Remarks from the Dean

Alan A. Matheson

In November, a conference on "Legal Education in the 1980's" was held in New York City. Sponsored by the American Bar Association Section of Legal Education and Admissions to the Bar and by the New York University College of Law, the meeting focused on several significant developments which will have impact on the programs of law schools during the next several years. An awareness of these developments is essential to effective planning by all those who are interested in quality legal education in the future. For Arizona State, as well as for other American law schools, there can be only one certainty -- the study of law will not be the same as it has been in the recent past.

Serious financial limitations, a move to sophisticated information retrieval systems in law libraries, difficult curricular choices and a projected decline in the number of applicants are among the challenges which law schools must contend with during the 1980's and beyond. Substituting these developments will be the important task of law faculties and university administrators.

At a time when public funding for higher education is being reduced in many areas of the country, the costs of law study are increasing dramatically -- particularly for skills education and for books and library technology in the form of computerized research and data search equipment. In addition, the gap between the remuneration received by law teachers and their counterparts in the practicing bar has widened seriously in recent years, and the recruitment of fine young faculty members and the retention of gifted teachers presently in the profession are now and will be affected negatively in the future. Legal education has been historically a relatively low-cost graduate program for universities, and the law schools are voicing their concern for a larger share of institutional resources at a time when inflation and smaller appropriations have reduced the funding available for all disciplines. For the next few years, retrenchment will be a reality for many schools.

For a variety of reasons, the number of persons applying for admission to law schools will decrease over the next decade. Those Americans who turn twenty-two years of age in 1983 -- the usual time for application -- will decline rather suddenly beginning in 1983, according to demographic projections. A second factor is the present interest in law among college graduates who are turning to other fields. Aggravating the situation is the fact that, with changes in the availability of federal insured loans, fewer persons will find it possible to afford graduate education.

Since most schools have had an over-abundance of interest in law admission, the impact of these influences may not be significant, at least for public law schools and the prestigious private institutions. Because of its urban setting and fine reputation, Arizona State will continue to receive many applications that it has places in the entering class to fill. However, for many small private law schools in the nation, the prospect of empty classroom seats is already becoming a reality.

To meet the financial pressures faced by law schools, major boosts in tuition are inevitable. With Stanford Law School announcing 1982-83 tuition at a figure exceeding $7,000 for the first time in its history, other institutions will have to adjust the charge upward for legal study. Unfortunately, for future law students, governmental financial assistance is being reduced substantially while the costs of tuition, books and other living expenses are soaring. A recent study by the Consultant on Legal Education to the American Bar Association shows that in 1980-81, federally insured bank loans provided an average of 66% of total tuition income at private schools and 78% at public law schools. With less financial assistance, some persons will have to forgo graduate education.

For the post-secondary education levels, American law schools have moved to integrate innovative clinical education into the traditional substantive course mainstream. The attempt to go to this practical application in the strictly academic has been successful and accomplished at many schools, although not without opposition. With the budget squeeze, however, resources problem is inevitable for internships, individualized writing programs and activities which require intensive faculty supervision for a smaller number of students.

Many law schools will have to reduce the number of course and seminar offerings presently taught. The use of adjunct instructors will increase, faculty-student ratios will rise because of larger classes. Controversy will continue with respect to the training for "competence" and professional responsibility, and the attempted influence of the state courts and bar examination committees on curriculum selection will continue to be felt.

The concern caused by these developments are balanced by the positive trend toward proven effectiveness of legal education in this country and a commitment to the maintenance of quality programs. Obviously, a good law school cannot remain if it is financially neglected, but the prospect for the Arizona State University College of Law is a bright one. The school has been designated for "emphasized" among the programs of the University in the Board of Regents' Mission and Scope Statement for Arizona Universities. With the support of the Legislature, the University and the community, changes in resources and programs will not materially slow the progress toward excellence.

Alan A. Matheson
The College of Law Welcomes New University President J. Russell Nelson

Kader: What prompted you to become interested in the ASU Presidency?
Nelson: I had decided that I wanted to do something different from what I had been doing, and I looked at a number of things, and one of the things that I was invited to look at was the ASU Presidency. As I studied the situation, it seemed to me that it is an institution with great promise for the future. It sits in a metropolitan area which is vibrant and growing, and it is in a state that has a benign and supportive attitude toward higher education. As I looked at all of the forecasts for what is going to happen in the Sun Belt and elsewhere, it seemed likely that the two factors I mentioned were going to be magnified over the next decade.

Kader: Do you foresee continued benign support from the state, and what is your assessment of the impact of budgetary decisions at the federal level on state support for higher education in Arizona?
Nelson: I think the state has made an impressive commitment to the support of its three universities. When I looked at what is going on in the Southeast, the Midwest, and the Northeast and the Midwest, for example, it would have to say that relatively speaking, Arizona is doing pretty well. We have not had a major decline in the economy as has happened in Michigan, Washington, and Ohio. Our population has not fallen as it has in many other states to the east and north of us. The state economy exhibits some propensity to be less dramatic than the national economy and it is evident that people are moving here. If you look at population forecasts for this area over the next several years, it seems to me that we are likely to have a relatively buoyant economy and a relatively large number of people. If these economic and population assessments prove correct, the University will continue to receive support from the state.

Now if you want to talk about the federal component of support, I am less hopeful about that right at the moment. The present administration seems intent on dismantling the Department of Education. It seems likely that it will have an adverse impact on the ability of higher education to have a voice, let us say, at the Cabinet level. There certainly are dramatic reductions in financial aid for students in prospect. The change in the budget or the currently projected changes in future years suggest that money that has come as programmatic support to the states in the past may be cut out or be to become block grants to the states. In such situations the states are going to have to choose whether they will continue to support programs that have operated in the past in those states with federal money. In Arizona I hear there may be as much as $100 million in programs with which the state is going to have to decide whether to support or not. If it decides to support them, those programs might be viewed as directly in competition for the state dollars at a time when the economy is a little less buoyant than it has been. So while I am generally optimistic about the future of the University, I am somewhat less hopeful about the near term prospects for federal support for basic research.

Kader: In what way does the private sector, alumni and friends of the University and the Colleges, fit into the economic forecast?
Nelson: I think private sector support is going to become increasingly important to the University because there are limits to what public money can and will do, and what it ought to be expected to do. I think that the difference between what the public money can do and a full exploitation of the potential of the University will have to be financed with private money if it is to be done at all, and that means calling on alumni and other friends of the University to help pay some of the bills in the future. That is where the margin of excellence will come from, Public universities in the West have not had the tradition of calling on their alumni and friends for the kinds of contributions that we will have to have in the future. When I announced the re-organization of the administration of the University, I proposed a Vice President for Development for the purpose of helping to mobilize private fund raising and related programs for the University.

Kader: In the Mission and Scope Statement of the Regents, one of the areas of special emphasis designated for ASU is the College of Law. What do you understand is the main focus of the Mission and Scope Statement generally, and what does it mean in concrete terms for the College of Law?
Nelson: I suppose the most important part of the Mission and Scope Statement for the University from my point of view is the encouragement from the Board of Regents for us to become a major research university and to become competitive with the best public universities in the country. That is a long passage from being a territorial normal school 95 years ago. And when we start looking around at models of what major research universities are we find that the company is very fine indeed. Yet the Regents still encourage us to be in that company. The major challenge, if we are to be competitive with the best, is the enhancement of the strength and quality of the programs on campus. Now if you believe, as I do, that money will not be abundant even though we may be relatively better off than many other schools, I think that we are going to have to focus on a group of programs for special development, and there are five broad areas that have been identified for that kind of development. Among those is the College of Law, which for a young law school seems to have achieved a relatively good standing among American law schools. As for the Mission and Scope Statement's relevance to the law school, we should note that it says that we ought to engage in activities that are especially important and relevant to the needs of the metropolitan community. I suspect that envisions a broader responsibility for the law school than it may have right now, or that it may perceive itself to have. Currently, it is a daytime, full-time law school. There may be responsibilities in continuing legal education that are important; there may be needs for certain kinds of legal research or consulting that would be relevant to the needs of Arizona; it may mean that there are needs for certain areas of concentration within the law school that would be of special relevance to the needs of Arizona and the region that ought to be developed. Water, for example, is extremely important and it may be that we need to develop a specialty in the area of water law or in the whole area of environmental protection. Not that those subject areas are unique as special opportunities, but they are suggestions of ways to develop a specialty within the law school relevant to the needs of our state and region. In turn — with such a focus — hiring, library acquisitions and curriculum development could be given prominence, while maintaining a high quality, general law program.

