 1997 to 2002. He is also an authority on the history and production of law-related film. The movie posters illustrating this article are from his collection.



## Night 5 JOHN FORD!

Director John Ford gives us the idealized view of nineteenth century law and lawyers in **Judge Priest** (1934) and **Young Mr. Lincoln** (1939). Ford deeply resented Fox Studio's editing of *Judge Priest* to remove a key scene in which Priest stands against bigotry and the KKK. Henry Fonda's Lincoln was always one of his favorite roles.

## Night 6 SCREEN TEAMS!

Two of the great screen teams—Katharine Hepburn and Spencer Tracy, Jack Lemmon and Walter Matthau—reached their peak in lawyer comedies. Tracy and Hepburn are married lawyers who find themselves opposing each other in a murder trial in **Adam's Rib** (1949). Matthau is a shyster lawyer exploiting his brother-in-law's "football injury" in **The Fortune Cookie** (1966).

## Night 7 WESTERNS!

**The Ox-Bow Incident** (1943) and **The Man Who Shot Liberty Valance** (1962) are great westerns, telling the story of the role of law in the settlement experience. The lynching in *Ox-Bow* and the shootout in *Liberty Valance* are the cinematic embodiment of what director John Ford's newsman calls "legends that become fact."

## Night 11 CLARENCE DARROW!

Two of legendary lawyer Clarence Darrow's most famous cases from the mid-1920s come to the screen in **Compulsion** (1959), based on the Leopold-Loeb murder trial, and **Inherit the Wind** (1960), drawn from the Scopes "Monkey Trial" and featuring the historic courtroom clash between Darrow and William Jennings Bryan, a progressive populist who believed in biblical literalism.

## Night 12 THE SOUTH!

Both **To Kill a Mockingbird** (1962) and **Intruder in the Dust** (1949) address justice and race in the Deep South in beautifully adapted screenplays of Harper Lee's and William Faulkner's novels. Atticus Finch is perhaps the screen's most idealized lawyer. Faulkner's lawyer Stevens appears again in the little known but beautifully adapted film of his short story **Tomorrow** (1972).







## Night 8 MILITARY JUSTICE!

Law in the military is put under a "justice light" in this double feature of court-martial dramas. The stunning adaptation of Herman Melville's **Billy Budd** (1962), a story of innocence besieged in the 1797 British Navy, contrasts beautifully with Bruce Beresford's interpretation of a historic Boer War trial in **Breaker Morant** (1980). Seen together, they raise the most serious questions of law, war, and justice.

## Night 13 HENRY FONDA!

The dark side of the law and the struggle for justice is played out by cinematic everyman Henry Fonda. In Alfred Hitchcock's **The Wrong Man** (1956), Fonda is an innocent, wrongly convicted man. In Sidney Lumet's **Twelve Angry Men** (1957), he is the one man who holds out against eleven other jurors eager to quickly convict an innocent young boy.



## Night 9 WORLD WARS!

The international German war crimes trials that took place in the wake of World War II, dramatically highlighted in **Judgment at Nuremberg** (1961), provide a shocking counterpoint to the sham French trials of World War I, so vividly portrayed in **Paths of Glory** (1957).

## Night 10 PAUL NEWMAN!

The contrasting performances of the youthful Paul Newman as a blue-chip law firm associate in **The Young Philadelphians** (1959) and the aging Newman as the down-and-outer in **The Verdict** (1982) clearly draw the lines of classic legal professional stereotypes.

## Bonus Encore Night! LAW AND SAINTHOOD!

No film about law tells more of history's struggle than Fred Zinnemann's stunning adaptation of Robert Bolt's **A Man for All Seasons** (1966). The battle between sixteenth-century English Chancellor Thomas More and Henry VIII over the king's divorce and break with the Pope shows the stuff of which saints are made. The movie provides a dramatic setting for our exploration of law, honor, duty, God, and country.



# Chapin Clark

December 27, 1930–October 4, 2002

**C**HAPIN CLARK, who helped lead the law school to national prominence during his six-year tenure as dean during the 1970s, died October 4 at the age of seventy-one in a boating accident on the Rogue River. A memorial service was held at Beall Hall on the UO campus on Sunday, October 13. Clark was remembered for his love of Oregon's waters and wilderness, both as a scholar and as an avid outdoorsman.

Clark, who joined the faculty in 1962 and retired in 1992, was such an academic force that the *Oregon Law Review* devoted an entire issue to his achievements. He remained active and in residence at the law school as professor emeritus after his retirement.

As a teacher, he was universally admired for his character, fairness, and sense of ethics. Law reference librarian Angus Nesbit, a former student of Clark's, said, "He was 'old school' in the best possible way."

## CAREER A SERIES OF "FIRSTS"

Clark's career at the UO was a series of "firsts." In an *Oregonian* article, Oregon appeals court judge David Schuman, a former student and colleague of Clark's, said, "When he came to the law school, it was just beginning to be something other than a small state and local school. He was part of the program to turn it into a national law school. By the time he left, that had happened, due in large part to his efforts."

Clark was the first UO law faculty member selected by other professors, rather than the dean, as was customary. He was the first faculty member hired to offer expertise on public policy matters—natural resources and water law—rather than simply prepared students for private practice.

Shortly after arriving at the UO, Clark began drafting and administering the first comprehensive student conduct code in the United States. Traditionally, students were disciplined at the discretion of the dean.

He was instrumental in building the school's environmental and natural re-

## Gene Scores

### Morning Classes and Chapin Clark

**T**HE HALLMARK of thirty-five years of close association with Chapin was his gentle humor and unstinting generosity of time, effort, and sound judgment that he shared with all of us. Chapin served as my associate dean and I was constantly the beneficiary of that generosity. He was our academic conscience and his goodness shone through everything he did.

Chapin was not a morning person (his only imperfection in my mind), but he worked late into the night. He hated 8:00 a.m. classes, but because I thought early classes were a burden or a benefit to be shared by all faculty members, he was once scheduled to teach one.

He never complained, although the strain was apparent.

However, when he succeeded me as dean and I went back to full-time teaching, I was scheduled to teach 8:00 a.m. classes for the first full year. In the years that have followed, Chapin and I often chuckled over the story of that "coincidence."

—Gene preceded Chapin as dean of the law school from 1968 to 1974. They were close friends and colleagues, and Gene was one of the companions on the boating trip where Chapin lost his life early in October.

*"He was our  
academic  
conscience and  
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everything he  
did."*



## Former Dean Remembered for His Love of Oregon's Waters and Wilderness

sources program. Professor John Bonine said Clark had the vision in the 1970s to promote the school as a center for environmental and natural resources law, supporting the first environmental law faculty members, and launching the environmental law clinic, "the first of its kind anywhere in the world, now replicated on several continents."

Clark was named dean at the age of thirty-seven in 1974 and served until 1980. He taught and wrote in the areas of property and water resources law. He also taught legal ethics and professional responsibility. In 1986, he received the UO's Charles Johnson Memorial Award for meritorious service.

### ACHIEVEMENTS IN WATER LAW

Clark was an expert and able mediator in the field of western water law. He was one of two mediators appointed to help settle a water dispute in the Umatilla Basin.

In a *Register-Guard* article, Professor Emeritus Bob Lacy said, "He was just the kind of person you'd want to handle a thing like that. He was unflappable and extremely

intelligent. He was even-handed. He'd listen to both sides of the issue."

Governor Bob Straub appointed Clark chairman of the Oregon Water Policy Review Board in 1977. He served for two years.

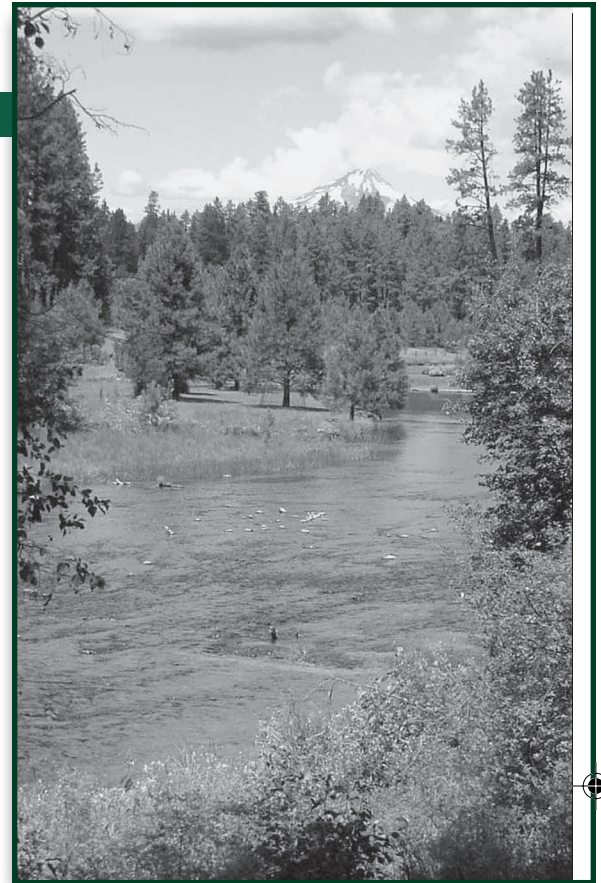
Clark wrote extensively on western water law, including the first survey of Oregon water law, and he was on the advisory board of the Oregon Water Trust.

### PERSONAL HISTORY

Chapin Clark, of Lawrence, Kansas, earned his bachelor of arts and bachelor of law degrees from the University of Kansas and master of law degree from Columbia University. He taught at the University of South Dakota and at West Point before coming to the UO.

Clark, an avid outdoorsman and opera buff, was also a mountain climber, and once had to be rescued from Mount Jefferson at 6,000 feet after he injured his knee in a fall.

He is survived by his wife Dorothy of Eugene, a son, Jeff, and a daughter, Julie.



### Laird Kirkpatrick

## Saying "Yes"

CHAPIN did have one weakness: He had a hard time saying "no" when people needed him to serve.

. . . [T]he law school called on Chapin a few years ago after he had retired. The school was concerned about students who were having difficulty with the bar exam and Chapin was asked to look at the problem. After all that he had already done for the school, Chapin could easily have said "no." He could have just sat on his porch at his cabin on the Metolius and watched the river flow by. But he said "yes."

He spent months on the project. He assembled an enormous number of documents, looked at the bar exam questions, looked at what courses students who didn't pass the bar had taken and he made recommendations to the faculty. The faculty adopted most of them. And, lo and behold, two years later a national law journal recognized the University of Oregon School of Law for the most improved bar passage rate in the country.

—From the eulogy given by Laird Kirkpatrick, dean of the law school, at Chapin Clark's memorial service on October 13, 2002.

### Oregon Law Review: The Chapin Clark Issue

Summer 1992, Volume 71, Number 2.

