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ARIZONA STATE UNIVERSITY

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LAW FORUM

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# ARIZONA STATE UNIVERSITY LAW FORUM

Volume 9, Number 1

Spring 1985

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## A Visit with Dean Paul Bender

[This interview was held in the Fall of 1984 with Professor David Kader, Law Forum Editor]

**Kader:** What made the deaning opportunity at Arizona State attractive?

**Bender:** I'd given some thought to whether I wanted to be a dean and decided that most deanships made absolutely no sense. In most places it would be simply trying to solve unsolvable problems. If you could survive for a few years, you would think you had been a success. This place seemed different in several ways. I got the sense here that there was an openness to thinking about doing things differently and better. There was a chance here that the normal patterns of legal education could be reevaluated. I am not quite sure why I got that feeling. One, I suppose, was the youth of the school. It still had, in its recent past, a history of thinking about doing things differently — the Pedrick spirit that started the place still was alive. Also, the faculty was young, so there was very little in the way of fixed tradition. I talked to people who had been here and who knew about the place, and I learned that the faculty seemed not to be divided into solid factions and blocks that make every question a contentious issue in some places. I think it was the combination of those factors — the relative newness of the school, the sense that the faculty was in a mood to think about what they were doing and were willing to think about things anew, the fact that there seemed to be little, if any, factionalism on the faculty — and that it was basically a very pleasant place. And the necessary resources seemed to be available.

Also, I had the feeling that if I were going to leave Philadelphia to be a Dean, I'd like to go to a place that was really different. It didn't

seem to make any sense to go to another East Coast city and more or less replicate my life. This place was very attractive to me because it was different and that the difference was one that I really liked — the desert, the Native American culture, among other things.

**Kader:** Given the time you've been here, do you remain confident of this being the place where things might happen along the lines of changing patterns of legal education?



Dean Paul Bender at recent College reception.

**Bender:** Yes, I don't think that's any less likely now than I thought it was when I decided to come here. If anything, I'm more optimistic. Since coming here, I've talked to people on the faculty, in the community and in the University, and it seems to me that everyone is at least as open as I had hoped.

**Kader:** Do you have particular images of the pattern that legal education ought to take?

**Bender:** Yes, although it's easier to talk about what's wrong with legal education than to describe exactly what it ought to be. What's wrong, basically, is that two of the three years of law school are wasted time for a large number of students. There is a lot of learning that takes place in the first year, but I think the learning curve diminishes sharply after that and the enthusiasm diminishes, the boredom level rises, the distractions rise, and people are marking time. And that's a destructive thing to the students and faculty; and it is a waste of talent. The pattern of legal education now is fundamentally the same thing for three years with a few frills and a few changes and a few variations. I think that with the kinds of students we are getting at law school now, it doesn't make sense simply to do the same Socratic dialogue large class interrogation method of teaching, one that is primarily addressed to issue spotting and analysis, over and over and over again for three solid years. That has tremendously diminishing returns.

However, I really believe in the traditional first-year program. I think that some of the subjects are outdated and more broadening into history and philosophy are needed, but those are not the most impor-



tant things about the first-year program. The first-year program teaches students how to think about important social problems in a logical, organized way. I think that there's tremendous value in that. Logic and analysis are not everything, by any means, but I think they're especially important in a legal system, like ours, that depends so heavily upon rationality.

The first year of law school was a wonderful experience in my life and I think it can be a wonderful experience in lots of people's lives. In the final years of law school, the intellectual rigor should never fade, but both student and faculty talent could be used to address and even solve important problems. This allows students to have a sense of their own worth and of involvement in the world. Law schools could be a center of very constructive work. After their first year in law school, students could get a chance to apply their basic analytic skills and some of the basic knowledge they've acquired. To use these in both real and simulated situations. To begin to act like lawyers, while still at law school. In the course of doing that, you begin to get a sense of using your own talents; it's enjoyable and you learn from it as well. There's a lot to learn in law school about how to apply rules to real people, how to think about case and situational strategies, how to think about legislative programs, and I think that in the course of doing that, you also learn how the profession works and what may be wrong with the way the profession works. So I have a sense that a fairly large part of the last two years of law school should be taken up by giving students a chance not just to sit there passively and be interrogated by a professor, but to give the student a chance to do something affirmative and original, and to be creative.