Kader: What are your views on the length of faculty probationary periods?
Nelson: I tend to favor a lengthy probationary period as it seems to me that it takes some of the pressure off the faculty member, particularly in a school like the law school where the time for that decision is so short. Unless the faculty members have had an unusual career start before coming here, they are not likely to have published very much or have done much in the way of academic research. To then require such a new member of the faculty to build the background for teaching, to work with students, to fit into a new community, and at the same time develop a research program and bring something to fruition in these years seems unrealistic.

Kader: Can you suggest what the appropriate length for the probationary period ought be?
Nelson: I suspect the law faculty in a better position, at least initially, to propose what is a reasonable length of time. Nobody wants to bring people in and then turn them
The Sagebrush Rebellion as Policy and Politics

JOHN D. LESHY

Several Western states, including Arizona (overruling the Governor's veto), have enacted laws claiming ownership of certain federal lands within their borders, thus setting the stage for a legal test of continued federal management of millions of acres of Western lands. This clash poses important legal and policy issues which the rhetoric of debate has not fully illuminated. Proponents tend to argue, for example, that the rebellion is a genuinely inspired effort to "return" these lands to the states and to replace distant, inefficient and unresponsive federal land management with better, local governmental control. Opponents argue the rebellion is merely a land grab, a rip-off of the federal treasury by states finding favor in interest groups seeking to gain exclusive rights to exploit these lands free from regulation.

This article is excerpted from Unraveling the Sagebrush Rebellion: Law, Politics and Federal Lands published at 14 UIC. Davis L. Rev., 317 (1986). That article was part of a special symposium on the public trust doctrine in natural resources law and management. Readers interested in pursuing the subject should consult the full text of the article, which includes appropriate references and citations as well as an analysis of the relevant constitutional issues. Professor John D. Leshey, who joined the College of Law faculty in the fall of 1980, was Associate Solicitor for Energy and Resources in the Department of the Interior from 1977 through July 1980.

My purpose here is to examine only the broader policy issues the rebellion poses. Several of the states purport to seize their federal lands by right of possession. These states have long claimed such public lands. Did the federal government acquire the title to the land? Were the states' claims extinguished by the admission of the states to the Union? Did the federal government acquire the title to the land? Did the states gain the title through their continuing possession? These questions are not new, and they have been argued for a long time.

Although the sagebrush rebels claim they are fighting a "second American Revolution," there have actually been a series of "sagebrush rebellions" throughout our history. In the last century alone, battles by western states to gain title to large amounts of public lands had been waged numerous times, reaching crescendos in 1891, 1912, 1930, and 1948. Within the last decade Congress has once again addressed fundamental issues of ownership and control of federal public lands (those lands managed by the Bureau of Land Management (BLM) in the Department of the Interior), deciding after thorough consideration in favor of continued federal retention and management of most public lands, while at the same time setting forth uniform standards and procedures by which some lands may be sold. If a single development may be said to have triggered the rebellion, in fact, it is Congress' enactment of the Federal Land Policy and Management Act of 1976 (FLPMA). That Act was the culmination of a congressionally inspired re-evaluation of federal public land management given impetus by the report of the Public Land Law Review Commission (PLLRC) six years earlier. The PLLRC recommended express reversal of the presumption, reflected in numerous statutes, that ownership of public lands should be large-scale disposals of the unappropriated public lands. While not closing the door entirely on the future disposals, it concluded that "most public lands would not serve the maximum public interest in private ownership."

The PLLRC's recommendation on federal retention was carried out in the FLPMA. It is especially worth noting, in the current climate of rebellion, that the primary proponents and shapers of both the PLLRC and the FLPMA were Westerners. The region that would most feel the impact of the law thus played the biggest role in writing it. What, then, are we to make of the sudden rise of the sagebrush rebellion so soon after this latest national debate appeared to have determined, once and for all, that the bulk of the remaining public lands should be retained in federal ownership and managed in the national interest? Did the PLLRC and the Congress misread Western public sentiment on the issue so seriously that a grassroots "rebel" movement emerged, "selling out" of Western interests? I think not. Instead, I suggest that the rebellion has several disparate roots which are not...
easily reconciled with each other, but which can teach us several things about politics and values in the modern West.

First, the rebellion obviously feeds at the trough of national disaffection with government regulations and bureaucracy. With its extensive landholdings giving it a visible presence throughout the West, the federal government naturally feels the brunt of anti-government feeling there. Moreover, the FLPAWA goes well beyond its public lands and minerals. Its recent laws have placed new restrictions on the private exploitation of the public lands, especially their timber and minerals. As the reality of such restrictions has become apparent, those most affected — graziers and miners — have begun to chafe at this reduction in their freedom of exploitation. In this sense, the rebellion raises earlier calls for transfers of federal lands out of federal ownership by corporate interests threatened with regulation or taxation; indeed, it is difficult to read current rebel rhetoric without a strong sense of déjà vu.

Also at work here is the increasing realization that man's abilities to make nature over in his own image are not unbounded. Natural limitations in the West, most obviously its aridity, have long been obstacles to development. But in many areas they have been, at least for the time being, successfully surmounted by man's ingenuity, often aided by federal funds. But now Westerners find themselves facing resource issues which are not only tractable but, more important, appear to defy the solutions of the past. Part of the frustration provoked by that realization has undoubtedly tarnished the image of the federal government and the system of public land management. In some areas, this sentiment is reflected in a more fundamental belief that the federal government, and at the same time, ironical- ly, the resources of federal lands are increasingly being viewed as providing a safety net to solve local or regional problems in the West.

In the long term, this is an attack on the Western system of values — that man not only can but must exploit and tone nature into submission in order to survive and prosper in the sometimes harsh Western environment. Part of the FLPAWA regulatory scheme is designed to achieve environmental protection and restoration on all the public lands and, beyond that, to preserve parts of the public lands in their natural condition. This does not go down easily with those who, by experience or cultural inclination, regard the natural environment as their enemy.

A fourth root of the rebellion is found in the greatly increased competition for public lands and resources. "Multiple use" is the well worn phrase which describes the fundamental management principle for most public lands in this country. Yet until recently, over-competition for use of specific areas of public lands was the exception rather than the rule. Livestock graziers, miners, lumbermen, hunters and fishermen generally co-existed peacefully, and few other demands were placed on these lands. Now, however, growing numbers of off-road vehicle fanatics, wilderness advocates, endangered species and other wildlife protectionists, white-water enthusiasts, cultural and archeological resource investigators, hikers, campers, skiers, photographers, tourists and real estate investors have joined with the sometimes increasing demands of more traditional users (especially those seeking to exploit domestic energy resources) to place unprecedented pressure on the public lands. The result has been increased pressure on the land managers who must give concrete meaning to the lordly dictate of "multiple use." Increasing competition inevitably means increasing regulation and red tape for all those who would exploit the resources. But the federal government is increasingly being forced to refer to the increasing need to require permits for foot access into wilderness areas. Needless to say, such regulation does not please those whose private pursuits are regulated in order that the public's resources may be preserved for use by others, including future generations.

Another factor which explains why the rebellion has advanced as far and as fast as it has is that the lag between demographic changes and political power shifts. The modern West has become, by generally accepted standards of measurement, the most urban region in the country. The availability of nearby public lands for recreation and the value that open spaces provide the human spirit are important parts of the lifestyle that most Westerners lead from their urban bases. Recreation and tourism are major sectors in the economies of most Western states, sometimes even outstripping more traditional pursuits such as mining, grazing and farming. But in many areas of the West, the interests of some segments which are not only tractable but effectively translated into political power in state legislatures. Where public lands are concerned, traditional agricultural, cultural, stock raising and mining interests still tend to hold sway, though the situation is changing.

Related to this lag in the shift of political power is the generally perceived weakness in the rebels' legal claim, for the rebel's political case in the state legislatures might well require a constitutional amendment. Although some of these efforts are still under way, and the state government has been deadened somewhat by a lack of support, obviously the rebels are operating in a political vacuum. The weakness of this legal claim is a critical element in the rebellion and its propagation.

Many may have voted for the bills not so much out of belief in the wisdom of the program to transfer lands out of federal ownership, but more because the measure was a legally ineffective, and therefore harmless, gesture of displeasure with Washington.

Finally, the rebellion parties of the current movement mistakenly believe that the federal government really does not want to retain public ownership even over their affairs. While that movement extends far beyond federal land management policies, it has certainly been felt in that area. It is interesting to note that President Truman once said "If this rebellion reaches a high fever, it will be turned over to the Congress, and the public use of the lands will be determined by the state governments.

In contrast to their blank call for transfer of public lands out of federal ownership, the rebels have been somewhat selective in the laws they would like to see transferred. The rebels' call for the state legislatures to take the lands over from the federal government, and manage the lands for multiple uses as the federal government now does. The debate should, then, logically lead to a closer scrutiny of existing state land management programs, as well as an examination of the broader issue of private versus government control. It may, in other words, explore whether it is federal management or public ownership which causes the problems the rebels perceive.