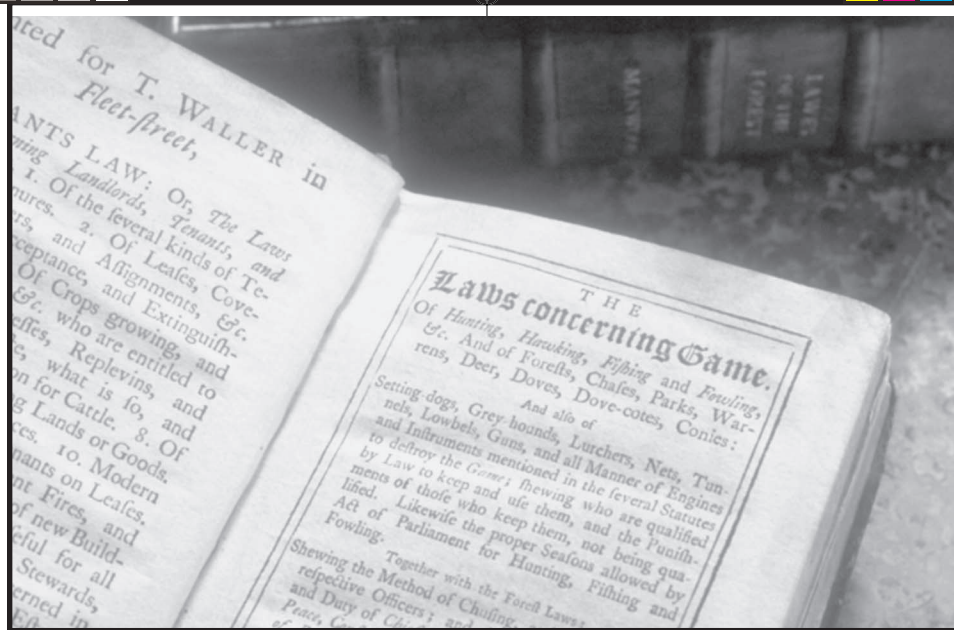
The issue commemorating **Chapin Clark** on his retirement ten years ago contains an interview of Clark by Professor Emeritus **Don Brodie** and tributes by past and current UO law professors **Eugene Scoles, Charles Wilkinson, Robert Summer, Jon Jacobson, Jim O'Fallon, and Hans Linde**. The journal is available at the Jaqua Law Library, (541) 346-3088. To buy a copy of the issue, send your name, mailing address and a check for \$7.00 made out to *Oregon Law Review*. Mail to Nancy Farmer, Oregon Law Review, 1221 University of Oregon School of Law, Eugene, OR 97403-1221.

On Stewards of  
**L**eets,  
Verderors,  
Wardens,  
and  
Woodwards.

LAWES  
OF THE  
FOREST

MANWOOD

1615



## LAW LIBRARY'S RARE BOOK HOLDINGS SHOW PROGRESS OF FORESTRY LAW

**O**N A UTILITARIAN SHELF deep in the rare books section of the library sit three works on English forestry law dating back to 1615, 1715, and 1753. They stand out from their modern cohorts, looking like volumes from the wizard's workshop in *Fantasia*.

"I don't think very many people appreciate how the early laws of the forest shape not only our current forestry and conservation policies, but also our general attitudes toward the environment and environmental protection," said law librarian Dennis Hyatt.

Over a thousand years ago, the forests of England were royal woods. Hunting was reserved to the king, while the right to cut wood and clear pastureland remained free to everyone. One of the most cherished prerogatives of the king was to declare any part of the country an official "forest," which caused, as can be imagined, deep resentment. Over the centuries, the prerogatives of the royal hunt and the rights of the chase extended to the king over large tracts of woodlands and villages, while the rights of use by others was increasingly limited.

The John E. Jaqua Law Library owns some of the earliest treatises on forest, gaming, and hunting laws, including the first English title devoted to forest law, *A Treatise on the Lawes of the Forest*, published in several editions between 1598 and 1615. It was the authoritative treatise for over 100 years and has been cited by the Supreme Court of the United States.

Author John Manwood, a barrister of Lincoln's Inn, was also the gamekeeper of Waltham Forest and "justice of the new forest" near London, a suitable background for a writer on forest law. He wrote legal texts during the reigns of Elizabeth I and James I and first published this work in 1598. It contains excerpts from older

codes such as the *Carta de Foresta*, imposed by the barons upon King John in the thirteenth century. Manwood died in 1610, and the 1615 edition incorporates his last updating notes.

One hundred years later, William Nelson, a barrister of the Middle Temple who practiced in the Court of Chancery, extensively rearranged and indexed Manwood's work. His 1717 edition of *Manwood's Treatise of Forest Laws* is also in the law library rare book collection.

Another of Nelson's books, *The Laws concerning Game*, boasts a subtitle like the passenger list from Noah's Ark: *Of Hunting, Hawking, Fishing and Fowling, etc. And of Forests, Chases, Parks, Warrens, Deer, Doves, Dove-cotes, Conies: And also of Setting-dogs, Grey-hounds, Lurchers, Tunnels, Lowbels, Guns, and all Manner of Engines and Instruments mentioned in the several Statutes to destroy the Game . . .*" The library owns the fifth edition of this book, published in London in 1753.

By the time Nelson's book on game was published, the forests were administered by an array of officials with various powers who worked in a variety of overlapping jurisdictions. The laws were complex, but began to reflect the growing English concern for protection and management of forestry resources. It would take more than 100 more years to design a national forest policy for England.

"Most of our rare books have come to the law library as gifts from generous donors, but these three were purchased," said Hyatt. "We are always looking for opportunities to build the collection with historical works. Older materials enhance the learning and research opportunities for our students and provide depth for faculty scholarship."

—Thanks to legal historian and law librarian Dennis Hyatt and the faculty and staff of the Jaqua Law Library.

**W**HEREIN IS DECLARED NOT ONELY THOSE LAWES, AS THEY ARE NOW IN FORCE, BUT ALSO THE ORIGINAL AND BEGINNING OF FORESTS: AND WHAT A FOREST IS IN HIS OWNE PROPER NATURE, AND WHEREIN THE SAME DOTHT DIFFER FROM A CHASE, A PARKE, OR A WARREN, WITH ALL SUCH THINGS AS ARE INCIDENT OR BELONGING THEREUNTO, WITH THEIR SEVERALL PROPER TEARMES OF ART.

FROM A *Treatise on The Lawes of the Forest*, LONDON, 1615

LEET: a medieval ward; legal jurisdiction.

VERDERORS, WARDENS, AND WOODWARDS: various officers and guardians of the forest.

# FACULTY

## Bjerre Named to Uniform Laws Commission

*Law School's UCC Expert Will Have One of Oregon's Votes*

**Carl Bjerre**, associate professor of commercial law, has been appointed by Governor John Kitzhaber to the Oregon Commission on Uniform State Laws. Bjerre will have one of Oregon's four votes on changes to the Uniform Commercial Code and other subjects covered by the National Conference of Commissioners on Uniform State Laws. Oregon's three other commissioners are all law school alumni: **Oglesby "Og" Young '49**, **Joe Willis '71**, and **Martha Walters '77**.

The commission, a nonprofit law reform organization, has been active since 1892, untangling the problems caused by wide variations in state laws.

"The conference's work is far-reaching and fascinating, and participating directly in that work will be an exciting opportunity," said Bjerre.

Bjerre joins an illustrious group. Over 2,000 legal experts—including Supreme Court Justice Louis Brandeis, President Woodrow Wilson, *Williston on Contracts* author Samuel Williston, Chief Justice William Rehnquist, and former UO law school dean **Eugene F. Scoles**—have served as commissioners. All of Bjerre's fellow commissioners are law school alumni.

"The national conference has become the most influential organization for improvement of private law in the United States," said Scoles.

Bjerre's teaching, scholarship, and public service have centered on the Uniform Commercial Code (UCC), a monumental product of the conference that affects the daily economic lives of every U.S. resident and business. From 1993 to 1998, Bjerre participated in the conference project of drafting revisions to Article 9, a section of the UCC governing secured loans. More recently, Bjerre was one of the most active members of an Oregon State Bar group that prepared those Article 9 revisions for adoption last year in Oregon.



Carl Bjerre

### Find out more

**National Conference of Commissioners on Uniform State Laws**  
<http://www.nccusl.org/nccusl/default.asp>

**Uniform Commercial Code**  
<http://www.law.cornell.edu/ucc/ucc.table.html>

## New Faces

*ACLU, Department of Justice Attorneys Join UO Faculty*

Assistant Professor **Joe Metcalfe** will teach evidence and trial practice this year, and anticipates



Joe Metcalfe

teaching criminal law and cyberlaw in the future. He comes to Eugene from Washington, D.C., where he worked at the Department of Justice in the Computer Crime and Intellectual Property Section, Criminal Division.

Metcalfe said, "I joined the Oregon law faculty because of its strong sense of community among faculty [members] and students, plus the opportunity to teach and write in a vibrant intellectual environment."

At the DOJ, Metcalfe's area of practice involved the intersection of new technologies, cyberspace and criminal law, including computer intrusions, digital criminal copyright piracy, and the theft of trade secrets. Before that, he spent six years as a District of Columbia public defender.

Metcalfe graduated from Stanford University in 1988 and received his law degree from Harvard in 1992.

Assistant Professor **Robert Tsai** served as staff counsel for the American Civil Liberties Union in Atlanta, Georgia, where he litigated a number of



Robert Tsai

nationally prominent constitutional cases. He authored the *amici curiae* brief of the ACLU and the Criminal Defense Lawyers Association in *Dawson v. State*, in which the Supreme Court of Georgia became the first state high court to ban the electric chair.

Tsai said he decided to join the UO law faculty because of its commitment to a "holistic approach to learning and scholarly inquiry. We succeed at cultivating lawyer-citizens in the best sense when our students ... have developed a keen instinct for the deeper cultural and political forces that interact with our system of justice."

Tsai will teach constitutional law and civil rights. He graduated from Yale Law School in 1997 and clerked for federal trial and appellate judges.

# Worth Repeating

*Achievements, Publications, Reviews and Comments*

## Strickland on Captain John Stuart and the West

**RENNARD STRICKLAND**

Last August, Knight Professor of Law and former dean **Rennard Strickland** “stepped up to the faculty,” in his words. He will be on research leave while he completes several book projects, including one on the travels of Captain John Stuart to be published by the University of Oklahoma Press:

“John Stuart was most famous as a military road builder who

opened up Indian Territory prior to the removal of the five civilized tribes from the Southeast. He enlisted in the army as a private in 1814 and rose to captain and commandant at Fort Smith, Arkansas Territory, in 1838. In his years on the frontier, Stuart’s duties required him to be, among other things, an engineer ... a merchant ... and warrior as well as a public health officer prepared to fight smallpox epidemics.”

Strickland is almost finished with *Screening Justice: The Cinema of Law* (coauthored with Teree Foster). He and a colleague from the University of Maryland were awarded a month-long Rockefeller Research Residency in Bellagio on Lake Como in the foothills of the Italian Alps next spring. He will put it to good use working on his new book *Spirit Red: The Five Hundred Year War*.