**Kader:** Do you have a view about the nature of the content in legal education, as compared to just the structure we've been talking about?

**Bender:** I think we should continue to expose students and faculty to

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Dean Paul Bender as a young law professor at the University of Pennsylvania.

a very broad range of subject matters — it shouldn't all be tax and it shouldn't all be social welfare work. So long as there is a variety, I don't think it matters an awful lot whether you teach one particular advanced tax course or another advanced securities regulation or individual rights course. I think the time has come when there's so much proliferation of new subject matters in the law — new areas of specialty — that a law school really can't hope in a general three-year program to cover all the things that a lawyer in general practice might be exposed to. One of the challenges for a school in deciding what subjects to cover is to try to think of what things are the most central to what most lawyers are going to need, bearing in mind that they may change in five years and the whole thing may become outdated. That's why the skills of the profession are most important, but I would like to teach them through subject matters that are as relevant and up to date as possible.

The most important thing is to teach the central skills. I think it's essential to get students in the habit of thinking that they must be logical, principled, skeptical and critical when they are talking about a really important actual problem today.

This is as true with regard to issues regarding the separation of church and state for example, as when they are dealing with a Thirteenth Century torts case. One of the problems with the curriculum that I went through in law school was that so much of it didn't seem real. We spent our time learning analysis in problems about tigers walking through Harvard Square. That was fun, but you began to get a sense that the logic and principle only had to do with unreal problems, and that when a real problem came, people sort of threw up their hands and said, well now, what do we do with this real one; now we get political. I think it's important that students understand that lawyer skills are not just abstract skills — these are skills that you are going to be using the day you leave law school. Indeed, I would like to see greater training in solving real problems while students are still in law school.

**Kader:** Besides fundraising, is there a role for alumni and the general bar in terms of the college's educational mission?

**Bender:** Yes, I think there is. We already have a substantial number of members of the bar here to teach as adjuncts and I think that's a good idea. I think that is going to continue and that's one way of enriching a curriculum within the limits of the resources of a small school like this. I think the kinds of realistic experiences that I was talking about are going to require the same kind of cooperation with lawyers outside the school. I also think that a law school should see itself not only as teaching students in the immediate sense and teaching the profession in the sense of publishing books and law review articles, but that there's another teaching function that the school can and should, in my view, perform through public education programs. Hosting debates and presentations in important current issues will help to educate the community of lawyers and non-lawyers about an issue; and I think that in those kinds of programs you probably will find

yourself needing and wanting to use members of the bar and others in the community.

Though I am giving you general directions and inclinations that I now have, my main purpose should be to encourage thinking about these things and to facilitate initiatives that the faculty wants to take. My job is not that of stating a program for what the school should do and pushing people into doing that. I don't think things work well that way. Any changes have to be changes that are not only acceptable, but really desired by a fairly large consensus among the faculty.

**Kader:** But a major measure of your success and contribution as Dean, by way of self-assessment at least, would be the degree to which legal education patterns in fact changed during your deanship?

**Bender:** I think that's true, yes. If I look back after a number of years and say, well you know it's just the way it was before and it's still not nearly as good as it can be, and we haven't tried any new approaches, I will have thought that I haven't done a very good job.

**Kader:** I think there are a few things about your background that everyone might not be fully aware of and might enjoy knowing about. So let me turn to such matters. When you got your baccalaureate degree in physics, were there thoughts about doing graduate work in the sciences?

**Bender:** When I started college there were, yes. I was very interested in science then and still am, and it seemed like something I would want to do. When I started college, I even had the idea of going to medical school. In fact, I think I got turned away from that by the premed atmosphere at Harvard. It was so frantic and so grade conscious and so generally anti-intellectual and I decided not to do that. But physics was pure science and I enjoyed it. I realized, however, that sitting around me in those classrooms of a hundred people or so were at least 50 physics majors who were much, much smarter than I was. And to make any real contri-

bution in physics you really have to be very smart. That's a field where it's hard to get any real satisfaction just laboring in the vineyards. I was not on that level. It was painfully obvious, and so I looked around for some other way I thought I could be useful.

I took, almost by accident, a course — constitutional law — by a man by the name of Robert McClosky, who was in the Political Science Department. He was a wonderful teacher and he made the subject seem fascinating. I took this course and just loved it. I became a Supreme Court buff and would read the New York Times printups of their opinions. That was really interesting: it was logic, it was principle, it was real life, it was fun and it had something to do with the world. So somewhere around the end of my junior year I decided that I would try law school.