In conclusion, the federal government's attitude toward the federal land management federal policy is a matter of concern to many people, not only those living in the West. The federal government should be held accountable for its actions and decisions, but it should also be supported in its efforts to manage the land in a way that is fair and just to all citizens. The public should be involved in the decision-making process, and their voices should be heard. The government should continue to work towards a balance between the needs of the environment and the needs of the people who depend on the land for their livelihood. This requires a careful examination of the existing policies and the development of new ones that will ensure the sustainability of the land for future generations. The federal government should also be held accountable for its actions and decisions, but it should also be supported in its efforts to manage the land in a way that is fair and just to all citizens. The public should be involved in the decision-making process, and their voices should be heard. The government should continue to work towards a balance between the needs of the environment and the needs of the people who depend on the land for their livelihood. This requires a careful examination of the existing policies and the development of new ones that will ensure the sustainability of the land for future generations.
W. Willard Wirtz Speaks at the Law Society/Law Alumni Association Dinner

“My wife, Jane, and I have enjoyed our visit here. I want to tell you that the law faculty at ASU is as fine as I have encountered, and the students are the best I have ever taught.” These words by W. Willard Wirtz, the College of Law Emeritus Visiting Professor and former United States Secretary of Labor, ended his address at the Sixteenth Annual Law Society and Law Alumni Dinner held at the Registry Resort in Scottsdale during February.

Approximately three hundred attorneys, judges, alumni, friends of the law school and faculty enjoyed the evening arranged by Placement Director Virginia G. Stewart. Although the dinner was primarily a social gathering, a few business items were handled. Dean Alan A. Matheson gave a short report on the state of the law school; University President J. Russell Nelson presented the University Distinguished Achievement Awards to Phoenix attorneys Michael L. Gallagher ’70 and John P. Frank; and Timothy G. Burns ’80, President of the Law Alumni Association, gave Law Alumni Awards to Thomas E. Collins ’72, Maricopa County Attorney; Robert Dobert ’70, Gila County Attorney; and William J. Eckerstrom ’74, Mohave County Attorney. In addition, Law Society President Louis McLenin presided over the nominations and elections of the officers for 1982-83: Louis McLenin (President), Michael L. Gallagher ’70 (Vice President), Gary G. Keilner, (Secretary), and Peter Kistid, Jr. (Treasurer).

Nonetheless, the Wirtz speech, concerning the state of labor in the United States, was the highlight of the evening. It was a special pleasure for former Dean Willard H. Pedrick to introduce Mrs. Charles (Ethelmae) Merriman, who was a guest at the banquet. It was a gift from Mrs. Merriman and her late husband, Charles, the Merritt Distinguished Visiting Professorship was established, and it was that gift which allowed the College of Law to bring Professor Wirtz to the law school during the 1982 Spring Semester.

Wendell P. Kay Dinner

On October 22, 1981, a testimonial dinner was held in Anchorage, Alaska, in honor of Wendell P. Kay. Organized by friends and associates in Alaska, the event recognized the contributions which Kay has made to the legal profession and to legal education for many years. Billed as a “roast,” the dinner attracted over 370 persons who gathered at the Anchorage Sheraton Hotel to hear both stories and reminiscences from fellow attorneys, judges and politicians.

For the past seven years, Kay has taught a course in Practice Court at the Arizona State University College of Law. An experienced defense attorney, he has provided his students with instruction in advocacy skills, and his students have profited from his efforts with enthusiasm.

In conjunction with the dinner, there was a fund-raising effort to establish a Wendell P. Kay Professorship Endowment Fund at the law school to support instruction in advocacy. Twenty-five thousand dollars was contributed by both Kay’s friends in Alaska and his students in Arizona and throughout the United States. The funds will be invested, and the interest will be utilized for this purpose.

Known as the “Silver Fox” in Alaska and as the “Desert Fox” in Arizona, Kay was roostered at the dinner by United States Senator Ted Stevens, attorneys Cliff Groh, Gene Williams and Stan Dittis, and Superior Court Judge (and former law partner) Seibert Buchanan. Master of Ceremonies for the occasion was United States District Court Judge James A. von der Heydt. Kay said the dinner was one of the highlights of his life.

Kay, recognized as the dean of Alaska trial lawyers, came to Alaska in 1947 from Centralia, Illinois, by way of Portland, Oregon. Between cases, he served in the Territorial House of Representatives, ran for governor in 1966 and for United States Senator in 1970. He attended Northwestern Law School, where he was an editor for the Northwestern Law Review and editor of the manuscripts of a young candidate for the review staff, Willard H. Pedrick.

During the third quadrant of the current school year, Kay taught a section of Practice Court for the College of Law.
Arizona Lower Court Study

A six month study of the Arizona lower court system (judges of the peace and municipal courts) was recently completed by the College of Law and the Center of Criminal Justice under a grant from the Arizona Legislative Council. The hope was that it would be possible to identify problem areas where improvements could be made in the operation of the Arizona city and justice court systems. With identification of problems, proposals to improve the operation of the system were made by the investigators.

The study was staffed by Dr. Jo Ann G. Pedrick, D.S.W., as Director, with Professor Peter Haynes, Ph.D., Center of Criminal Justice, and Professor William H. Pedrick, J.D., College of Law, as Co-Directors. Peter M. Gondol, M.S., a second year law student, was a Research Associate. A number of professional consultants were enlisted.

Professor William H. Pedrick, who served as a Co-Director of the Study, is also chairing the State Bar Committee on re-organization of the lower courts of Arizona.

A sequence of committees from the State Bar of Arizona over a decade have studied and recommended legislation. The Supreme Court of Arizona in 1974 appointed a special ad hoc committee under the chairmanship of then Senator Sandra D. O'Connor, which also studied and recommended legislation. At least four major legislative proposals on the subject of lower court improvement were introduced into the Legislative prior to 1980. Thus far, however, no major revision in the lower court system has been enacted.

In connection with the study, lengthy questionnaires were completed by 97% of the lower court judges, similar completed questionnaires were received by 70% of a selected group of attorneys who practice in these lower courts and 128 telephone interviews were completed with persons who have used these courts. Other groups invited to offer their assessments of the lower courts operation, and suggestions for improvements included: Presiding Superior Court Judges, court administrators, public defenders, community legal services attorneys, clerks of the court, city and county attorneys, sheriffs and chiefs of police.

The study was built on research projects which have studied lower courts and recommended institutional changes in other states. Fortunately, some of the basic research in lower courts in Arizona was done in 1973-74. For the Arizona Town Hall, Professor Harold H. Bruff, then of the Arizona State University law faculty, conducted a study entitled: "Arizona's Inferior Courts," assembling important data and offering a range of recommendations. That study was published in Vol. 1973, No. 1 of Law and the Social Order (now published as the Arizona State Law Journal). In the years since 1973 a number of other states have succeeded in achieving substantial improvements in their lower court systems and the experience in those states was studied. Those conducting the 1981 Arizona Lower Court Study believed it should be possible to develop proposals for lower court improvement which should win a broad base of support.

The investigators, in the closing stages of the study, engaged in analyzing the data and formulating their recommendations. A relatively large Advisory Council was developed to bring together a substantial group of approximately 100 leaders in Arizona to hear the basic recommendations to be offered on the subject of improvement of the Arizona lower court system, to consider alternative methods for achieving improvement and to help bring the recommendations into actual operation through legislation.

The first convocation of this group was the conference on "Arizona's People's Court: Proposals for Improvement" held last November in the College of Law Great Hall with the Honorable Sandra D. O'Connor, Associate Justice of the United States Supreme Court, as the keynote speaker. The final and revised report of the study with its findings and final recommendations was delivered in printed form to the Legislative Council in early January.

The Hon. Sandra Day O'Connor, Associate Justice of the United States Supreme Court, delivered the keynote address entitled "Don't Just Stand There," at the November meeting of the Advisory Council for the Arizona Lower Court Study. At the conclusion of her speech, which was open to the public, Dean Alan A. Matheson presented Justice O'Connor with a Resolution from the College of Law Faculty, congratulating her on her appointment to the Supreme Court and acknowledging her long-time friendship with the law school and faculty.

RESOLUTION

of the
FACULTY of the COLLEGE of LAW
ARIZONA STATE UNIVERSITY

WHEREAS, Sandra Day O'Connor has served the State of Arizona and the legal profession with great distinction and has been appointed by the President of the United States and confirmed by the United States Senate to serve as the 102nd Associate Justice of the United States Supreme Court and the first woman in the history of the Republic so honored,

The Faculty of the College of Law unanimously recommends to Dean Alan Matheson that salutatory leave be extended to Sandra Day O'Connor, from her position with the College of Law as a Member of our Board of Visitors and as a Judge in our Carley Moot Court Competition, to permit assumption of her duties as Associate Justice of the United States Supreme Court.