## How Patriotic is the PATRIOT Act?

**KEITH AOKI**

Professor **Keith Aoki** was listed as the seventeenth most-cited young law professor in

a recent survey of U.S. law schools. His many published works include an op-ed on the Patriot Act in *Time*’s November 2001 online edition, “Are Indefinite Detentions Really Patriotic?” In it, Aoki wrote:

“The PATRIOT Act allows for the indefinite detention of persons ‘suspected’ of being terrorists ... A bright line drawn be-

tween a domestic ‘us’ and a foreign ‘them’ seems attractive in times of crisis, but too often has been used to justify the unjustifiable ... Can we learn from our past? Over forty-six years passed after the [Japanese American] internment until

the U.S. government was forced to admit [the] tragic error. The idea that we need new tools for a new war may be a reminder that there are old lessons we need to remember.”

At the Oregon State Bar Convention last March, Aoki discussed the current status of federal standing to sue in environmental cases. In the 2000 *Laidlaw* case, the Supreme Court pulled back from a line of decisions over the past decade. At the very least, Aoki said, “environmental citizen suits will be easier for plaintiffs to bring.”

Aoki discusses the biological “commons” and the problem of creating property in seed germplasm in a forthcoming article for *Cardozo International and Comparative Law Journal*. In “P.I.E.R.R.E. and the Agents of R.E.A.S.O.N.,”

Aoki discusses the work of postmodernist legal scholar Pierre Schlag and his critique of legal normativity. The University of Miami Law School will publish it this fall.

## Kid Law

**LESLIE HARRIS**

Dorothy Kliks Fones Professor **Leslie Harris**’s family law text is used at forty law schools, including Harvard, Yale, Boalt, Washington, and UCLA (and Oregon, Harris notes). This fall, she and Cornell Law Dean Leslie Teitelbaum announced the publication of the second edition of *Children, Parents, and the Law: Public and Private Authority in the Home, Schools, and Juvenile Courts* (Aspen Law & Business 2002) and a related teacher’s manual.

“The first edition of *Family Law* covered the topics of this book in shorter form,” Harris said. “What we have done is to take that first book, divide it into two books, and, particularly with the ‘kid law’ book, expand and deepen the coverage.”

The four major sections include the cultural and legal conflicts around education, medical care, juvenile courts, and child abuse and neglect. It covers thorny issues such as school prayer, adolescent free-speech rights and medical rights, the care of severely disabled newborns, prosecution of minors in adult courts, and the termination of parental rights.

The authors say in the preface, “Our hope is that these materials will introduce students to the

legal and human complexity—and the sophistication—of the law relating to children, parents, and the state, and to the theory and practice of the American juvenile court.”



Leslie Harris



Keith Aoki

REGISTER-GUARD PHOTO BY BRIAN DAVIES

## Help for Mothers in Prison

**BARBARA ALDAVE**

Professor **Barbara Aldave** has been working with Carole Pope, a former prison inmate and activist, on a Morse Center-funded program that connects UO law students with women inmates at the Coffee Creek Correctional Center in Wilsonville, Oregon. Most of the inmates have children, and those with eighteen-month sentences or longer ordinarily lose custody, according to Pope. Aldave said:



Barbara Aldave

“A group of students will be working with Carole and me to develop form books and other aids to help the women to protect their interests when custody proceedings are pending. At the same time, some students have been assisting me in the preparation of a clemency petition for a woman who was convicted of murder in Iowa but is serving her life sentence at Coffee Creek. We envision a variety of other kinds of services we might be able to perform for women prisoners, and I have just formed a nonprofit corporation—The Portia Project—to serve as the vehicle through which we will work.”

Aldave is the Loran L Stewart Professor of Business Law. She is spending the fall semester as a visiting professor at Cornell Law School in Ithaca, New York.

## Constitutions— America’s #1 Export

**GARRETT EPPS**

In an *American Prospect* review last December of Cass R. Sunstein’s *Designing Democracy: What Constitutions Do*, Associate Professor **Garrett Epps** commented:

“Since the collapse of the Soviet Union, consti-

**“Since the collapse of the Soviet Union, constitutions have been a major American export.... [M]any top-ten law professors have a draft document for Klopstockia or Zembla tucked away on their hard drives, just in case.”** —GARRETT EPPS

tutions have been a major American export. ... many top-ten law professors have a draft document for Klopstockia or Zembla tucked away on their

hard drives, just in case.

“... [O]ur constitution is now the oldest operative written charter in the world. But its survival has not been a triumph of design. ... The structure failed once in tragic fashion, leading to civil war; it continues to generate farcical failures such as the recent presidential impeachment effort and the banana republic struggle over electoral votes in Florida.

“Strikingly, America’s most enduring contribution to constitutionalism—the practice of judicial review of laws to ensure conformity with the Constitution—is not clearly provided for in the document itself... .

“Maybe we Americans don’t really know what we’re doing, but we’ve been doing it a long time and perhaps can point out mistakes as well as make suggestions.”

## Permanent Foreigners

**STEVE BENDER**

Last May, the law school sponsored the seventh annual LatCrit Conference in Portland and Eugene, organized by Associate Professor **Steve Bender**. Latina and Latino Critical Race Theory is a relatively new development in legal studies that looks at the experience of justice and the law through the lens of race, race relations, ethnicity, and gender.

In the U.S., people usually think of race in terms of black and white. LatCrit addresses such issues as the English-only movement, immigration discrimination, and the idea of Asians and Hispanics as permanent foreigners in the context of the law. The LatCrit movement began with a small group of law professors at the 1995 Hispanic National Bar Association conference in Puerto Rico and now involves nearly 100 legal scholars from all over the world.

In addition to Bender, faculty members **Rennard Strickland**, **Margie Paris**, **Ibrahim Gassama**, **Nancy Shurtz**, **Keith Aoki**, and **Barbara Aldave**, with visiting professors **Martha Ertman** and **Beto Juarez**, presented their work on Latina and Latino legal issues at the conference. Aoki’s forthcoming article, “One Hundred Light Years of Solitude,” in *Rutgers Law Review* contributes toward LatCrit theory.

## The Question of Consensuality

**CARL BJERRE**

**Carl Bjerre**, associate professor of commercial law, published an article in a symposium issue of the *Duke Journal of Comparative and International Law* devoted to international securitization and struc-



tured finance. Bjerre's article contrasts the issues involved in international project finance transactions with those involved in securitization transactions, and uses the work of Cambridge scholar Amartya Sen to raise difficult questions about the consensuality of the transactions. Sen won the 1998 Nobel Prize for economics for his work on the economic mechanisms underlying famines and poverty.

Bjerre also presented two talks this summer—one of them, given in Vancouver, B.C., concerned the nature of definitions used by drafters of statutes and contracts, and the other, given in Amsterdam, concerned the metaphors with which the law conceptualizes capacity to contract.

## A Passage to India

**JOHN BONINE AND SVITLANA KRAVCHENKO**

Environmental law professor **John Bonine** and Visiting Professor **Svitlana Kravchenko** traveled to India last February to visit various environmental lawyers, including M.C. Mehta of Delhi, "perhaps the world's most successful public interest environmental lawyer," Bonine wrote.

"M.C. has long believed in educating as well as litigating, from his early 'green walks' through Indian villages to the new 'eco-ashram' in the foothills of the Himalayas, where meditation is combined with hardheaded discussions and mutual enlightenment about what is needed to turn India away from environmental destruction and degradation."

Bonine and Kravchenko drove with Mehta from Delhi to the ashram, where "M.C. warned that previous visiting lawyers had seen a leopard and that we should be cautious.

"In the afternoon, M.C. took us to the town of Rishikesh, where the Ganga River emerges from the Himalayas onto the plains. A long running case, filed under original jurisdiction in the Supreme Court of India, demands cleanup plans from every industry and municipality along the river. The Court has issued dozens of orders, and kept a tight watch on progress.

"We must make environmental consciousness a part of our religious beliefs,"

said M.C. "The Ganga is at the center of our religion. What could be worse than defiling Mother Ganga by throwing pollution into her currents?"

"This is a philosophy that M.C. Mehta has carried into the courtrooms of India, with significant successes. Now he also asks others to consider it in the more contemplative atmosphere of his new eco-ashram. This mixture of approaches may hold lessons for those of us involved in the normal education treadmill of American academia."

## "People Will Not Die Quietly"

**IBRAHIM GASSAMA**

Last summer, international law associate professor **Ibrahim Gassama** visited his birthplace in Sierra Leone for the first time in twenty-seven years. Sierra Leone is one of the poorest countries in the world—90 percent of the citizenry lives on less than a dollar a day.



John Bonine and Svitlana Kravchenko visit Hendricks Park near the UO

Gassama said, "There is no law—it is who you know." Only 250 lawyers practice in the entire country, and no one outside of Freetown has access to a judge. Civil law exists on the edges of traditional law and, in some places, Islamic law. Gassama said the country's Western, British-based common law is "frozen in time. The last law passed in

1965 was itself based on nineteenth century English law."

"What shocked me was the number of people selling things—everyplace is a marketplace. But you quickly notice there are very few buyers. As you tour the country, you realize there are even fewer producers. There is no government, and the only business is international relief."

The situation is not sustainable, Gassama said. "People will not die quietly."

Gassama's casebook on international human rights law will be published soon.

## Reconsidering Welfare Reform

**MARGARET HALLOCK**

Did the end of welfare as we know it lift families out of poverty? Or did it merely hide poverty from view? Wayne Morse Center director **Margaret Hallock**, UO professors Joan Acker and Sandra Morgen, and sociologist Frances Fox Piven have been working on those questions, editing papers from a 2000 conference on Oregon's welfare reform policies. Their new book, *Work, Welfare, and Politics: Confronting Poverty in the Wake of Welfare Reform*, was published by the University of Oregon Press this year. The editors said:

"Proponents of welfare reform talked as if the American economy would expand forever, as if the prospect of a recession would never cast a shadow on their proposals to cut entitlements for the poor. Now the recession may be derailing the much ballyhooed 'success' of welfare reform, making the questions raised in the book all the more urgent."

For a list of the table of contents, check the Morse Center's website, [www.morsechair.uoregon.edu/toc.shtml](http://www.morsechair.uoregon.edu/toc.shtml). To purchase a copy, call (541) 346-5885, or buy it online at <https://millrace.uoregon.edu/uopress>.