**Kader:** Let me get your reaction to some people who have been an important part of your life. Learned Hand.

**Bender:** The year I spent with him as his Law Clerk was one of the greatest experiences of my life. Hand was an absolutely magnificent human being, as smart as anybody I've ever known. We got out of a good law school, having done very well, figure we know how to think about problems, how to track down the answer. We are nothing compared to him. He was 87 years old at the time and he was relentless. Nothing got through him; in the sense that he thought about everything he did before he did it. He didn't take any step without making sure that he thought about it and that it was what he wanted to do. He had a relentless way of pursuing problems and I learned an enormous amount both from seeing him do it and doing it with him. More than anything, I learned from the spirit in which he did it, which was the spirit of doing things the way they ought to be done, doing a job right. Hand was the epitome of the notion of craftsmanship — of following the rules when there were rules to follow, knowing when

there weren't rules to follow. Hand divided things up into areas where he knew that he was supposed to follow somebody else's judgment, like the legislatures, and those areas where he had been told to use his best judgment. People talk about non-result-oriented-judges; the only one I've ever known that really managed to get close to that ideal is Hand. Wherever the chips fell, that was fine. He was a superb human being, enormously well educated, he cared about people, he had very close friendships, he loved his family. It was a great experience.

**Kader:** Felix Frankfurter.

**Bender:** He was a very different person from Hand. Frankfurter was much more outgoing and much more into your personal life. His law clerks were his children. He had no children of his own and he developed enormously close relationships with the clerks. He loved to argue. Hand did not like to argue; he was not a combative person. Frankfurter, however, loved combat — verbal combat — and his greatest joy was having a big argument with his law clerks about something — almost anything. It could be about a case, or whether we should have executed the Nuremberg defendants, or the state of modern literature. He had opinions on everything. We used to have knock-down, drag-out arguments, usually at the end of the day when he was wandering through the law clerks' room. And we would scream at each other for a while and then I would go home and often when I got home, my wife would say, the Justice just called and said I should be nice to you because he had just destroyed you in this argument that you had. I had been thinking that I ought to be nice to him because I had just destroyed him. He loved getting to know you and he had a sense of the political process that was very practical and very real. His sense was to get immersed, care about results. He pretended to be a dispassionate judge in a Learned Hand mold, but he wasn't. Frankfurter cared really deeply about most cases. That intense involve-



ment was a marvelous thing to see. I really grew to like him tremendously, and so did my wife.

**Kader:** Hand, you said, was concerned with the craft, less result oriented and Frankfurter largely result oriented and you expressed admiration for both. Relate your assessment of these judges to our earlier exchange about legal education. Specifically, which is preferable in terms of legal education — skills study alone or skills study for a particular social end?

**Bender:** I don't think there's any contradiction between being intellectually rigorous and caring and being involved in the world. Frankfurter showed that you could be both of those things. Frankfurter's classes when he was a law teacher must have been very much practical exercises in how to deal with the problems of the day, what's wrong with the way they are being dealt with, how we can achieve better societal results, what kinds of agencies governments need to do that.

Hand's classes would have been wonderful exercises in thinking about what the issues were, which direction logic could take you, and what the fine distinctions were between cases. Frankfurter could do that, he was very smart, but his main interest, I think, was in how those things impacted on the world, outside of what the courts did. Hand's main interest, on the other hand, was in doing his job as a judge the way that job ought to be done. Frankfurter's life was so concerned with what was happening outside of the courthouse that it always infected the way he talked about legal problems.

To be on the Supreme Court, you have to have a sense of how the political system works — Frankfurter had that sense, but I am not sure Hand did. Hand probably would not have been nearly as successful a Supreme Court Justice as he was a Court of Appeals Judge, because he almost didn't want to know how the system worked in practice. I

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Dean Paul Bender with faculty colleagues in his Pennsylvania law school office.