All, however, on condition that she undertake to lecture and otherwise participate in the educational program of the College of Law on all such occasions as her schedule permits.

BE IT FURTHER RESOLVED, that the Law Faculty extends its congratulations to our good friend

Associate Justice Sandra Day O'Connor.

Professors of Law

Dated this 25th day of September, 1981 in Tempe, Arizona
Guests and Visitors

The past academic year has been rich with distinguished visitors and guests to the College, who spoke in various classes, gave open lectures in the Great Hall to the University community, and on occasion conducted faculty seminars. An outline of the presentations follows, some of which were cosponsored by others.

Jeffrie G. Murphy, Professor of Philosophy at the University, spoke to Professor David Kapel's Jurisprudence class and guests August 27 on "The Major Questions of Moral Philosophy."

Milton Rector, President of the National Council on Crime and Delinquency, spoke to an open assembly in the Great Hall September 17 on "The Justice Industry — As It Operates Today."

Alvin Bein, Executive Director of the National Prison Project of the American Civil Liberties Union Foundation, spoke at an open meeting November 5 on "Prison of Rights — American Prisons Today."

Robert A. McConnell, 70, Assistant United States Attorney General for Legislative Affairs, discussed the confirmation hearings of Justice Sandra Day O'Connor and proposed an immigration law reform at an open meeting November 24.

Stewart Udall, Secretary of the Interior in the Kennedy and Johnson administrations from 1961 to 1969, spoke November 28 to the Indian and Water law classes of Professor John D. Leary on interior perspectives on those topics.

Sandra Day O'Connor, Associate Justice of the United States Supreme Court, delivered the keynote address "Don't Just Stand There" November 27 to the Arizona's People's Court — Proposals for Improvement Conference. The day-long public meeting also received presentations by members of the state judiciary and legislature.

Archibald Cox, Professor of Law at Harvard University and former Watergate Special Prosecutor, spoke as National Chairman of Common Cause to a general assembly in the Great Hall January 15 on "Watergate, Attempts to Limit Court Jurisdiction and the Politics of Constitutional Amendments."

W. Willard Wirtz, the Meritan Distinguished Visiting Professor of Law at the College and Secretary of Labor in the Kennedy and Johnson administrations, conducted a faculty seminar January 27 on "On Police."

Professor Wirtz was also the keynote speaker at the annual Law Society dinner February 25 and spoke on current developments in labor negotiations.

William C. Canby, Jr., Judge, U.S. Circuit Court of Appeals, Ninth Circuit, and former Professor of Law at the College, offered a faculty seminar February 1 on "On Judging."

Arthur Goldberg, former Associate Justice of the United States Supreme Court, Secretary of Labor and Ambassador to the United Nations, visited the law school for a number of days in mid-February. During his visit, Justice Goldberg spoke to classes in Labor and Constitutional Law and delivered an open assembly lecture in the Great Hall February 12 on "Can We Afford Liberty?"

Frank X. Gordon, Jr., Justice of the Arizona Supreme Court, and Stephen H. Scott, Judge of the Superior Court of Maricopa County, Jordan L. Green of Lewis & Roca, and John H. Westover of O'Connor, Cavanagh, Anderson, Westover, Killingsworth and Beshears appeared as panelists February 25 at the Civil Clinic Seminar program on ethical problems of the attorney when a client indicates a desire to lie on the witness stand. The panel program was organized by Carla Gene Ryan, Director of the Civil Clinic.

Morris Axelrod, Professor and Director of the University Survey Laboratory, spoke February 29 on "What Lawyers Should Know About Survey Research" to the Law and Social Science class of Professors David Kaye and Ann Stanton and guests.

David Baldus, Professor of Law and Director of the Center for Interdisciplinary Legal Studies at Syracuse University, spoke at an open meeting March 4 on "Tentative Results of the LEAA Study of Capital Sentencing in Georgia." Professor Charles Palladino of the law school, project participant, placed the empirical study in its doctrinal context.

Geoffrey Bindman, Barrister-at-Law in England and currently a Visiting Professor of Law at University of California at Los Angeles, offered a faculty seminar March 8 on "Racial Relations in Britain." In addition, Bindman spoke to Judge William C. Canby's seminar on Equality.

Richard Posner, Judge, United States Circuit Court of Appeals, Seventh Circuit, and former Professor of Law at the University of Chicago, spoke at a general assembly in the Great Hall March 8 on "Excessive Sanctions for Government Misconduct: An Economic Analysis."

Eric Niessner, Director of Staff Attorneys for the United States Court of Appeals, Ninth Circuit, spoke March 10 to law students interested in clerkship opportunities at a meeting organized by Professor Charles R. Calleros.
Looking at Southampton

F. RALPH BEDDARD

Southampton is situated in the south of England and lies at the end of a natural harbor formed by the convergence of two rivers — the Test and the Itchen. Both of these rivers, incidentally, in their upper reaches, have some of the best salmon and trout fishing in England. Southampton, in the heyday of trans-Atlantic liners, was the largest passenger port in Britain. Since the decline of such trade, the port has turned its attention to the growing passenger and freight traffic to France and Spain and has also remodelled its facilities into one of the best container ports in the country. The University at Southampton existed from the beginning of the century first as the Hasley Institute and later as a university college of the University of London. It received its status as a full university in 1952 — the first university to be created during the reign of Queen Elizabeth II.

The teaching and research in the University is arranged in eight schools, or as they are traditionally called in England — Faculties. These are the Faculties of Arts, Pure Science, Applied Science, Mathematical, Mathematical Studies, Social Sciences, Law, Educational Studies and Medicine. The Medical Faculty established in Southampton is one of the newest medical schools in the country. There are about 6,000 students in Southampton which is about the average size for a British university. Oxford, Cambridge, London, and the Scottish Universities have established institutions and have larger numbers, but most of the traditional civic universities range somewhere between 5,000-10,000 students. The Law Department is again of average size, about 350 students, 120 in each year with some post-

Two honest lawyers — the British pub and David Knott

graduate students taking courses in maritime law. Southampton’s interest in maritime law, as may be imagined, is quite a strong one. The study of law in Britain is undertaken at undergraduate level and the majority of the entrants to the law school come directly from school. The course is a three-year one leading to the degree of Bachelor of Laws. After that time, students normally register with a bar school or a college of the Law Society for one-year courses leading to professional examinations. The legal profession in England is divided into solicitors and barristers, and graduates at this stage must decide which branch of the profession they wish to enter. Following success in bar examinations, an intending barrister then must do a certain period of time as a “pupil” with a “pupil master” before being allowed to practice alone in the courts. A student wishing to become a solicitor must take articles with a practicing solicitor for a further two years or so before being allowed to practice alone. Since law is an undergraduate study in England, students may also undertake post-graduate study in law. Southampton has an instructional course leading to the degree of Master of Laws which is available to anyone having a degree from any other recognized university. The course lasts 12 months and consists of the study of three or four subjects often in practice taken from maritime law subjects, but not necessarily so, followed by the writing of a dissertation which is commenced in January and is normally submitted at the end of September. In addition to the LL.M. course, Southampton also has courses leading to the Master of Philosophy by research and the Doctor of Philosophy Degree which normally takes two to three years of further study and research. As yet, although there have been informal links and visits by students, no student from either institution has been persuaded to register for a course at the sister college.

There are some 28 members of the teaching faculty at Southampton although again by tradition these do not all have the title of professor. Some are known as Lecturers or Senior Lecturers; others are known as Readers. In practice, only three members of the law faculty have the title of Professor. This is the normal situation in the United Kingdom.

Like most law schools in Britain, Southampton is not intended as a vocational, practitioners school and as a result, only some 60 or 70 percent of Southampton’s students will become practicing lawyers. The rest may well find employment for themselves in industry or commerce or in a post allied to the legal profession. Links with other social sciences in teaching and research are naturally being strengthened all the time.

Research interest in Southampton varies as one might imagine over the whole range of legal discipline. Naturally, as stated before, the links with the sea are great. Six or seven members of the faculty are engaged in producing a digest of shipping law. There is a newly formed interest in computing law at Southampton. This has recently resulted in the creation of a research fellow in law and computing, an established post not found in many law faculties in the country. There is also a thriving research group looking at the possibility of creating a maritime law data base. This, if it succeeds, will be the only subject mounted data base, as opposed to library data base, in the country. It may well be, for example, in this area of subject data bases that Southampton and Arizona State University could cooperate. These members of each school that have spent time in the sister institution, taught its students, or used its library and other faculties have all returned home excited in some way or another by what they have found across the Atlantic. Comforted to find the same type of research and learning being carried on there and reassured by knowing that they have established contacts, points of reference and friends.
In Re Faculty

- Michael L. Atman has completed a report for San Diego County evaluating the contract public defender system in San Diego. He served on the Arizona State University Selected Committee on Intercolligate Athletics and recently represented the Student Rights coalition in its effort to reduce the amount of censorship on campus.