## Oysters and the N.A.S

**RICHARD HILDRETH**

Native oysters play a key role in Chesapeake Bay's environmental and economic health—

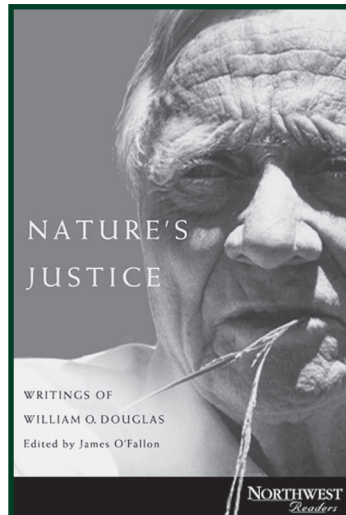
and the non-native Asian oyster could threaten both. Professor **Richard Hildreth**, Ocean and Coastal Law Center director, has been selected as member of a National Academy of Sciences committee to study the effects of introduced species on the bay ecology.

Hildreth, one of two Pacific Northwesterners on the committee, is the only legal expert in an international group that includes marine scientists, aqua culture researchers, and economists. Affected states and the federal government agree that aggressive native oyster restoration is a high priority for the Chesapeake Bay, but the Asian oyster grows faster and is more disease resistant. Over the next nine months, the eleven-member committee will look at how the introduced species could affect bay water quality, habitat, and the health of people and native plants and animals.

## Nature's Justice

JIM O'FALLON

Supreme Court Justice William O. Douglas, who grew up near Yakima in eastern Washington and served thirty-six years on the high court, was a prolific writer on and off the bench. His work was as much concerned with nature as with law. Frank Nash Professor of Law and Associate Dean **Jim O'Fallon's** book, *Nature's Justice*, includes Douglas's essays, opinions, and observations on all possible subjects, but it begins and ends with passages about his outdoor experiences.



In a book review in *OnEarth* (formerly *Amicus Journal*), reviewer Frederick Schwarz Jr. said, "In one of his many thoughtful

comments throughout the book, editor James O'Fallon writes that Douglas's depictions of wilderness have 'little of explicit campaigning for conservation and preservation values ... yet the stories he tells are probably the most compelling argument for protecting the ever-shrinking wilderness.' In Douglas's writing, whether the subject is law, philosophy, history, or religion—all favorite topics—his reverence for nature rises to the surface."

*Nature's Justice: The Writings of William O. Douglas* is part of the Northwest Readers Series and is available from Oregon State University Press online, <http://www.orst.edu/dept/press/NatJust.html>.

## The Florida Connection

SUZANNE ROWE

Assistant Professor **Suzanne Rowe**, who came to the UO from Florida State University, spent most of last summer preparing for publication the second edition of her book. Rowe and Barbara J. Busharis are coauthors of *Florida Legal Research: Sources, Process, and Analysis*. The book is popular with legislative aides and has already been adopted by a number of Florida schools.

In a review of the first edition, Vice Dean Darby Dickerson of Stetson University College of Law said, "I would like to hand the book to every law student who is about to start a summer clerking job in Florida and to every recent graduate about to complete his or her first research project for a Florida employer... [T]he book provides excellent reminders of important research pointers and also gives practical advice that young attorneys should find valuable."

Rowe, director of the law school's legal research and writing program, is working on a book about Oregon legal research that will be out next year.

## Understanding Conflict

JANE GORDON

Associate Dean **Jane Gordon**, who directs the law school's Appropriate Dispute Resolution Program, received a UO Williams Award last year to develop a new undergraduate class on conflict resolution. In her proposal, Gordon said, "Too often students learn the reasons why disputes and violence occur, but they are rarely taught specific skills for lessening conflict, either in their own lives or the lives of others." The UO students in her successful spring 2002 class learned about the origins of conflict, their own responses to conflict, and how to use conflict to generate positive choices where none seem possible.

The Tom and Carol Williams Fund for Undergraduate Education supports professors who develop better and more effective ways of learning.

## UO Trustees, Take Note

SUSAN GARY

Associate Professor **Susan Gary** could affect the investment options of the University of Oregon. She is drafting legislation for a new version of the Uniform Management of Institutional Funds Act in her role as UMIFA reporter. UMIFA rules guide investment decision-making for universities and large

charitable institutions (like us!).

Gary also cochairs the Oregon Study Committee of the Uniform Trust Code. The UTC is the most comprehensive trust and estate legislation developed by the National Conference of Commissioners on Uniform State Laws since 1969, when the Uniform Probate Code was approved. Oregon, like most states, has relatively few statutes governing trusts, and case law is often scarce. Enacting the UTC would specify rules on trust law with precision and in a readily available source.

This year, Gary was elected an Academic Fellow of the American College of Trust and Estate Counsel (ACTEC). Fellows are nominated and elected by their peers on the basis of professional reputation and ability in the fields of trusts and estates, and on having made substantial contributions to these fields through lecturing, writing, teaching, and bar activities. ACTEC has a membership of about 2,700 United States lawyers. To find out more about ACTEC projects and publications, visit their website, <http://www.actec.org/>.

## When Laws Collide

**JUDD SNEIRSON**

Business law visiting professor **Judd Sneirson** understated that he looks forward to teaching this year, "as the field of business law has been very eventful lately." His article, "Merger Agreements, Termination Fees, and the Contract-Corporate Tension," will appear in the *Columbia Business Law Review* this fall. He says:

"Termination fees in merger agreements—provisions that implicate both contract and corporate law—present an important but underexplored conflict between the two bodies of law, namely ... when honoring contract rights would sanction a breach of fiduciary duty. Courts have taken wildly varying approaches to resolv[e] this tension, but after little analysis and without fully considering the implications. I develop and critique these alternatives and suggest, I be-

lieve, a novel approach that best reconciles contract and corporate law, best serves both disciplines, concerns, and improves upon the approach that prevails in corporate law today."

## Civil Rights and Family Violence

**MERLE WEINER**

For almost fifteen years, *DeShaney v. Winnebago County Department of Social Services* has been taught to countless law students. The case involves a tragic incident in which four-year-old Joshua DeShaney was brutally abused by his father, and the Wisconsin social services agency failed to protect him. The case reveals that the due process clause of the Fourteenth Amendment imposes no obligation on government to act; thus, a civil rights claim was not possible for Joshua.

Associate Professor **Merle Weiner** was awarded

a Wayne Morse Center Vision Grant this year to further explore the lessons of this case. She will research the role of adult-on-adult domestic violence in Joshua's life, including the violence that Joshua's father probably committed against Joshua's mother, his second wife, and his girlfriend. Weiner seeks to delve deeper into the failures in the justice system, focusing specifically on the relationship between domestic violence and child abuse.

On a related subject affecting women and children, Weiner wrote an article in the spring 2002 *Columbia Human Rights Law Review* that a "groundswell of federal cases interpreting the Hague Convention on the Civil Aspects of International Child Abduction is producing some significant doctrinal changes in the United States's Hague Convention jurispru-

dence.

"Many of these cases involve a domestic violence victim who flees across borders with her children to escape her abuser. The convention was not drafted with this fact pattern in mind, and often works unjustly in these cases. In some recent decisions, courts have adopted novel legal interpretations in an effort to avoid applying the convention to these abductors.

Weiner says her "article focuses on two recent cases before the Second Circuit," and "proposes a particular framework of analysis for courts in order to provide greater legitimacy for novel results."

For more information, telephone Merle Weiner, (541) 346-3857.

## The Celtic Knot

**MARY LAWRENCE**

Pioneer legal writing professor **Mary Lawrence** is still actively involved in law school programs. Her most recent project was a September continuing legal education class on electronic litigation. She retired in 2000 from the directorship of the law school's legal writing program, where, under her leadership, Oregon became one of the first law schools in the country to hire full time law graduates to teach the subject.

Lawrence's Scottish heritage became the theme of a tribute given by Linda H. Edwards of the Legal Writing Institute a year ago. Edwards said of Lawrence:

"Scotland's Celtic tradition teaches us that each of us needs an *anam cara*—a soul friend. You have been an *anam cara* for so many legal writing teachers through the years—for your fellow early pioneers ... and for those of us who came later. [You embody] the wisdom of the Celtic knot that has no

beginning and no end. You have been an *anam cara* for a whole discipline."

The Jaqua Law Library carries all of the faculty publications mentioned here. See the newest articles and books in the display case at the library entrance. <http://lawlibrary.uoregon.edu>.



Susan Gary



Merle Weiner

# DEVELOPMENT

## University of Oregon School of Law Class Agents 2001-2

1940  
William Lubersky  
1941-46  
*open*  
1947  
Norman J. Wiener  
1948  
Al Gray  
1949  
Oglesby Young  
1950  
John Gilbertson  
1951  
Vernon D. Gleaves  
1952  
Patricia Braun  
1953  
*open*  
1954  
W. V. Deatherage  
1955  
James R. Moore  
1956  
Roger H. Reid  
1957  
Herb Lombard  
1958  
David J. Krieger  
1959  
Bobby Bouneff  
1960  
Richard W. Butler  
1961  
James Larpenteur  
1962  
*open*  
1963  
Bruce Samson  
1964  
Walter Grebe  
1965  
William G. Carter  
1966  
Les Swanson  
1967  
Jim Strickland  
1968  
*open*  
1969  
Bruce Brothers  
1970  
Phil Hanson  
1971  
*open*

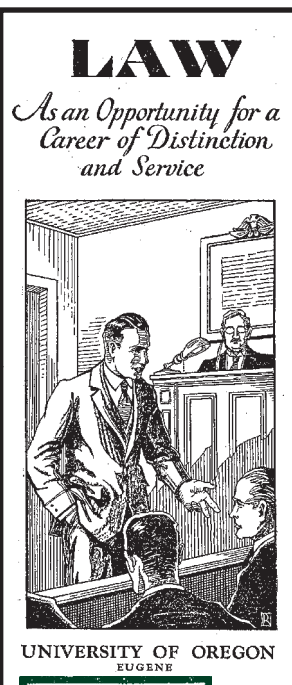
## Thank You, Class Agents

*Private giving preserves the great things you remember about law school*



Times have changed. Our law school depends on private support for the programs you enjoyed during the days of low tuition and public funding. We rely on the dean's fund for \$125,000 of unrestricted money each year—the *only* discretionary money in the law school's \$12 million budget.

To raise this money, class agents have contributed hundreds of volunteer hours over as many as fifteen years. Ten percent of you have responded to their efforts—now we must ask the rest of you to support your school. Please give generously when you receive that letter in the mail. And thank you, class agents—as the beguiling spider in *Charlotte's Web* said, each of you combines the rare qualities of being “a true friend and a good writer.”



### Giving Something Back

“...I'm not going to bore you with the arguments about why we should give something [back] to the law school that educated us. The best one I can think of is that we got a very inexpensive education which provided us with a ticket to earn a living, unlike the current crop of student who have to borrow greatly in order to get the same ticket...”

**David J. Krieger**, Class of 1958  
Davis, Wright, Tremaine, Portland

### Not a Seven-Percent Solution

“...In the last two years, our class percentage participation has not exceeded 7 percent, nor have our total gifts exceeded \$500. Those numbers seem awfully low, don't they? I mean, this is the school that launched most of us into real careers.”