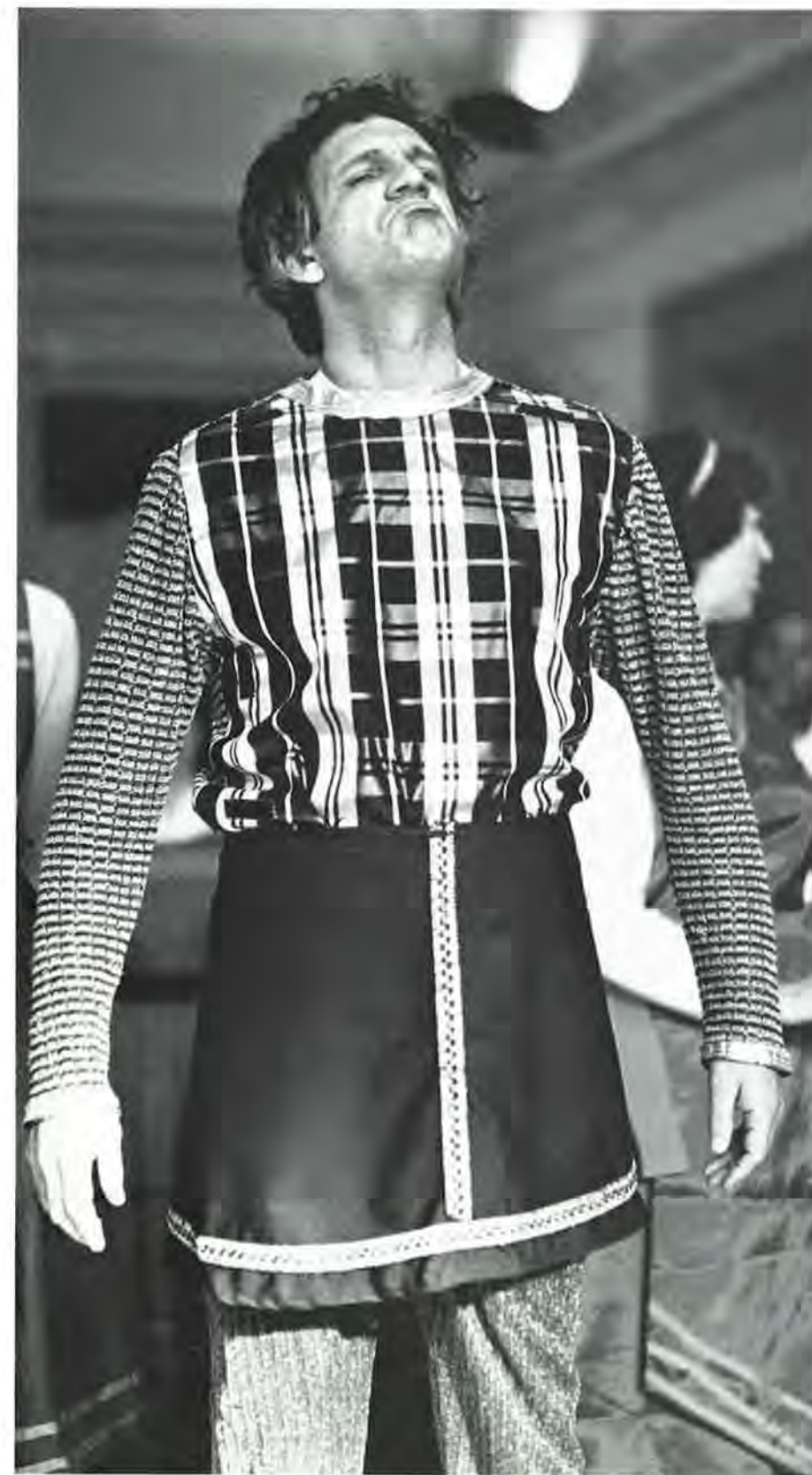
think that can work very well for a common law judge, which was what he was great at. And it may work well in areas of statutory interpretation, which is another thing Hand was marvelous at. It may not work quite as well when you are dealing with giving content to these very vague phrases like due process and equal protection. Hand's solution to that was, don't give content to them. I don't know how many people know this now, but Hand, near the end of his career, wrote a book called *The Bill of Rights*. The message of that book was that the courts should not generally be enforcing the due process and equal protection clauses because they couldn't do that except in ways that would translate some of the judges' own values — or at least their perceptions of societal values — into the law, and Hand felt that that was not a thing that judges ought to be doing. He said in his book that he loved the result in *Brown and Board of Education*, but if he were on the Supreme Court he likely would have voted against it.