- Robert D. Bartels continues his work on a novel, based on a clinic criminal case he was deeply involved in for a number of years. Michael A. Berch worked extensively with this year's successful team in the Regional and National Mock Court Competitions held this past November in Salt Lake City and last January in New York City. He also served as an advocate to the Jacobsen Competition team. He continues his study and work on judicial review.

- Charles R. Calleros assisted in the revitalization of the first year tutorial program and will be applying his skills and interests in legal writing as a consultant to Streng, Lang, Weeks and Grose. As a consultant, Professor Calleros will develop a writing program for the firm's first-year associates and summer clerks. He is studying a number of questions with Civil Rights law which will lead to an article.

- Andrew L. Cleary continues to enjoy his status as Professor Emeritus and is currently working on a book.

- Richard C. Dahl is beginning a study of the impact of Francis Bacon in the 16th and 17th centuries on the legal ethics of his conduct.

- Richard W. Eifford completed the sixth edition of his textbook on Tort Law, which has been widely used in law schools throughout the country.

- Ilse Mark Ellman's article, "A Further Theory of Non-Profit Corporations," appeared in the April issue of the Michigan Law Review. She spoke on the same theme at the Invitational Conference on Nonprofit and Public Policy Studies at Yale University. She is serving as Secretary to the American Bar Association Committee drafting a new model nonprofit corporation act and is working on a Family Law textbook for the State of North Carolina.


- Richard J. Morgan has completed work on an article about tax-exempt organizations and their role in the community. He will present this work at a conference in Washington, D.C., later this year.

- Victor J. Gold has completed work on an article, "Clean Water, Federalism, and the Right to Public Access: The Case of the Colorado River," which will be published in the Journal of Environmental Law and Policy. He presented this work at a conference in Boulder, Colorado, earlier this year.

- Robert L. Minter's article, "The Role of the General Counsel in Addressing Business Risk," has been accepted for publication in the Journal of Business Law.

- Stephen E. Lee has published an article in the Journal of Taxation, which is now available online. It addresses the issues of tax planning and compliance in the context of corporate restructuring.

- John D. Lesher's article, "Wilderness: The First Amendment Rights of the Small Landowner," has been accepted for publication in the Journal of Land Use and Public Policy. It addresses the issues of wilderness preservation and the rights of landowners in the context of federal land management policy.

- Management Review, a journal of the American Bar Association, will publish an article on tax-exempt organizations and their role in the community. It will be available online later this year.
Law Journal Completes Major Project on Usury

The first issue of the 1981 volume of the Arizona State Law Journal was the 265-page Special Project entitled "Usury and the Monetary Control Act of 1980." The project includes contributions from four students of the law journal dealing with the history of usury, the Arizona usury laws, federal controls over the financial system, the effect of deregulation and the Monetary Control Act of 1980 on the mortgage market, and the future of usury. Student contributors are James M. Ackerman, Kimberly Graber, Marilyn Wedel, and Michael Abeles. The project also includes a study of the economic effects of usury laws in Arizona by William J. Boyes, an Associate Professor in the Department of Economics at Maricopa Community College, and Nancy H. Roberts, a doctoral candidate in the same department. Funding for the project was provided by the Arizona State University Provost's Research Fund and supplemented by the College of Law. This funding enabled the student contributors to begin their research and writing in the summer between their first and second years of law school, unhampered by demands of outside employment, and also provided necessary summer support for the faculty supervisors of the project, Professor Boyes and College of Law Professor Dale Beck Furrith. Professor Furrith and Boyes conceived the usury project in conjunction with the 1979-80 law journal staff, headed by Editor-in-Chief Barbara M. Torrez '80. The Editor-in-Chief of the Arizona State Law Journal while the project was being carried out was Vincent S. Lewis '81.

The major conclusions of the usury study, which has generated considerable reader interest, were that federal intervention in the money markets has made state controls problematical and that states should evaluate new usury legislation under certain criteria, suggested by the study. This second conclusion was based on findings that the laws usually have set usury rates well above the market levels so that they have no effect. Yet, when the market interest rate is high the effect on usury is to make credit scarce at lower rates; Consequently, according to the study, the important issues of Arizona's capital-importing state, whose usury laws may have cost residents $500 million of potential income in the latter part of 1979.

The usury project was the second summer project in a series of which the Arizona State Law Journal hopes will become a traditional summer undertaking, enabling new students to make effective and meaningful contributions to the financial system of the state. The first such special project appeared in the 1980 volume of the law journal under the title "Survey of Abortion Law." It was initiated by former Editor-in-Chief Ronald Kilgour '79 and his Executive Editors. The project was carried out under the leadership of Kilgour's successor Barbara M. Torrez. The abortion project also received critical funding from the Provost's Research Fund and the College of Law, supporting the students writers and their faculty advisors during the summer. The student contributions were by Anthony N. Cabot '81, Carole P. Clark '81, and Paula S. Sackett '81, included pieces on the history of abortion law, perceptions of the viability of the fetus, and problems concerning federal funding of abortion. Funding was also provided for important statistical analyses carried out by the Career Planning and Placement Office of the Department of Sociology, Terry R. Grub and June E. Galt. They analyzed the impact of changes in Arizona's abortion funding, reaching which may have been a startling conclusion that discontinuance of the use of county funds in Maricopa County to subsidize elective abortions had no effect on the actual abortion rate in the county. The advisors on this project were College of Law Professors Dale Beck Furrith, and Mark Elms.

A third Special Project was begun in the summer of 1981 under the faculty leadership of Professor John D. Leasby of the College of Law. The project is tentatively titled "Interruption Districts in a Changing West" and proposes to focus on the nature of interruption districts, their powers, and the various forms of federal and state regulation that affect them. The project hopes to examine the effects of urbanization on the changing role of interruption districts. Funding for this project has been provided by a grant from the Ford Foundation and has been used to support the work of Professor Leasby, Professor John McDowell, an Assistant Professor in the Department of Economics, three second-year law journal summer writers, David L. Lansky, Larni Beth Benson, and Mark Wilson, and one economics graduate student, Keith Ugone. This project is being carried out under the overall direction of current Editor-in-Chief Mark Karczak and Special Project Advisor Gordon Garone. The first paper in an early issue of the 1982 volume of the Arizona State Law Journal.

During the summer of 1982 the special project work of the law journal will continue. A study of regulatory reform at the state level will be undertaken. In particular, the project will determine which methods of deregulation are the most effective, and will look at state legislature or executive powers in implementing regulatory reform. The project will be conducted under the guidance of Professor Jonathen Rose of the College of Law.
These special projects constitute valuable contributions to current legal literature and at the same time provide invaluable educational and writing experiences for the personnel involved, particularly the student contributors.

The Arizona State Law Journal expects to continue these projects and hopes that the successful completion of the first four will lead to a permanent source of funding.

Subject Headings and has much improved the indexing of legal periodical literature. These indexes are kept up-to-date with our periodical collection for the use of our patrons.

By contract, LEXIS and the terminal that is linked to the University's Computer Center are available only to faculty members and to students of school-related research. The community at large, however, is benefited as the research efforts of the faculty are enhanced and the training of the students is broadened. The OCLC terminal is used only by the library staff, but patrons are helped as the speed and accuracy of the library's cataloging and inter-library-loan activities have been improved. The computer-produced indexes are for public use and have greatly improved retrieval of articles in current legal periodicals and newspapers.

A goal of the Law Library is to adopt any feasible technological advance that can improve legal research. Computers have demonstrated their usefulness and will now play an important role in the operation and research services of the Arizona State University Law Library.
Clinical Programs Enhanced by Recent Grant

The College of Law has received an award of $42,500, authorized under Title IX of the Higher Education Act of 1965, that is designed to provide intensive and individualized supervision for third-year students enrolled in the clinical programs offered by the law school. It is anticipated that students in the clinic, as a result of the grant, will be able to work on increasingly sophisticated legal problems under the direct supervision of experienced lawyers.

The Title IX grant consists of several components. First, the federal government has provided funds for the College to hire a supervising attorney for one year to assist Carla Gene Ryan, the Director of the Civil Clinic. The new staff attorney is Lawrence B. Weeks, the former Managing Attorney of Community Legal Services, Prescott Office. He will supervise individual students in the clinic in the preparation and trial of cases, in addition to participating in the Civil Clinic Seminar.