**John M. Sharp**, Class of 1999

### Child's Play

“Even in these difficult times, there are many things to be thankful for.... [T]he UO law school is one of them. My son Eamon, who attended my law school graduation ceremonies as an infant, is off to college. How has this happened?”

**Scott McCleery**, Class of 1984  
Doyle, Gartland, Nelson, McCleery & Wade, Eugene

### Setting An Example

“...[W]e've been lawyers for more than thirty-six years now and are considered 'senior' members of the bar. In part, that means we need to set an example for younger lawyers in supporting the institutions that are important to us.”

**Bill Carter**, Class of 1965  
William G. Carter Law Offices, Medford



- 1972  
**Jim Pickett**
- 1973  
*open*
- 1974  
**David Culpepper**
- 1975  
**Grethe A. Larson and James D. Mullins**
- 1976  
*open*
- 1977  
**Jeffrey Pridgeon and John Van Landingham**
- 1978  
*open*
- 1979  
*open*
- 1980  
**Helen Rives Pruitt**
- 1981  
*open*
- 1982  
*open*
- 1983  
**Mike Fennell**
- 1984  
**Scott McCleery**
- 1985  
**Jim Egan**
- 1986  
**Steve Larson**
- 1987  
**Mike Chambers**
- 1988  
**Ed Gerdes**
- 1989  
**Jim Dole**
- 1990  
**Matt Kehoe**
- 1991  
*open*
- 1992  
**Darien Loiselle**
- 1993  
*open*
- 1994  
**Carson Bowler**
- 1995  
*open*
- 1996  
**Patrick Melendy and Sean Kelly**
- 1997  
*open*
- 1998  
**Cheryl Rath**
- 1999  
**Joel Corcoran**
- 2000  
**Janice Mackey**
- 2001  
**Sara Petersen**

**Good Enough for Phil**

"Phil Knight is back contributing to the UO. How about you?"

**Steve Larson**, Class of 1968

Stoll, Stoll, Berne, Lokting & Shlachter, Portland

**Where It All Goes**

"As Jim Harrang and I have advised you in earlier years, the dean's fund [supports] student and financial aid programs, the law library, *Oregon Law Review*, moot court, and *Oregon Lawyer*..."

**Vern Gleaves**, Class of 1951

Gleaves, Swearingen, Potter & Scott, Eugene

**Class of 1999, Take Note**

"The class of '40 hit 100 percent again last year—the only class to do so.... The law school continues to improve its national ranking, and alumni support is most helpful in that process."

**Bill Lubersky**, Class of 1940

Lane, Powell, Spears, Lubersky, Portland

**Last of the Mohicans**

"As one of the last of the Mohicans, I have been designated as class agent. My job is to make sure that we as survivors contribute to show class solidarity."

**Norman Wiener**, Class of 1947

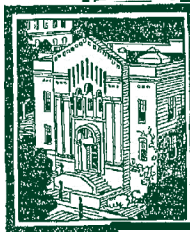
Miller Nash, Portland

**Your Donations at Work**

"...[I]t is special to give something back to places that have helped us. The new [law school] facility shows what our law school, with our help, is capable of doing."

**W. V. Deatherage**, Class of 1954

Frohmayer, Deatherage, Pratt, Jamieson, Clarke & Moore, Medford



# ALUMNI

## Alumni Association Board

Advocates for  
Oregon's public law school

President

**The Hon. Doug Mitchell '83**  
Lane County Circuit Court Judge  
Eugene, Oregon

Vice President and Secretary

**Heather Decker '96**  
Attorney at Law  
Portland, Oregon

Treasurer

**The Hon. Thomas Hart '86**  
Marion County Circuit Court Judge  
Salem, Oregon

Past President

**Cynthia Fraser '87**  
Oregon Department of Transportation  
Portland, Oregon

### Members

**Jane Aiken '78**  
Attorney at Law  
Salem, Oregon

**Emilio Bandiero '90**  
Attorney at Law  
Eugene, Oregon

**Danette Bloomer '95**  
Judicial Clerk to U.S. District Court  
Judge Ann Aiken  
Eugene, Oregon

**James Dole '89**  
Schultz, Salisbury, Cauble, Versteeg &  
Dole  
Grants Pass, Oregon

**Jim Egan '85**  
Kryger, Alexander, Egan & Elmer  
Albany, Oregon

**Michael Fennell '83**  
Trail Blazers Inc.  
Portland, Oregon

**Kurt Hansen '84**  
Schwabe, Williamson & Wyatt  
Portland, Oregon

**Mustafa Kasubhai '96**  
Attorney at Law  
Eugene, Oregon

**Kevin Keillor '87**  
Edge Wireless  
Bend, Oregon

**Richard Meeker '74**  
Willamette Week  
Portland, Oregon

**Karen O'Connor '95**  
Barran Liebman LLP  
Portland, Oregon

**Lynne Rennick '97**  
Oregon Department of Justice  
Salem, Oregon

**Jon Stride '90**  
Tonkon Torp LLP  
Portland, Oregon

**Jim Treadwell '69**  
Karr, Tuttle, Campbell  
Seattle, Washington

## The 'Forties

**Jeannette Hayner '42** and **Herman "Dutch" Hayner '46** of Walla Walla, Washington, received an award of appreciation from the Washington State Bar Association (WSBA) for their legislative work on behalf of the organization. Dutch Hayner has served the Washington bar for fifty years. He served as president of the Walla Walla County Bar Association in 1954, and was appointed to the WSBA Legislative Committee in 1979, where he has been instrumental in shaping the WSBA's legislative agenda.

Jeannette Hayner has long been recognized for her leadership in securing state funding for legal services. She represented the 16th District in both the state House and Senate from 1977 until her retirement in 1992. As senate majority leader in 1992, she helped create a mechanism to provide state funding for civil legal services. She received the UO School of Law's Meritorious Service Award in 1993.

## The 'Sixties

### 1964

**Hardy Myers '64**, Oregon attorney general, was named Governmental Lawyer of the Year by the Marion County Bar Association.

### 1966

**Lyle Velure '66**, with **Ann Aiken '79**, was a featured speaker at the seventh annual Conference on Employment Practices Liability Insurance in New York City on January 31 and February 1, 2002. This marks the second time they have been speakers at the conference. They gave a joint presentation titled "The State and Federal Judiciary Join Forces on the Fast Track: A New Direction in Mediation and Settlement Conferences."

### 1967

**Stephen Hutchinson '67** was elected president-elect of the Eugene Southtowne Rotary Club. He is

senior partner in the Eugene law firm of Hutchinson, Cox, Coons & DuPriest.

**Kenneth Stephens '67** was appointed chair of the managing board for the Portland law firm of Tonkon Torp. A founding partner of the firm, he specializes in corporate and securities matters including the financial services industry.

### 1969

**Victor Pagel '69**, along with his sixteen-year-old Appaloosa horse, "Nick," was the 2001 President's Choice for Horse Ambassador. The award, given by the Oregon Dressage Society, was in appreciation of the pair's contributions to the promotion of dressage in Oregon. Pagel is with the Salem law firm of MacDonald, Jensen, Pagel & Jones.

## The 'Seventies

### 1971

**Peter Richter '71** was elected president of the Multnomah Athletic Club, an athletic facility in Portland that includes 20,000 members. Richter is with the Portland law firm of Miller Nash L.L.P., and is a member of the

American Board of Trial Advocates. *The National Law Journal* named him one of Oregon's ten best litigators.

### 1972

Named partners **Andy Jordan '72** and **Chuck Schrader '77** celebrated the fortieth anniversary of their Portland firm, Jordan Schrader P.C., this fall. **John Baker '86** is also a shareholder. Founded as Myatt & Bolliger, the fifty-five-member firm became Bolliger, Hampton & Tarlow in 1975 and Jordan Schrader in 2001. The firm has trademarked the name "dirt law" for its real estate, environmental, land use, and construction practice.

### 1974

**Robert Ford '74**, along with two other local attorneys, has formed a new law firm in Eugene, Kurtz, Ford & Johnson L.L.P. The firm will emphasize the representation of clients involved in civil litigation in state and federal courts.

### 1976

**Scott Palmer '76** has joined the Eugene law firm of Watkinson Laird Rubenstein Lashway & Baldwin as a shareholder. His practice will focus on commercial and bankruptcy litigation, creditors' rights, foreclosure, and commercial law. Palmer was formerly with the Eugene firm of Muhlheim Palmer & Wade.

**Bill Sharp '76** received Germany's Friendship Award from the Consul of the Federal Republic of Germany for his work in bringing German visitors, students, and athletes to the Eugene area over the past twenty-five years, and for hiring German interns for his firm. He is a partner with the Eugene firm of Morrow, Monks & Sharp.

1977

**Howard Lankford '77** was appointed by the city of Eugene as an auditor to review police internal affairs investigations. He is a Portland-based attorney specializing in labor relations and employment mediation.

**Claudette McWilliams '77** received a 2001 President's Membership Service Award from the Oregon State Bar. She is an administrative law judge for the Workers' Compensation Board.

1978

**Ronald Atwood '78** had a very busy summer in 2001. In addition to climbing Mt.

Kilimanjaro (all 19,341 feet of it!) in Tanzania in August 2001, he also passed the Montana Bar Examination and was admitted to practice in that state.

**John Cowden '78** was named managing partner of the San Francisco office of Kaye, Rose & Maltzman, an admiralty and maritime litigation firm that represents cruise line and passenger vessel operators. His practice will concentrate on multistate litigation of marine casualties, oil spills, personal injuries, and marine-based commercial matters. Cowden was formerly an owner and managing director of the Portland firm of Garvey, Schubert & Barer.

**Robert Gebhardt '78** was appointed an assistant attorney general in the business transactions section of the general counsel division of the Oregon Department of Justice. He previously practiced with a private firm in Eugene and as corporate counsel for U.S. Bank in Portland.

**William Potter '78** is now a shareholder in the Eugene law firm of Arnold Gallagher Saydack Percell Roberts & Potter P.C., where he will continue to specialize in business transactions, organizations, and planning, with a focus on serving closely held family organizations. He was formerly with Hershner Hunter Andrews Neill & Smith in Eugene.

1979

**Ann Aiken '79**, with **Lyle Velure '66**, was a featured speaker at the seventh annual Conference on Employment Practices Liability Insurance in New York City on January 31 and February 1, 2002. This marks the second time they have been speakers at the conference. They gave a joint presentation titled "The State and Federal Judiciary Join Forces on the Fast Track: A New Direction in Mediation and Settlement Conferences."

**Kelly Hagen '79** was elected to the board of directors of the Multnomah Bar Association.



## Multiple Sentences

*Words of a Relatively Recent Graduate*

By Heather Decker '96

### Ducks in Beaverland?

As part of its 125<sup>th</sup> anniversary celebration this spring, the University of Oregon displayed a collection of historical materials at the Oregon History Center in downtown Portland's South Park blocks. Am I the only Duck who noticed that the exhibit was located in . . . *Beaver Hall*?