**Kader:** I understand you play piano so let me give you a name, say — Schuman?

**Bender:** The wrong name. I've played a little Schuman, but mostly Chopin and Bach. I played the piano when I was a kid, a lot of people in my generation did. I started piano lessons when I was five or so. I wanted to and my mother was a very good piano player. And I heard her play and I enjoyed it and I started to take lessons and I took lessons until I was about 15 years old. I started playing popular type piano music when I was about 12 or 13 and did improvisations and stuff. I really liked that. And then I went away to college. I still played a little. I played the piano in a Gilbert and Sullivan Production in college, which was where I met my wife. She was in the chorus. And then I sort of faded away from that. And then my sons started playing various instruments; they were doing some wonderful things with music and the music was so wonderful

and I said, well why don't I get back into this. My younger son had a wonderful piano teacher at that time and I asked her if she would give me lessons and she said she'd

be delighted, so for about the past three years before I came out here I have been taking lessons and I've continued playing since I got here. She started me with very hard



Dean Paul Bender, at Pennsylvania, rehearsing to be a Dean.

things, and I would tell her that, and she would say, of course it's hard, that's why it is a challenge and fun. A year or a year and a half would go by and I still couldn't play one of the Bach preludes. I would tell her I've been playing this for a year and a half and I still can't play it and she'd say so what, some people spend their whole lives and can't play it — in another couple of years you'll begin to get it.

**Kader:** Do you now practice often?

**Bender:** Sure, I play every day that I am home and often for a substantial period. Usually the first thing I do when I get up in the morning is play the piano. One of the nice things about living here as compared to the middle of Philadelphia is there you can't play the piano at 6 o'clock in the morning or 7 o'clock in the morning because it's a row house and everybody can hear. Nor can you play at midnight. Here you can get up and play the piano and nobody can hear you and so I get up and I usually play for a half an hour before I even brush my teeth and then if I have some time I'll play some more before breakfast. And when I get home at night, I play for a while — sometimes a long time and sometimes I'll spend a couple of hours on the weekend at a stretch as I am still trying to learn new things.

**Kader:** Glen Gould?

**Bender:** I really try to avoid listening to the way other people play until I've understood a piece, which doesn't happen often. I think if you listen to other people all the time then you just go back to my biggest problem, which is imitating some notion of what the music ought to be, rather than using it as a means of saying what you want to say with that music. You've got to think of music horizontally — you've got to think of it like language — its phrases, it's somebody talking. That's all been a revelation to me — and I love it.

**Kader:** Bruce Springsteen?

**Bender:** No, although I am a great folk music fan — I learned to play the 5-string banjo when I was



about 15 and I used to do a lot of that in college. In fact what I did with my music after I stopped playing the piano was to play folk 5-string banjo. I think one of the greatest musical experiences you can have is to go see "Wasn't That A Time," a film about the Weavers' last concert and Lee Hays' dying. That is great music. Pete Seeger is a great musician. He's as great a musician as Glen Gould was.

**Kader:** Margaret Bender — do say something about your wife.

**Bender:** She is a wonderful person. When we first got married, my sense was that I didn't see any benefit in having children — no point. She wanted to have children but we didn't try to do that for a while because we were moving around so much, doing different things and then when we started to try to have children there were some problems. But then the kids came, and I suppose that has been the single greatest source of pleasure in my life. I don't think I would have had the sense to do that or do it in the way that she has led me to do it. Her attitudes about our own children and about the world generally have really been important influences on me. Her sense of what's important in the world, how to look at nature and appreciate it, how to look at art — especially folk art — and to love it. I don't think those are things that I would have done myself. Her whole attitude toward the way you treat children, nature, animals, and the way you relate to other human beings has just revolutionized my thinking. She is a genuinely wonderful person. If everybody were like she is, this would be an almost perfect world.

**Kader:** Paul Bender.

**Bender:** I don't know what part of me that's directed to. I guess I've been thinking a lot about myself recently, given this new role. I hope I am not turning into a professional administrator, somebody who is conscious of himself as an administrator, as having power. Deans of law schools don't have any power but it might seem that way to some. That's something I very much do

not want to turn into and there is a struggle with yourself when you're suddenly put in a different position. You can fall into a pattern where you lose your sense of values and you lose your sense of relationship to other human beings, and occasionally when I look at myself doing things, I say hey, you know, you just keep doing it that way and you are not going to be the person that you were before. Some of that is good because the person I was before was far from perfect, but a lot of things I don't want to lose. I think it's important to me to keep

### Margaret Bender

Margaret Bender is "at home" in Arizona. After growing up in Southern California, Margaret finds the Arizona terrain familiar and the people friendly. She is excited about being in Arizona and enjoys being a part of a University that has a mandate to reach out to the community.