In addition to the new staff attorney, the Title IX grant provides funds for expert witnesses, translators and stenographic depostions for each of the clinical programs at the College. The expert witness fund, in particular, provides a unique opportunity for students to engage in challenging and stimulating legal work while enrolled in the College. It is anticipated that student interns will consult with experts from several other disciplines in the preparation and trial of their cases, enhancing the richness of their clinical experience.

Professor Gary T. Lowenthal is the Project Director for the Title IX grant. To match the federal funds provided under this grant, the College is offering a new course, entitled the Lawyering Process. This course is designed primarily for second-year students, to develop an overview of lawyers' roles, responsibilities, and skills, before the students enter the College's clinical programs in the next and last year of law school. The course is taught by Professor Lowenthal, along with four experienced trial lawyers from Phoenix. There were 114 students enrolled in the course during the fall 1981 semester.

Willard H. Pedrick Scholars

The College of Law has instituted the Willard H. Pedrick Scholars in recognition of students who excel academically. Each semester, second- and third-year students, who complete ten graded hours with a minimum grade point average of 85, will receive a certificate naming them Pedrick Scholars. Likewise, each semester first-year students, who complete the full course load of 16 hours with a minimum grade point average of 85, will be eligible for the award.

The First Willard H. Pedrick Scholars

Spring 1981

THIRD YEAR CLASS

Mary J. Alexander
John M. Antunes
James Martin Balough
Paula Susan Biltz
Anthony Nathan Cabot
Carla Gene Ryan
Lawrence B. Weeks

Douglas Gerlad
Viktor Goldin
Carolyn Litten Harris
Joseph M. Hendry, Jr.
Brian Isbomoski

SECOND YEAR CLASS

James M. Ackerman
Michael J. Albrecht
Thomson C. Armst
Julia C. Attwood
James B. Ball
Kathryn Bailey
Catherine Conner

David W. Dow
Richard M. Elliott
Jane E. Evans
Robert M. Fasick
John P. Grubl
Gary L. Gorter
Kimberly J. Graber

Linda L. Hudson
Sandra K. Keene
Mark E. Kanscher
Steven Keller
David L. Kurtz
Philip L. Littell

Joy E. Odel
William R. Wedgwood
Howard M. Menninger
Jonathan P. Muehr
Judith Miller
Richard T. Muller

FIRST YEAR CLASS

Lorraine B. Benson
Mark R. Boucher
Jessica V. Elliott
Andrew K. Hendricks
Lee A. Johnson
Joan Ayres
Allan Kallenberg
Eric W. Kivett
Amy G. Larremore
David L. Lankey

Joseph Marzani
Arlen A. Meule
Hope P. McGowan
Patricia E. Nolan
Richard E. Oney

David J. Rivers
Dawn E. Ross
Philip R. Rappolt
Daniel G. Rye

Randy S. Stieben
Susan D. Ward
Mark D. Wilson
Jeffrey C. Zimmerman

Fall 1981

THIRD YEAR CLASS

Michael J. Albrecht
John M. Antunes
George Bock
Pamela Calwell
Debra Gesmonson
Karen L. McCarthy
William R. Wedgwood
Lance B. Payette
Gloria Stamm

SECOND YEAR CLASS

Richard Cole
Bruce Crawford
Timothy Dickens
Jessica Y. Elliott
Bruce Enada
Andrew S. Hendricks
Richard Hines
Michael Johnson
Joseph Mardemer
Steven Maron

FIRST YEAR CLASS

Virginia Barklow
Nancy Biono
Michael Buenger
Lynne Bonannino
Thomas Borden
James Burns
Pamela Dorkin
David Dore
Cori Good

Jeffrey A. Brach
Barbara Borden
Chris Gagliardi
Jody Falk
Pamela Dorkin
Jody Falk

Robert Boman
Paul Gaglione
Scott Crowell
David Dore
Eden Fleming

Dobie Good
Lisa Jordan
Bob Good
Lisa Jordan
Paula Good
Lisa Jordan

Jane Neidich-Jones
Victor Homan
Chad Schenkendorf
Rita Schmitz
Robert Solanky
Greg Temple
Louis Wertheimer
Craig Williams
New Faculty and Staff

Professor Charles R. Calleros joined the faculty in the Fall of 1981 after two years with the United States Court of Appeals, Ninth Circuit, as a law clerk to both the chief and associate judges. Judge Procter Hug, Jr., Calleros earned a law degree with honors at the University of California at Davis and a B.A. in Economics with highest honors at the University of California at Santa Cruz. He teaches contracts and legal writing in the first year and offers a Civil Rights Legislation course for seniors.

President Robert D. Bartels joined the faculty this semester after ten years on the University of Iowa law faculty, where he established an exemplary clinic program. During his ten years at Iowa, he and his students handled a number of cases before the United States Supreme Court, many before the Eighth Circuit Court of Appeals and the Iowa Supreme Court, and conducted numerous trials in federal and state courts.

Annette M. McQueen recently was promoted to the position of Assistant Professor, replacing Susan Barnes who resigned in order to spend more time with her infant son, Christopher. McQueen is a graduate of the University of Kentucky with a major in English. Her former position as receptionist and bookkeeper for the College of Law has been filled by the appointment of Audrey T. Reynolds.

Visiting Faculty

During the Spring Semester, W. Willard Wirtz, former Secretary of Labor and Professor of Law, served as the Merrill Distinguished Visiting Professor teaching a Labor Problems course.

The 1981-82 Moot Court Team was composed of Shawn K. Allen, Amy G. Langeman, and James Wayne Turley.

Charles J. Merrill family and has contributed greatly to the educational vitality of the college. Mr. Merrill was a well-known patent attorney, who originally practiced in Illinois but later moved to Arizona. Past Merrill Professors have been Professor Louis B. Schwartz of the Pennsylvania Law School and Professor William Cohen of the Stanford Law School.

In addition to Professor Wirtz, the law school benefited this academic year from the Fall Semester visit of Professor Frederick Ralph Bedell of the University of London, England, who offered a seminar in International Human Rights and Jurisprudence. In the current semester, Judge William C. Canby, Jr. of the U.S. Court of Appeals, Ninth Circuit, offered a seminar on Equality and Wanda Kaye of the Arizona State Bar taught Practice Court.

National Moot Court Team Goes to New York

One of the winning teams at last year's First Annual Candy Competition excelled in the National Moot Court Competition. Shawn K. Allen, Amy G. Langeman and James Wayne Turley finished second in the Inter-Mountain Regional Moot Court Competition held in Salt Lake City, Utah, last November. That showing entitled the team to advance to the finals in New York City in January. Of the 153 schools entered in the regional competition only 29, including the Arizona State University College of Law, advanced to the New York finals. Until their elimination by the Fordham University team, Allen and Langeman remained unbeaten through the first two rounds of competition.

Canby Competition

The Second Annual William C. Canby, Jr. Moot Court Competition was held April 10 at the College with an award banquet that evening at the Fiesta Inn. The students selected to represent the College of Law in the National Moot Court Competition are Richard Hine, John H. Ishikawa, Amy G. Langeman, Gail M. Ledward and Mary Ellen Simonson. John H. Ishikawa was named the Best Overall Advocate. Other individual winners were Amy G. Langeman (Best Oralist), Mary Ellen Simonson (Best Brief), John H. Ishikawa (Runner-up Oralist), and Gail M. Ledward (Runner-up Brief). Denise M. Bommelj 78 is a sponsor for the Best Overall Advocate, the Monmouth County Bar Association sponsors the award for best brief, and the Law Alumni Association sponsors the other six awards. Judges for the Second Annual Competition included the Hon. William C. Canby, Jr. and the Hon. Carl McGowan of the United States Court of Appeals, Ninth and D.C. Circuits respectively; the Hon. Carl A. Muecke of the United States District Court of Arizona; the Hon. James Duke Carnes of the Arizona Supreme Court; and the Hon. Joseph W. Conners and the Hon. J. Roy Haire of the Arizona Court of Appeals.

Commencement and Student Awards

For the May 14 commencement exercises in the Great Hall, Gary Anthony Gotti has been named the recipient of the Armstrong Award, the student selected by the faculty as the outstanding graduate. Gotti spoke to the graduating class and guests at commencement and was followed by the principal speaker, the Hon. Dennis DeConcini, United States Senator from Arizona.

James M. Ackerman was selected by the faculty to receive the 1982 American College of Trial Lawyers Advocate Award, and Gary Anthony Gotti was the recipient of the Achievement Award given to the graduating student with the highest grade point average.