### Speaking of Huskies . . .

The alumni board has yet to figure out why the law school has its own signature colors of—*gasp!*—purple and gold. Leave it to long-time UO law professor and new dean **Laird Kirkpatrick** to get it right. Recently Dean Kirkpatrick unveiled this year's law school catalog, with an appropriately emerald green and gold cover (not quite yellow, but it will do.) If you'd like a copy of your own, e-mail your request to [info@law.uoregon.edu](mailto:info@law.uoregon.edu).

### New Dean, New Column

As you may have guessed, this column is a new feature in *Oregon Lawyer*. It is intended to give an *ex officio* look at our alumni from my '96 bar number point of view, which is from the ground looking up.

In my short career, I have learned that one's class rank,

résumé, and trial experience matter less than the contribution one makes to the community. For all the grief we lawyers take, we fulfill a very important role in the civil and criminal justice system. We also serve others—over 50 percent of UO law alumni spend some portion of their careers in public service.

### UO Makes Excellent Lawyers

The contributions and successes of our alumni are no accident. The faculty—including the new dean—works hard to make excellent lawyers out of a diverse student body. As a third-year student in Dean Kirkpatrick's evidence class, I appreciated his gentle and graceful way with students, even when we gave a patently stupid answer to an easy question. His generosity of spirit and intellect are what made Laird Kirkpatrick one of our most beloved professors, and what will make him one of the law school's best deans.

*Heather Decker graduated in 1996 and serves as vice president and secretary of the law school alumni association's board of directors. She is a self-employed contract litigation attorney living in Portland, Oregon with her son Joey and husband Buff. Her column will appear regularly in Oregon Lawyer.*

She is with the Portland law firm of Schwabe Williamson & Wyatt.

**Wendell Kusnerus '79** joined the Portland law firm of Davis Wright Tremaine, where his practice will focus on bankruptcies and workouts, commercial transactions, and civil litigation. Prior to joining the firm, he spent seventeen years in the legal department at U.S. Bancorp in Portland.

**John McGuigan '79** was reappointed chair of the business practice group for the Portland law firm of Black Helterline.

**David Thornburgh '79** was named executive director of the Oregon Law Center. He has been an attorney with Oregon Legal Services since 1988.

## The 'Eighties

1980

**Michael Garone '80** is now a shareholder in the Portland firm of Schwabe Williamson & Wyatt. He practices in the firm's employment law practice group. Garone will serve as of counsel to the firm's patent and trademark practice group.

**Paul Hribernick '80** received the 2000 Art Heizenrader Award from the Oregon Concrete and Aggregate Producers Association for his outstanding service in the industry. In addition, he participated as a faculty member in the 2002 Northwest Regional Immigration Conference in Seattle. Hribernick is with the Portland law firm of Black Helterline, where he serves as chair of the firm's immigration practice.

**Suzanne Townsend '80** was elected president-elect of the National Native American Bar Association at their annual meeting in Albuquerque, New Mexico. She began her term as president on April 5, 2002. Townsend is an attorney with Cascade Alternative Resolution Services in West Linn, Oregon.

**Robert Van Brocklin '80** was elected to the board of directors and the board's executive committee of the Portland Metropolitan

Chamber of Commerce. He was also named counsel of the chamber's board of directors. He previously served on the legislative staff of U.S. Senator Bob Packwood, on the professional staff of the Senate Committee on Commerce, Science, and Transportation, and as director of government affairs for the city of Portland. He has been with the Portland law firm of Stoel Rives for fifteen years.

1981

**Rob Guarrasi '81** and his fourteen-year-old daughter, Ashley, spent spring break in the rain forest of Belize in conjunction with the

**Doug Mitchell '83** was elected president of the board of directors of the University of Oregon Law School Alumni Association. He is a circuit court judge for Lane County in Eugene.

**Carolyn Wade '83** has joined the Eugene law firm of Hershner Hunter as of counsel. She will continue her practice in creditors' and debtors' bankruptcy law. She was previously with the Eugene firm of Muhlheim Palmer & Wade. In addition, Wade was recently elected president of the Lane County Bar Association.



UO School of Law Class of 1970

1984

**Laura Rackner '84** was elected president of the Oregon Academy of Family Practitioners for 2002. She is a partner in the Portland law firm of Stahancyk, Gearing, Rackner & Kent.

1985

**Jeffrey Beaver '85** was elected a shareholder in the Seattle firm of Graham & Dunn. His practice focuses on financial services, condemnation, and commercial litigation. He reports that he

environmental organization Target Earth. They helped build a two-room schoolhouse for the Mayan Indian children of the village of Armenia.

1982

**David Bartz '82** was elected president of the Portland law firm of Schwabe Williamson & Wyatt. He joined the firm in 1982 and focuses his practice on the litigation of environmental and construction issues. He is chair of the firm's natural resources, energy, and environmental practice group.

1983

**James Edmunson '83** is a shareholder in the Eugene-based law firm of Cary, Wing, Bloom & Edmunson. His practice will emphasize workers' compensation and social security disability, and he will also manage the firm's regional office in Roseburg. Formerly a four-term member in the Oregon House of Representatives, he is now serving as chair of the Democratic Party of Oregon.

has successfully tried numerous multimillion-dollar cases, including condemnation matters, claims arising from reconstruction and construction issues, breach of contract, and UCC claims. He is known for his participation in the landmark Hirabayashi coram nobis defense team.

**Dennis Gerl '85** was elected chair of the executive committee of the products liability section of the Oregon State Bar. The committee is responsible for organizing and presenting educational material to attorneys who practice in the field of product liability. He is with the Eugene firm of Johnson, Clifton, Larson & Corson P.C.

**Donald Johnson '85** and two local attorneys have formed a new law firm in Eugene. The law firm of Kurtz, Ford & Johnson L.L.P. will emphasize the representation of clients involved in civil litigation in state and federal courts.



1986

Portland firm Jordan Schrader P.C. celebrated its fortieth anniversary this fall. Named partners Andy Jordan '72 and Chuck Schrader '77 are UO law alumni. **John Baker '86** is also a shareholder. Founded as Myatt & Bolliger, the 55-member firm became Bolliger, Hampton & Tarlow in 1975 and Jordan Schrader in 2001. The firm has trademarked the name "dirt law" for its real estate, environmental, land use, and construction practice.

**Nancy Dahl '86** of La Jolla, California, has joined ActivX Biosciences Inc. as vice president and general counsel. The biotechnology company designs and synthesizes chemical probes and focuses on activity-based proteomics. Most recently, she served as vice president and general counsel of Amylin Pharmaceuticals Inc. Previously, Dahl was in private practice with the San Francisco firm of Brobeck, Phleger & Harrison.

**Chuck Levin '86**, formerly a staff attorney at Headwaters Inc. and Oregon Advocacy Center, has become a land protection specialist with the Mount Grace Land Conservation Trust, based in Athol, Massachusetts.

**Lorenzo Mejia '86** was appointed judge of the Jackson County Circuit Court. He has been a long-time senior attorney and administrator with the Southern Oregon Public Defenders Office in Medford. He is married to **Cristina Sanz '88**, a sole practitioner in Medford.

1987

**Bert Krages III '87** has written *Legal Handbook for Photographers: The Rights and Liabilities of Making Images*, published by Amherst Media. His first book, *Total Environmental Compliance: A Practical Guide for Environmental Professionals*, was published by Lewis Publishers in 2000.

**John Shickich '87** was promoted to senior vice president and general counsel at Taco Time International Inc. He will oversee the international and domestic franchise sales and development departments and the law department.

1988

**Michael Merchant '88** was appointed chair of the litigation practice group for his Portland law firm of Black Helterline.

**Deborah Napier '88** reports that she is happily back in government relations in Washington, D.C., with the Motorcycle Industry Council. As a former motocross racer, her life has come full circle. After law school and the private practice of law, she's pleased to have motorcycling to "fall back on." She has two boys who will be entering first and fourth grades this year. She will be at the American Trails Symposium in Orlando in November when this issue is published, and she hopes to see fellow alumni there (<http://www.americantrails.org/02symposium/index.html>.) Her thoughts are with everyone experiencing the severe drought and wild-

fires: "God bless the firefighters and their families."

1989

**Scott Strahm '89** has formed a new law firm in Camas, Washington. The firm, Hagensen & Strahm P.C., will focus on wills, trusts and probate, real estate, and business formation and consulting.

## The 'Nineties

1990

**Stephan Brady '90** was appointed an assistant attorney general with the human services section of the general counsel division of the Oregon Department of Justice. He was previously in private practice in Alaska before joining the Yamhill County District Attorney's Office.

**Dan Field '90** is the director of regulatory and compliance services at Kaiser Permanente in Portland. He will manage the health care organization's legal and regulatory functions, including health plan compliance matters in Oregon and Washington. Previously, he was vice president of legal

## Vern Gleaves

### *A Half Century of Oregon Law*

Fifty years after he began practicing in Oregon, Eugene's **Vernon D. Gleaves '51** is one of the state's most revered attorneys. Law students will recognize his name above the doors of Room 110, one of the Knight Law Center's large lecture halls.

Gleaves is "the epitome of a business lawyer in service to his community and state," said Judge **David V. Brewer '77** of the Oregon Court of Appeals. "He represents everything that is right about who we are and, especially, who we aspire to be."

Last November, the Eugene lawyer received the Oregon State Bar's highest honor, the Award of Merit. The award recognizes outstanding contributions to the bar, bench, and community by individuals who exhibit the highest standards of professionalism.

Gleaves said, "I like to be involved. I've always been proud to be a lawyer, and always felt we owed a duty to try to improve the profession. That has been my primary motivation."

In the past decade, Gleaves has been best known for his work on the Oregon Judicial Department—Oregon State Bar Joint Committee on Trial Court Judicial Resources, which, since he began chairing it in 1994, has commonly been called the Gleaves Committee. The committee develops recommendations on how many new judgeships are needed around the state.

Born in Iowa, Gleaves and his family moved to the Beaver State when he was ten. During a stint in the Navy, Gleaves met an officer who was a lawyer in Chicago, and he traces that event to his own decision to pursue the law. A "double duck," he earned both his bachelor's and law degrees from the University of Oregon. Gleaves retired in 2000 from the Eugene firm he founded, Gleaves, Swearingen, Larson, Potter, Scott & Smith.

*From an article by Cliff Collins, first printed in a longer version in the Oregon State Bar Bulletin, November 2001.*



William Wheatley Faculty Library

and regulatory affairs at Myhealthbank in Portland and served as vice president and general counsel of the Oregon Association of Hospitals and Health Systems.

**Janice Hatton '90** has been named a shareholder with the Springfield law firm of Thorp, Purdy, Jewett, Urness & Wilkinson. Her practice focuses on estate planning and elder law.

**Christopher Larsen '90** has opened his own law practice in Portland, emphasizing personal injury and criminal defense. He was previously associated with the Portland firm of Swanson, Thomas & Coon.