For most of her life, Margaret has been involved in education. Upon receiving her Master of Arts in Teaching from Harvard University, she taught English for seven and a half years. Since that time, she has been involved in other aspects of teaching. While Dean Bender was at the University of Pennsylvania, Margaret was a volunteer for twelve years at the Anthropology/Archaeology Museum at the University. As a guide, she was responsible for presenting various cultural exhibits at the museum to children, pre-school to 12th grade, as well as adults. The exhibits included General Anthropology as well as exhibits from Africa, Egypt, Polynesia, Mesopotamia, Iran and Native America (both North and South). As the enthusiasm and popularity for the museum grew, so did the audience. During her tenure as a volunteer at the museum, Margaret also became involved in a gallery for the emotionally disturbed, the learning disabled, and for nursing home residents.

Since arriving in Tempe this past September, Margaret has been in-

the sense of the world that I had as a mere mortal faculty member and as a person and not get full of myself as an administrator. It's actually pretty easy to avoid the pitfalls of that around here because others generally don't take me too seriously. But, if I were asking for some favor, it would be not to take me too seriously because if you start treating people in my position as though they had some special quality that others lack, they are apt to begin to believe that and that's very bad for all concerned.



involved in the African show at the Heard Museum and is planning to become active in the docent training program next year. In addition to her other interests, Margaret is currently a volunteer guide at the Anthropology Museum at Arizona State University.

The Benders' two sons have remained in Philadelphia. Matthew, 17, is a senior in high school and John, 19, is studying bio-physics at the University of Pennsylvania. Margaret looks forward to the opportunities to be with their children in Philadelphia.

Margaret is interested in going back to teaching sometime in the near future. For the time being however, she is enjoying the opportunity to meet and entertain various alumni and friends of the law school.

## On Visiting A "New" School (ASU) and Encountering an "Old" Colleague (Paul Bender)

Ralph S. Spritzer\*

When a sabbatical comes your way, I think that you should neither be idle (well, not too much so) nor stay at home. My solution was to accept Dean Matheson's welcome invitation to visit the Sunbelt for a year and to teach a half load. Only a couple of months after that arrangement was agreed upon last Fall, ASU had the wisdom to recruit my long-term friend and colleague, Paul Bender, as its new dean of the law school. For me, a most happy coincidence! Let me then tell you something of your new dean as I have known him, as well as my reactions to the scene at ASU.

Paul's career and mine have had several intersections. In 1963, when I was deputy to U.S. Solicitor General Archibald Cox, several of my colleagues who had been Bender's contemporaries at the Harvard Law School told me that Paul, at that point a member of the University of Pennsylvania law faculty, was interested in taking a fling at Supreme Court litigation and that he would be a great addition to the staff. His credentials, including successful judicial clerkships with Learned Hand and Felix Frankfurter, were impeccable. The upshot was that he joined the S.G.'s office in the summers of 1963 and 1964, working on government briefs in Supreme Court cases. The following year, he was able to pry a leave of absence from his law school dean and to spend the full term of court in Washington. That, of course, enabled him to appear in oral argument before the High Court as well as engage in the briefing process.

The S.G.'s office at that time consisted of only ten lawyers, although it is far larger today. (Those of us who are alumni of that earlier era

\*Visiting Professor of Law



Ralph Spritzer

modestly explain to our children that there were giants in those days.) Small size made for close relationships and intimate collaboration on the job. Almost from the first, Paul Bender and I had occasion to knock heads, to go over each other's drafts and revisions, to

labor over questions of tactics and strategy posed by pending cases. His qualities were impressive — a truly powerful, yet open and receptive, intellect; an ability to see a problem whole and to master all of its details and intricacies; a kind of relentlessness in strengthening and





Dean Bender and Professor Spritzer, then members of the Solicitor General's Office, witnessing President Lyndon B. Johnson congratulating Thurgood Marshall at the occasion of Marshall taking the oath of office, as Solicitor General of the United States.

bolting down the various parts that, fitted together, make up the structure of a case.