Allen/Langemer Win Johnstone Competition

As the successful National Moot Court team of Shawn K. Allen and Amy G. Langeman won the Joseph S. Johnstone, Jr. Competition. The annual ASU/UA College of Law jury summation contest is sponsored by the Arizona Fellows of the American College of Trial Lawyers. The competition was conducted annually since 1970-71. Past ASU winners are: Daniel Hanlon and James Irish in 1971-72, and Denise M. Bommelj and Robert Koch in 76-77.

Student Appointments

Robert Sprouse was elected President of the Student Bar Association for the 1982-83 academic year, Lynn Thomas Zollo - Vice President, Clark L. Schoenmaier - Secretary, and Robert P. Soliady - Treasurer. Third-year representatives will be Cyn-
Graduate and Professional Opportunities Program (G'POP)

The College of Law has received two fellowships under the Graduate and Professional Opportunities Program (G'POP), as authorized under Title IX of the Higher Education Act of 1965. The purpose of the program is to recruit and retain minorities by awarding fellowships for study leading to an advanced degree in a graduate or professional study program. Arizona State University was funded for eight scholarships in four of the five suggested areas: Psychology, Biochemical Engineering, Public Affairs and Law.

Two women, one Black and one Chicana, were recruited with the G'POP fellowships by the College of Law for entry last fall. Robin Coulson and Dorothy Macias, both cum laude graduates of Arizona State University, will receive a stipend of $5,000 and all registration fees each year for three years.

The University grant is under the general direction of Dr. Betty Greatheart, Assistant Dean for Minority Affairs in the Graduate College, and the College of Law proposal was prepared by Assistant Dean Susan M. Janssen. Dean Janssen has been involved with the G'POP since the program first started in 1977. She wrote the initial and continuation proposals for the University and directed the program until she joined the College of Law.

Upcoming Fall Conferences

The College of Law will host two major student sponsored conferences in October of 1982. The 12th Far West Regional Conference on Women and the Law will bring alumni, practitioners, faculty and students from the Ninth Circuit to the law school for workshops under the theme of "Facing New Challenges." Program details will be sent to all alumni this summer. However, additional information can be obtained from Community Relations Director Edwina J. Johnson or Conference Coordinator Patricia J. Brown at 602-965-3403.

The Fall Roundtable Conference of the American Bar Association Law Student Division for the 15th Circuit will be conducted under the leadership of current second-year student Gerard P. Rich. Gerard was elected Circuit Governor at the Spring Roundtable Conference held at the University of Colorado in Boulder during March, where he also received the Key Award for outstanding service in the Circuit. The 15th Circuit covers the five-state region of Arizona, New Mexico, Utah, Colorado and Wyoming.

Dinner with the President

J. Russell Nelson, newly appointed President of the University, and his wife Bonita met with the law faculty and distinguished guests at a fall dinner hosted by Alan and Millicent Mathes, President of the Law Alumni Association Richard H. Lee ’76 was in attendance along with many past and present officers of the Law Society and their spouses. Some of the guests included Louis McClennen, Michael L. Gallagher ’70, Frank Haze Burch, Gary G. Keltner, Clarence J. Duncan, the Hon. Frank X. Gordon, Edward Jacobson, Orme Lewis, and Elia M. Romley.

The Board of Visitors

The Board of Visitors was at the College of Law in November to watch and study the educational programs of the law school and visit with faculty and students. Members of the distinguished board of lawyers of the law faculty: Anthony O. Kelter, Jr., Richard A. Russek, J. Russell Nelson, President, Bonita Keltner, and Robert J. Coult, The Hon. Frank X. Gordon, Edward Jacobson, Orme Lewis, and Elia M. Romley.

Faculty presentations to the Board included one by Professor David Kaye, Chairman of the Curriculum Committee, concerning the work of the faculty on curriculum evaluation and reform. Professor Charles A. Pulaski, Jr., William H. Pedrick and John D. Leshy gave presentations on their research activities. The Board and faculty met for lunch with University President J. Russell Nelson, who also was the guest speaker, and a plenary session completed the day’s visit.

1970 and 1971 Class Reunions

On Saturday, September 26, the College of Law graduating classes of 1970 and 1971 met for their first Reunion at the Open Air Lath House in Phoenix Heritage Square. The affair included a buffet dinner, a band which provided the music for dancing, and tours of the historic Rosson House. Kevin A. Kane and John M. McKey, both members of the class of 1971, were in charge of the arrangements.

Reunion of California Alumni

During the California Bar Association Annual Meeting held last October in San Diego, several College of Law alumni met for lunch with Associate Dean David Rader, who gave each person attending a packet of current information about the law school and answered questions concerning the programs and faculty of the College. Those attending were Steve H. jumping, 1971, Judy A. Hoke, 1973, Anthony M. Besca, Jr., and Gerald A. Wolfe, 1971. Since more alumni are located in California, it is hoped the reunion program will continue.

Law Alumni Association

At the annual winter luncheon, the Law Alumni Association honored Placement Director Virginia G. Stewart with a plaque which reads: Virginia Stewart—whose influence has guided so many graduates into the practice of law. Recognized by the ASU Law School Alumni Association for her outstanding contributions to the Law School.

26 ARIZONA STATE LAW FORUM

27 ARIZONA STATE LAW FORUM
A bouquet of roses, a violin-a-gram with a requested serenade of "Dido," and the largest attendance for a luncheon in the history of the Law Alumni Association for 1986. President Timothy G. Burns '80, Vice President Michael W. Stelly '75, Secretary Layna Taylor '80, and Treasurer Donna M. Kilogherty '79. The following will serve on the Board of Directors: Rebecca Whitehead '79, Carol N. Campbell '79, Steve R. Chram '80, Paul Cruishank '79, Deanna Dellmay '81, Cheryl J. Hendry '71, Sharon I. Howard '80, Barbara A. Jazwi '79, Kevin M. Kane '71, Demos P. Kavaraoutas '78, Richard H. Lee '76, J. Harris Levy '71, John J. MacDilltye '80, Susan E. Sanders '78, and Albert E. Van Wagner '79.

**Alumni Donations**
- The largest gift from a College of Law graduate has been received anonymously and in the form of Arizona real estate. In a letter transmitting the deed, the donor stated, "I have always felt terribly privileged to have had the benefit of instruction from as fine a group of teachers as I have ever known."
- The Sandra Day O'Connor Award for excellence in Constitutional law has been established by Jacqueline Norton Veh and Barry G. Silverman, both members of the Class of 1976. Judge O'Connor, Associate Justice of the United States Supreme Court, has given permission for the use of her name on the award.
- Scholarships providing book funds have been established by Kevin M. Kane '71 and George S. Wright '74. The scholarships are awarded each semester to needy students.

**Alumni Annual Fund Update**
- The College of Law has received $15,758 in gifts during the current campaign which concludes June 30. This total is $4,630 more than received all of last year and gives us an excellent opportunity to reach our $20,000 goal for the "Year of Dean Alan A. Matheson." We thank all contributors for their generosity and investment in quality legal education.

**Arizona Bar Results**
- Of the 113 College of Law graduates taking the Arizona Bar examination last summer, 102 passed which is a 90.3% pass rate. When the results were announced in October, it was also revealed that Arizona State University College of Law graduates Karl Jeffrey Erhart ranked first and Roger O'Sullivan ranked third among the 394 people who passed the examination.

**Continuing Legal Education Programs**
- The Law Alumni Association offered an Employment Seminar for all law students during the fall in the Great Hall. Representatives from the Court, government and private law firms participated in the program which provided information on different types of practice and how to pursue jobs.

**Edward W. Cleary**
- On October 13, 1981, Professor Harold C. Havighurst died. One of the early leaders of the School of Law at Arizona State University, he was 83 years old.
- Professor Cleary was a distinguished legal scholar and educator, known for his contributions to the fields of constitutional law and legal education.
- Among the participants were Robert Buddof, Juvenile Court Referee; Ray E. Elmstrom, Executive Director, Arizona Board of Bar Examiners; Judge J. M. O'Neill, Maricopa County Attorney's Office; Nancy E. O'Keefe, Attorney General's Office; Dr. Mary Riesco, Pediatrician, Maricopa County General Hospital; and Chris E. Wotrubaz, practicing attorney.
- Also in the fall, Professor Emeritus Peter E. Wotrubaz, a former Arizona state senator, was honored for his contributions to the legal profession.

Dean Alan A. Matheson and Philip von Ammon meet during the Board of Regents meeting at the College of Law.
Alumni News

Alumnae Appointed to Distinguished Judicial Posts

By the formal actions of the President of the United States Senate, an Associate Justice of the United States Supreme Court and the Governor of Arizona, three alumnae of the College of Law have received appointments to distinguished judicial assignments. Ruth V. McGregor, '74, has served this past year as law clerk to United States Supreme Court Justice Sandra Day O’Connor; Cheryl K. Hendrix, '71, was appointed to the Superior Court of Arizona, Maricopa County, to replace Sarah E. Grant; and Sarah E. Grant, '70, was appointed to the Arizona Court of Appeals, Division One, replacing Sandra Day O’Connor on the bench, and Cheryl K. Hendrix, '71, was appointed to the Superior Court of Arizona, Maricopa County, to replace Sarah E. Grant.