**William Sherlock '90** was named a shareholder in the Eugene law firm of Hutchinson, Cox, Coons, DuPriest, Orr & Sherlock, P.C. He has served as of counsel for the firm for three years. His practice emphasizes civil litigation, contract law, land use law, and environmental law, as well as providing mediation focusing on contractual government and real estate disputes.

**Jon Stride '90**, a partner in the Portland law firm of Tonkon Torp, has been elected to a three-year term on the firm's managing board. He specializes in commercial litigation and intellectual property litigation.

#### 1991

**Sheryl (Hansen) Balthrop '91** has had a busy year. In addition to getting married, she became a shareholder in the Eugene law firm now known as Gaydos, Churnside & Balthrop P.C.

**Christopher D.W. Young '91**, deputy attorney general for the state of Hawaii, is working in the financial investigations unit in Honolulu.

#### 1992

**Steven Briggs '92** was appointed an assistant attorney general in the organized crime section of the criminal justice division of the Oregon Department of Justice. He formerly clerked for the Oregon Supreme Court and served as a trial attorney for the Immigration and Naturalization Service and the Washington County District Attorney's Office.

**Jeff Montgomery '92** has accepted the position as president and CEO of NFP Securities Inc., a subsidiary of NFP (National Financial Partners). NFP is a \$12 billion financial services organization based in New York. Montgomery is also a partner in Accredited Investors Services Inc., an asset management firm based in St. Cloud, Minnesota.

**Steven Moore '92** was elected a principal in the Portland law firm of Stoel Rives. He joined the firm's real estate practice group as an associate in October 1993.

**Michael Wise '92** was elected to the board of governors of the Oregon Trial Lawyers Association for 2001-2. He is with the Portland firm of Wise and Associates.

## In Memoriam

**Richard Acarregui '66** died November 4, 2001.

**Jeffrey Blixt '78** died November 10, 2001.

**Rand Carroll '83** died April 20, 2002.

**Wayne Gottshall '92** died July 1, 2002.

**Barrie Herbold '77** died October 19, 2001.

**Joan Niemi (Weller) Johansen '84** died October 30, 2001.

**Dr. Allen J. LeCompte '87** died July 7, 2002

**Robert Leedy '33** died September 26, 2001.

**Richard Mengler '52** died September 14, 2001.

**Cynthia Weglarz '95** died December 27, 2001.

**Warren Westfall '82** died January 3, 2000.

**Ty Wyman '92** has joined the Portland firm of Dunn, Carney, Allen, Higgins & Tongue in their land use group. He was previously with Stoel Rives and Perkins Coie in Portland.

#### 1993

**Blake Hutchins '93**, with several former colleagues of Dynamix, has formed Tesseract Games Inc., an entertainment software development studio in Eugene. He will serve as the company's vice president and lead writer.

**Chin See Ming '93** was promoted to partner in the Portland office of Perkins Coie, where he has a general litigation practice. He serves on the Volunteer Lawyers Committee of the ACLU and on the Oregon State Board of Bar Examiners.

**Bradley Myers '93** has accepted a permanent position on the faculty of the University of North Dakota School of Law. He earned his LL.M. in taxation from New York University. He will be teaching courses in taxation, estates, international business transactions, and intellectual property.

**Scott O'Donnell '93** has become a partner and shareholder with the Portland law firm of Keating, Jones, Bildstein & Hughes, P.C. His practice emphasizes hospital liability and medical malpractice defense in Oregon and Washington.

**Shannon O'Fallon '93** was appointed an assistant attorney general in the natural resources section of the general counsel division of the Oregon Department of Justice. She previously served as judicial clerk for Superior Court Judge Charles Cranston in Alaska and served in

the Alaska attorney general's office as an assistant attorney general.

**Debra Pilcher '93**, formerly with Hynix Semiconductor Inc.'s Eugene plant, has joined the Eugene law firm of Jaqua & Wheatley P.C. as an associate. She will focus her practice on business transactions and litigation. In addition, she was recently elected to the board of directors of the Eugene Active 20-30 Club.

**Alexander "Sandy" Robb '93** has become a partner in the litigation department of Stinson Morrison Hecker L.L.P. in their Kansas City office. He joined the firm in 1998, and practices primarily in commercial litigation, products liability, and complex litigation. He and 1982 graduate Jim Ramsey represented two of the defendants in the recent high-profile case involving the plane-crash death of Missouri Senator Mel Carnahan.

**Gerald Shean '93** opened his own practice in Medford after eight years with the Medford law firm of Foster, Purdy, Allan, Peterson & Dahlin.

**Amanda Walkup '93** joined the Eugene law firm of Hershner, Hunter, Andrews, Neill & Smith L.L.P. as an associate. She will continue her practice in civil litigation.

**Margaret Wilson '93**, formerly with the law firm of Muhlheim Palmer & Wade, is now with the Eugene firm of Watkinson Laird Rubenstein Lashway & Baldwin as an associate. She will focus her practice on general business advising, employment counseling and litigation, and civil and commercial litigation.

#### 1994

**James Daigle '94** has become a member of the Hillsboro law firm of Brisbee & Stockton L.L.C. His practice specializes in general litigation with an emphasis on professional, construction defect, and health care litigation.

**Katherine Heekin '94** is an associate with the Portland law firm of Markowitz, Herbold, Galde & Mehlhaf, P.C.

**Floyd Mattson '94** has become an associate in the Eugene law firm of Armstrong & Associates. He was formerly a deputy district attorney with the Lane County District Attorney's Office.

**Heidi von Ravensburg '94** received the Eugene Airport Rotary Club's 2002 Vocational Award for her work with Eugene's SMART (Start Making a Reader Today) Reading Program. A photo of Heidi with her guide dog, Curry, took first place in the Rotarian world



Oregon State Bar Reception, 2001

photo contest in the category of "Outstanding Rotarians." See them on the Rotary International website, <http://www.rotary.org/newsandinfo/rotarian/0204/worldview.html>.

#### 1995

**Robert Beatty-Walters '95** is with Miller & Wagner L.L.P. in Portland, Oregon.

**E. Michael Connors '95** was named partner in the Portland law firm of Davis Wright Tremaine. His practice focuses on land use, real estate development, and commercial real estate transactions.

**Matt McCauley '95** was appointed an assistant attorney general with the tobacco compliance task force unit of the criminal justice division of the Oregon Department of Justice. Previously, he was in private practice in Springfield, Oregon, and was a deputy district attorney in Jackson County.

#### 1996

**Stacy Hauser Weigel '96** and **Doug Weigel '95** welcomed their daughter, Ilsa, into the world on April 22, 2002. After a five month maternity leave, Stacy returned to work four days a week at Microsoft Corporation, where she is a senior account manager recruiting for the Windows Division. Doug continues as a partner at Floyd & Pflueger, but is excited to be staying home with Ilsa on Fridays!

**Sarah Crooks '96** is now an associate in the litigation department of the Portland law firm of Perkins Coie. She was most recently a law clerk to both Judge Owen Panner of the U.S. District Court and Justice Susan Leeson of the Oregon Supreme Court.

**Heather Decker '96** was elected vice president and secretary of the board of directors of the University of Oregon Law School Alumni Association. Formerly with the Portland firm of Cosgrave, Vergeer & Kester, she is currently a contract attorney in Portland.

**Jennifer Duggan '96** was named partner in the Sacramento law firm of Porter, Scott, Weiberg & Delehant. She specializes in employment, civil rights and general litigation. Jennifer and her husband, Rich, are also expecting their first child in July 2002.

**Sean Howard '96** is happy to announce that he married Amy Snell on June 16, 2001. He is now with the Green Bay Packers as the assistant director of professional personnel.

**Murray Pettitt '96** has become a shareholder with the Springfield law firm of Thorp, Purdy, Jewett, Urness & Wilkinson. His practice concentrates on domestic relations, criminal law, and creditors' rights.

**Heather Walloch '96**, after three years working as a litigation associate with the Washington, D.C., firm of Sidley & Austin, has rejoined the Eugene firm of Doyle, Gartland, Nelson, McCleery & Wade as an associate. She will concentrate her practice

on business transactions, litigation, and debtor and creditor matters.

**Heather Young '96** joined the Springfield law firm of Thorp, Purdy, Jewett, Urness & Wilkinson P.C., where she will focus her practice on estate planning, guardianship and conservatorship, probate, domestic relations, and litigation. She was formerly with the Portland firm of Kennedy, Watts, Arellano & Ricks.

#### 1997

**Niki O'Neel '97** writes that she is happy to be joining the firm of Bernstein Litowitz Berger & Grossmann in Del Mar, California.

**Dain Paulson '97** recently joined the Portland law firm of Landye Bennett Blumstein as an associate. He will focus his practice on toxic tort litigation, real estate and business litigation, maritime litigation, products liability, and personal injury cases. Previously, Paulson worked with the small Portland firm of Kasson & Paulson for four years.

**Patrick Stevens '97** has joined the Eugene law firm of Hershner Hunter Andrews Neill & Smith. He will continue to focus his practice on bankruptcy and creditors' rights litigation.

**Justin Thorp '97** has become an associate with the Portland law firm of Martin, Bischoff, Templeton, Langslet & Hoffman L.L.P.

**Mindy Wittkop '97** was selected to serve on the board of directors for Oregon Women Lawyers for 2001-2.

#### 1998

**Andrew Bailey '98** works with Blackwell Sanders, a 300-attorney firm, at their offices in Kansas City, Missouri. Andrew practices environmental law exclusively: "That's what I came to school for." He was recently involved in an environmental audit of an "Enron-type" company in the Kansas City area.

**Credence Fogo '98** is now a litigation associate in the Los Angeles law firm of Skadden, Arps, Slate, Meagher & Flom. She joins the firm after serving as a law clerk for

Judge Robert Beezer of the Ninth Circuit Court of Appeals.

**Michelle Meshke '98** joined the law firm of Birch, Horton, Bittner & Cherot as an associate in their Anchorage office. She will practice in the areas of civil litigation, commercial litigation, and municipal law. Previously, she was an assistant district attorney for the state of Alaska.

**Blake M. Namba '98** is with the Multnomah County District Attorney's Office in Portland, Oregon.



Studying at the Knight Law Center

**Alex Tynberg '98** is now with the Trust for Public Land in San Francisco, California, and is doing project work for the San Diego, Sierra Nevada, and Western Rivers programs. Alex writes, "The work is challenging, extraordinarily rewarding, and more importantly, is exactly what I want to do."

**Carnet Williams '98** and his wife, **Rachel Ogdie '98**, have moved to the Bay Area where Carnet is now director of research and development at Stanford University. Rachel is currently working as a contract attorney for a small Bay Area law firm.

**Clint Williams '98** is with Southwest Oregon Public Defender Services Inc. in Coos Bay, Oregon.

#### 1999

**Deepa Bhattacharyya '99** has returned to Maryland after spending time in California. She is now with the Maryland Attorney General's Office working in their Department of Natural Resources.