I attended all of Paul's oral arguments during that 1965 term. He proved himself a fine oral advocate, able to establish quick rapport with the Justices. His was not what one would term a grand style — it was easy and direct, conversational rather than eloquent, concerned with substance rather than adornment — but it had quiet confidence and firm impact.

The 1965 term has largely faded from my memory but I do recall one fragment of Bender before the Court. The case was *Brenner v. Manson*, 383 U.S. 519. One Manson, it appeared, had applied for a patent on a novel process for making a chemical compound whose utility — other than as a possible object of scientific inquiry — had not yet been evidenced. The Patent Office had rejected the application but the Court of Customs and Patent Appeals had reversed. Defending the Patent Office position, Bender, by way of illustrating his point, stated, "If I discover a new way of producing garbage, that hardly promotes

the useful arts." Justice Douglas, suddenly rousing himself from the writing pad on which he had been scribbling, interjected, "But some garbage is useful. It is being recycled to produce energy." "I assure your Honor," Bender replied, "my case is not that kind of garbage." The Court, it turned out, agreed.

If I played a role in introducing Paul to the affairs of the S.G.'s office, he did no less in bringing me into the academic world. When I decided in the summer of 1968 (anticipating that November's tidings) that it was time to change course and depart from Washington, Paul encouraged me to join the Pennsylvania faculty. During the ensuing fifteen years, we were both close companions and regular collaborators. A particularly satisfying joint effort was our initiation of a major clinical program at the law school in 1969 — one which provided representation to a large number of indigent State prisoners whose *habeas* petitions and civil rights suits were crowding the docket of the federal district court. From time to time we acted as co-counsel in both private and public causes. We jointly repre-

sented Pennsylvania State judges in a mandamus action involving the scope of media access to pre-trial suppression hearings. Again, we served jointly as special counsel to the Federal Election Commission when the constitutionality of the Federal Election Campaign Act of 1971 was challenged (*Buckley v. Valeo*, 424 U.S. 1).

I focus on our involvement in litigation because that first brought us together and because that has given me a very lively sense of Paul's qualities as both intellect and man of concern and action. This should not obscure the range of his past activity — his strength as a teacher, his extensive scholarly contributions, his commitment to numerous academic and public affairs.

The scene has now shifted to Tempe and the setting, I believe, is promising. This is a good law school — remarkably so in view of its short history. It has an eager, able, refreshingly collegial faculty and a very competent corps of students. It apparently enjoys a strong support from the university administration. That's a solid foundation for a new dean.

What kind of a dean will Paul Bender be? I am certain that he will provide leadership and ideas, and that he will be sensitive, at the same time, to the views and needs of students and colleagues. Most assuredly, he will not regard his role as that of a mere caretaker. He believes that, to be effective, a law school must grow and change, and that it must not only provide a center of learning but reach out to the larger community. To be sure, it must train its students rigorously in the development of professional skills, not least of all those of critical inquiry. The law, however, is more than vocation. For Paul Bender it is also a path to the world.

I shall not presume to say more; in his words and actions your dean will be speaking for himself and addressing the specifics. Let me observe simply, as a sojourner in your midst, that I am pleased to be among you and confident that the tempo at Tempe will be upbeat.

## Third Annual Advanced Computer Law Invitational

The Arizona Law and Technology Institute and the Arizona State University College of Law hosted the Third Annual Advanced Computer Law Invitational, "Computer and Communications Law," January 14 through January 16, 1985, at the Pointe Resort at Squaw Peak. This year's conference and workshop focused on the emerging legal issues resulting from the rapid convergence of the computer and communication industries and recent regulatory changes relating to telecommunications.

The Honorable Harold H. Greene, United States District Court, District of Columbia, who presided over the proceedings which resulted in the landmark divestiture of AT&T, delivered the keynote address. "We were honored to have Judge Greene address this year's conference," said John P. Karalis, Conference Chairman, of Martori, Meyer, Hendricks & Victor, Phoenix, Arizona. "The conference was particularly timely not only because of major regulatory changes in the telecommunications industry but also because of the ever increasing interaction between computer and communications technologies and business strategies," Karalis added.