Ruth V. McGregor has been associated with the Phoenix law firm of Fennewald, Craig, von Arnim and Udall since her graduation from the law school. McGregor received the Outstanding Alumnus Award as the outstanding graduate in her class and has continued her relationship with the law school, in part, by serving on its select Board of Visitors. She is the second alumna who has received a United States Supreme Court clerkship. H. Barton Farr, '73, served Associate Justice William H. Rehnquist.

Cheryl K. Hendrix was sworn in March 29 to the Maricopa County Superior Court bench on the appointment of Governor Bruce E. Babbitt. Judge Hendrix was with the Phoenix law firm of Hill and Sency from the time of her law school graduation until her appointment in January 1981, as Court Commissioner for the Superior Court of Arizona, Maricopa County.

Sarah E. Grant joined the Arizona Court of Appeals this past January after serving as the first woman President of the Criminal Judge in the Maricopa County Superior Court. Judge Grant began her judicial service on the Maricopa County Superior Court in 1979. Before her first judicial appointment, she served the Arizona Supreme Court for four years as Chief Staff Attorney and three years as Research Analyst. She began her legal career with the Phoenix law firm of Debus and Buzby.

CLASS OF 1970
Warren R. Brown was elected President and Chairman of the Board of Sunpower Systems Corporation in Tempe, one of the largest manufacturers of solar equipment in the Southwest. He is one of the founding members and serves on the Board of Directors of the Phoenix Symphony Council.

Ivy K. Cain has been appointed "Pro Tem" for the Phoenix Municipal Court.

Michael D. Hawkins, former United States Attorney for the District of Arizona, has joined the Phoenix firm of Dushoff and Sacks. He is also being elected to the Board of Directors of the Maricopa County Bar Association.

Geoffrey E. Mount has been appointed chief of the Organized Crime and Racketeering Unit of the Maricopa County Attorney’s Office.

CLASS OF 1971
Thomas B. Barnes served as a Director of the Tri-City Bar Association during the 1981-82 year. Membership in the association is open to all attorneys living or working in the Tempe, Mesa, Chandler and east Maricopa County area.

Christine M. Durham, who attended the College of Law in 1969 as a first-year student, has been named the first woman justice of the Utah Supreme Court. She also attended the Boston College Law School and graduated in 1971 from the Duquesne University School of Law. For the past three years, Judge Durham has served on the district court bench. Previously she was in private practice, served as an adjunct professor at the J. Reuben Clark Law School at Brigham Young University, and taught legal medicine at the University of Utah Medical Center and the Duke University Medical Center.

Ian A. MacPherson served on the faculty of a Legal Assistants Seminar held in Salt Lake City. Which was co-sponsored by the State Bar of Arizona and the Arizona Paralegal Association. He is presently Assistant Attorney General of the State of Arizona.

CLASS OF 1972
Harriet C. Babbits, a partner in the Phoenix law firm of Babbits and Green, was elected to the Board of Directors of the State Bar of Arizona. Mr. Babbits is a member of the Arizona State Bar Rules of Professional Conduct Committee.

Michael E. McNeef is the law enforcement section advisor for the Maricopa County Attorney’s Office.

James A. Rizer has joined the Maricopa County Attorney’s Office.

Gregory A. Robinson recently addressed a group of high school teachers and administrators in a Street Law Institute sponsored by the State Bar of Arizona, the Maricopa County Bar’s Young Lawyer Section, and the Arizona State University Center of Criminal Justice.

CLASS OF 1973
Alice L. Bendheim, Theodore D. Mote '73 and Marcia S. Monson '80 have announced the formation of Bendheim, Mote and Monson. Mr. Mote recently spoke at a mini-workshop entitled "School Law: Teacher Rights and Responsibilities," sponsored by the Arizona Center for Law-Related Education and held at the Arizona State Bar office.

Jerry C. Bannett is the author of the article "Enforcement of a Real Estate Financier's Contractual Right to Increase the Interest Rate When Non-Residential Property is Transferred by the Borrower" which appeared in a recent issue of the Arizona Bar Journal.

H. Whitfield Crall, Jr., has been elected Vice President of the Scottsdale Bar Association.

William J. "Bill" Ekstrom, Jr., has served the last two years as Mohave County (Arizona) Attorney.
CLASS OF 1976
Michael M. Grant, an associate with the Phoenix firm of Shimmill, Hill, Bishop and Greunauer, hosts Nortel; a television program originating from KAET-TV, Arizona State University's Public Broadcasting Station.

William M. Lawson, Jr., was recently named a partner in the Phoenix firm of Warner, Argue, Reemer and Hallam.

Jon E. Pettibone, a member of the law firm of Lewis and Roca, participated in a State Bar of Arizona continuing legal education program for Bar Leaders during 1982.

Jose de Jesus Riveria has joined the Phoenix office of the firm of Fidman, Beagin, Lewis and Marks.

Susan M. Swick assisted in the Maricopa County Bar Association Continuing Legal Education Series entitled "Practicing Corporate Conferences." She is presently Internationally Certified at Motorola, Inc., where she practices in the areas of international law and commercial litigation.

Richard C. Underwood, who is active in Phoenix, currently is associated with the firm of Snell and Wilmer, recently received an LL.M. in Taxation from New York University.

Thomas G. Watkins, III, is associated with the Phoenix firm of Cahill, Sutliff and Thomas.

CLASS OF 1977
Dale R. Woodman has been elected to serve as Director of the Tri City Bar Association which serves all attorneys living or working in the Tempe, Mesa, Chandler and east Maricopa County area.

Robert J. Junker has been elected to serve on the Board of Directors of the Scottsdale Bar Association.

Patricia K. McMurtry has been elected as an associate of the Los Angeles, California, firm of McManus, Corrigan, Corwin and Corwin since 1976, is a member of the Arizona State Bar and the State Bar of California.

Laurel F. Shank is working in the Arizona Public Defender's Office.

Glenda M. O'Leary is involved in consulting with a Tri-State Kellogg funded grant in risk management. She is also Director of Risk Management and Quality Assurance at St. Anthony's Hospital in Pocatello, Idaho.

Mark D. Winemiller was named Volunteer of the Year by the Volunteer Lawyer's Project, a joint project of the Maricopa County Bar Association and Community Legal Services.

David M. Talmante is the Assistant Real Estate Commissioner for the Maricopa County Bar Association ContinLeasing Commission of the State Bar of Arizona and is associated with firms in Phoenix and Tempe.

John R. Zarzynski has formed a partnership with Joseph C. Richter and David M. Kvetkswagen under the firm name of Richter, Kvetkswagen and Zarzynski.

CLASS OF 1978
Paul W. Ahler is the Assistant City Attorney for Phoenix.

Deborah Anderson and Jeffrey R. Baker, '77, Anderson and Baker, have relocated their office to 572 East Third Avenue in Denver, Colorado.

Mark R. Caldwell recently formed the firm of Caldwell and Caldwell located in Phoenix. He is a member of the Social Security Disability Subcommittee of the State Bar of Arizona and was named Volunteer of the Month, a joint project of the Maricopa County Bar Association and Community Legal Services.

Francis G. Fanning has opened an office in Tempe for the practice of law with emphasis on juvenile, domestic relations and family practice. He is formerly associated with the law office of Carl W. DeVier.

Mark D. Freitag has joined the law firm of Reed, Reynolds, P.C. Previously, he served as Assistant Attorney General, Arizona Attorney, Division of the Attorney General of Arizona.

C. Steven McMurtry, who has been an associate of the Los Angeles, California, firm of McManus, Corrigan, Corwin and Corwin since 1976, is a member of the Arizona State Bar and the State Bar of California.

CLASS OF 1980

Steve R. Chanan has become a member of the Phoenix firm of West worth and Lunden. He assisted in the Maricopa County Bar Association Mini-Continuing Legal Education Series entitled "Practicing Corporate Conferences."

Suzanne P. Clarke has co-authored two articles: "Working with Legal Assistants: Professional Responsibility" which appeared in the American Bar Association Journal and "Working with Legal Secretaries" in the Arizona Bar Journal. In the fall, she served as planning co-chairperson of a continuing legal education series featuring legal secretaries.

Thomas K. Irvine, an associate with Dushoff and Stock in Phoenix, has been appointed to the Committee on the Status of Women.

Brian E. Kelley has joined the firm of Richmond and Truillo in Phoenix.