**Geoffrey Collver '99** is currently working for the U.S. House of Representatives Democratic Committee on Veterans' Affairs in Washington, D.C. He was formerly with the U.S. Labor Department.

**Gwen Earnshaw '99** and **Mike Cruise '99** live in Honolulu. She left her judicial clerkship with the federal court and is now working with Goodsil Anderson Quinn & Stifel. Mike left his position with the Legal Aid Society of Hawaii and is now working with Paul Johnson Park & Niles, "a private firm that does a lot of public interest work," Gwen writes.

**Anne D. Foster '99** is with Dunn Carney Allen Higgins & Tongue in Portland, Oregon. Spouse **Todd Foster '00** is with Stewart Sokol & Gray, L.L.C.

**Scott Ikata '99** is with the Curry County District Attorney's Office in Gold Beach, Oregon.

**Courtney Muraski '99** has joined the public finance department in the Portland law firm of Ater Wynne L.L.P. She formerly clerked for Judge Virginia Linder of the Oregon Court of Appeals.

**Jennifer Roof '99** has joined the Portland law firm of Miller Nash L.L.P. as an associate, where she will focus her practice primarily on commercial litigation and creditors' rights. She previously served as a judicial clerk at the Tenth Circuit Court of Appeals for Judge Bobby Baldock.

**Daniel Steinberg '99** is an associate in the law firm of Greene & Markley, P.C. in Portland. He will practice in the areas of bankruptcy, debtor and creditor law, and commercial litigation.

**Tessa Sugahara '99** was appointed assistant attorney general with the labor and employment law section of the general

counsel division of the Oregon Department of Justice. Previously, she was in private practice in Portland before joining the justice department in a limited-duration position in the human services section in August 2000.

**Robert Wilkinson '99**, formerly a judicial clerk for Judge Janice Stewart, magistrate judge for the U.S. District Court, has joined Ball Janik L.L.P. in their Portland office. His practice will emphasize commercial litigation.

## The Two Thousands

2000

First Lieutenant **Todd George '00** graduated from the U.S. Army Judge Advocate Officer Basic Course in September 2001, and is now assigned to the legal assistance office at Fort Campbell, Kentucky, with the 101st Airborne Division (Air Assault).

**Amanda McClellan '00** is an associate with the McMinnville law firm of Cummins, Goodman, Fish, Denley & Vickers P.C. The firm focuses its practice on workers' compensation, safety related defense litigation, and employment law.

**Summer Saad '00** is with the district attorney's office at the Oregon Department of Justice in Salem.

**Wendy Rossiter '00** is working in the Denver law office of Holland & Hart as an associate, concentrating her practice in the area of business transactions, including credit, finance, and lending.

**Maria Trost '00** finished her judicial clerkship with the Lane County Circuit Court and is now with the Eugene law firm of Gaydos, Churnside & Balthrop P.C. as an associate. She will focus her practice on debtor and creditor law, commercial litigation, and business development.

**Scott Weiland '00** married Laura Burke in Portland on August 25, 2001.

2001

**Jacy Arnold '01** has opened her own law office in Eugene. The Arnold Law Office will

focus its practice on civil litigation, domestic relations, personal injuries, wills, probate, and small business law.

**Mike Arnold '01** has joined Arnold Law Office, L.L.C. His practice focuses on personal injury cases, civil litigation, and municipal prosecution for the city of Eugene. Mike is also on the board of directors for Eugene Rugby Football Club Ltd.

**Brandon Baxter '01** has joined the Eugene firm of Jaqua & Wheatley P.C. as an associate. His practice will focus on litigation.

**Christopher Erickson '01** is now an associate in the Portland firm of Tonkon Torp L.L.P. He will practice business law with an emphasis on corporate securities.

**Sarah Hawkins '01** has become an associate with the Portland law firm of Tooze, Duden, Creamer, Frank & Hutchison. She will spe-

ington and worked for a large residential developer.

**Heather Merfeld '01** is an associate in the law offices of John S. Karpinski in Vancouver, Washington.

**Peter Motley '01** has joined Smith Freed & Eberhard in Portland as an associate. His practice will include coverage opinions, personal injury defense, and construction defects.

**Ryan Nisle '01** has joined the Portland law firm of Miller Nash L.L.P. as an associate. He will focus his practice primarily on business, corporate, and securities law, including emerging business, technology, and e-commerce.

**Rob Raschio '01** has worked since graduation at the law office of Markku Sarkio in Canyon City, near John Day, doing criminal defense. He reported that in his first year he has done everything from misdemeanors to felonies, and has been eligible to do all major felonies. As of this fall, he will be with Cramer Mallon & Lamborn P.C. in Burns, Oregon.

**Michele Smith '01** is an associate in the litigation department of the Eugene law firm of Johnson Clifton Larson & Corson. Her primary area of law is in product liability and personal injury.

**Emma Thompson '01** has joined the Eugene law firm of Hershner Hunter Andrews

Neill & Smith as an associate. Her practice will focus on employee benefits.

**Ross Williamson '01** will be practicing in the litigation group of the Eugene law firm of Harrang Long Gary Rudnick as an associate.

**Alexander Wylie '01** has joined the Portland law firm of Tooze, Duden, Creamer, Frank & Hutchison. He will specialize in general litigation with an emphasis in construction defect litigation, product liability defense, and health care law.



Starting the Tom Foster Run with the Knight Law Center in the background

cialize in business, corporate, and transactional law.

**Ann Hensley '01** and **Jason Wolf '00** live in Arlington, Virginia. Hensley is now **Ann Wolf**.

**Laurel Johnson '01** is with the Juvenile Rights Program in Portland, Oregon

**Misti Johnson '01** is now an associate with the Salem firm of Saalfeld, Griggs, Gorsuch, Alexander & Emerick. Her practice will primarily focus on real estate transactions and land use. Before law school, she held real estate licenses in both Oregon and Wash-



## Lex Est Dictamen Rationis

*Law School Motto Reminder of Time When Reading Law Meant Reading Latin*

**T**he curiosity of the editors was recently aroused by the old Latin maxim that appeared on the original seal of the school, LEX EST DICTAMEN RATIONIS, which had its origins in early fifteenth century English law. But... what did it *mean*? To find out, we went to in-house expert on all things British, Professor Maury Holland. He said, "The best English translation is probably 'As is said, reason is the foundation—the essence—of the law.' The maxim means that in the absence of controlling authority, such as case law precedents or statutes, the court should rule in a manner that seems most reasonable to them. Who could quarrel with that?"

Years ago, Holland said, legal maxims were regarded as much more than window dressing. Law students not only had to memorize them, they had to apply them to actual problems and situa-

tions. Latin was the language of much of the law, and students were required—or, it was assumed they had the ability—to read it.

Associate Professor Garrett Epps' father was a new lawyer during those years, and in his case the assumption was wrong. "My father was a public school boy and didn't know a word of Latin. His very first assignment was to reply to a brief filed by plaintiff entirely in Latin."

Quickly and quietly, Mr. Epps smuggled his old college roommate, whose private school education luckily included Latin, into the office for translation purposes.

"I am inclined to date the beginning of the decline of American legal education to the time U.S. law

schools began to drop the requirement that law students be able to read Latin," says Holland, "but that opinion is probably not universally shared."

**"As is said, reason  
is the foundation—  
the essence—  
of the law."**

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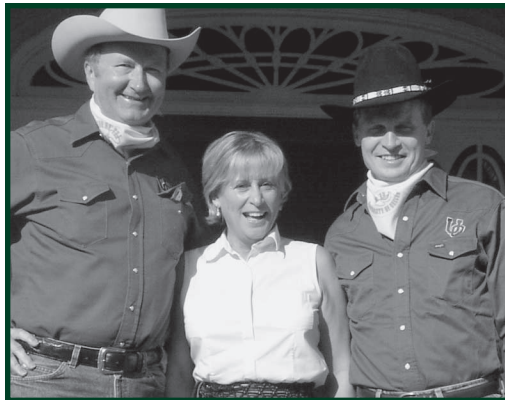


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# DOCKET



Dave Frohnmayer, Lind and Laird Kirkpatrick represent the UO at the 2002 Pendleton Roundup.

■ **Saturday, December 1, 2002**

**Deadline for nominations for the 2003 Frohnmayer Award for Public Service**

This alumni association award—named after its first recipient, UO president and former law school dean Dave Frohnmayer—recognizes individuals whose outstanding services to the community exemplify the contributions the legal profession makes to society. (541) 346-3865 or ctapp@law.uoregon.edu

■ **Friday, January 10, 2003**

**Symposium: Left Behind: Child Custody Issues for Women Prisoners**

Cosponsored by the Wayne Morse Center for Law and Politics and the UO Women's Law Forum. 12:00–5:00 p.m., Knight Law Center. (541) 346-3700 or www.morsechair.uoregon.edu

■ **January 17–19 and 25–26**

**Basic Mediation Training**

Once students have had a chance to register, attorneys and the public may participate. Fees and other information: (541) 346-3994 or jsprauer@law.uoregon.edu.

■ **Thursday, January 24**

**Conference: The Economic, Political, and Community Issues of Prison Growth**

Cosponsored by the Wayne Morse Center for Law and Politics and the UO Department of Sociology. CLE credit available. 9:00–6:00 p.m., Knight Law Center. (541) 346-3700 or www.morsechair.uoregon.edu

■ **Saturday, February 1**

**Volunteer opportunity**

Help students at the Mediation Advocacy Competition. (541) 346-3994 or jsprauer@law.uoregon.edu.

■ **Friday, February 28**

**Conference: Restorative Justice**

Sponsored by the Appropriate Dispute Resolution Program. CLE credit available. 9:00 a.m.–5:00 p.m., Knight Law Center. (541) 346-3042 or jsprauer@law.uoregon.edu

■ **Thursday, March 6–Sunday, March 9**

**Conference: 2003 Public Interest Environmental Law**

**Conference (PIELC)**

Sponsored by Land Air Water. Knight Law Center. law@law.uoregon.edu

■ **Thursday, March 6–Friday, March 14**  
**Special Guest: Carleton Savage Visiting Scholar**

Krishna Iyer, former Justice of the Supreme Court of India, visits the law school as part of the Human Rights for ALL program. slana@law.uoregon.edu

■ **Friday, April 4**

**Awards Banquet: 2003 Frohnmayer Awards Banquet**

Location Portland, address TBA. (541) 346-3865 or ctapp@law.uoregon.edu

■ **Sunday, May 18**

**Commencement Ceremony for Law Class of 2003**

Silva Concert Hall, Hult Center for the Performing Arts, Eugene. mbarker@law.uoregon.edu

## Overheard at Night at the Knight

"This was great. Don't change a thing."  
—UO law school alumnus

"Mommy, you didn't tell me it would be so much fun!"  
—Four-year-old to UO law school alumna

**Did you miss it? See you next year!**



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*(and public-spirited attorneys from The Willows to Wall Street.)*

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