"A distinctive feature of each Invitational has been the extensive interchange between a blue ribbon faculty and an experienced audience," said Karalis. The conference brought together, for the first time, many of the prominent figures in international computer and communications law. The more than 35 faculty members included lawyers representing key regulatory agencies, practitioners from leading private law firms in Washington, D.C., New York, Boston, Phoenix, San Francisco and Los Angeles and senior business and legal executives representing major multinational corporations including IBM, AT&T,



Harold Greene

ITT, Honeywell, Bell Labs, NEC Corporation, Motorola and First City Bancorporation. In addition to Judge Green, featured speakers included Howard Aibel, Senior Vice President and General Counsel, ITT Corporation; J. David Hann, President, GTE Telenet, and Howard J. Trienens, Vice President and General Counsel, AT&T. Danny Adams (J.D. '75), Wiley & Rein, Washington, D.C. and ASU Law Professor Jonathan Rose also served as conference faculty.

This year's conference concentrated on emerging legal and business issues in a post AT&T divestiture environment. The conference included a briefing on the anticipated evaluation of computer and communications technologies and business strategies; new FCC policies, the impact of the AT&T divestiture and major developments in the legal and regulatory environment; emerging issues in intellectual property

law created by electronic transmission of data; a briefing on the law related to communications between computer systems; and an update on computer and communications related export control and antitrust issues.

The conference workshops included interactive discussion of these topics as well as panels specifically dedicated to electronic funds transfer and cellular radios. The conference also focused on legal and business planning in the burgeoning arena of cooperative ventures among computer and communications companies.

### ALTI

The Arizona Law and Technology Institute was formed in 1981 by the Law Society of the College of Law of Arizona State University. The Institute seeks to address the professional needs of the computer and technology lawyer through sophisticated continuing legal educational offerings, publication of timely articles by distinguished experts and technology-oriented legal research. The Institute also seeks to emphasize a professional unbiased atmosphere so that it may attract and serve the needs of computer and technology law specialists in practice, industry and government. The Arizona State University College of Law recently established a Center for the Study of Law, Science and Technology. This national Center will be involved in basic research, teaching and public service efforts affecting high technology corporations, private practitioners and government entities.



## Arizona Law & Technology Institute National Advisory Board

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Professor Laurence H. Winer  
College of Law  
Arizona State University

## New Faculty

### Fernando R. Teson

Associate Professor Fernando R. Teson is teaching public international law, international human rights and jurisprudence at the College of Law. A S.J.D. candidate from Northwestern University School of



Sanford Guerin

Law in Chicago, he also earned law degrees from Universite Libre De Bruxelles in Belgium and Universidad de Buenos Aires in Argentina. Professor Teson was previously a lawyer and then a professor of law in Buenos Aires. Most recently he was a career diplomat for four years in the Argentine Foreign Service, during which time he served as legal advisor in the Malvinas (Falkland) Islands negotiations with the United Kingdom and served in the Argentine Embassy in Brussels. Professor Teson has published law articles on a variety of issues in international law.

### Sanford M. Guerin

Professor Sanford M. Guerin is teaching income and corporate tax at the College of Law. A law graduate of the University of San Francisco School of Law, he also earned an LL.M. in taxation from New York University School of Law. Professor Guerin comes to the faculty from the school of law and graduate tax

program at the University of Denver. In addition to a number of law articles on taxation, he is the author of a two-volume treatise on the taxation of real estate and is a coauthor of a new casebook on federal income taxation of individuals.



Fernando Teson

## College of Law to Co-Edit *Jurimetrics Journal*

Arizona State University College of Law has been selected to co-edit *Jurimetrics Journal*, the quarterly journal of the American Bar Association Section of Science and Technology.

A committee of the Science and Technology Section, chaired by Lee Loevinger, past chairman of the Section, spent two years considering more than a dozen law schools as a possible partner for the publication of *Jurimetrics*, according to Edward Fiorito, current chairman of the Section. The ASU College of Law was selected by the committee and the selection was approved by the Council, governing body of the Section, at its meeting in August 1984.

Mr. Fiorito said that a number of other law schools considered had excellent faculty and resources and that the choice was based on a number of factors. The ASU College of Law has recently established a Center for the Study of Law, Science and Technology. The Center has a large number of highly qualified and interested faculty members, and it is willing to assign a full time faculty member to jointly edit and supervise publication.

"This project takes deep commitment and a high degree of interest," Fiorito said, "and we felt that ASU had already demonstrated both of these." He said the ASU law faculty have been engaged in studying and teaching various aspects of the interactions of law with science and technology and have already made scholarly contributions to the field, and that the school is dedicated to expanding its programs in that area.

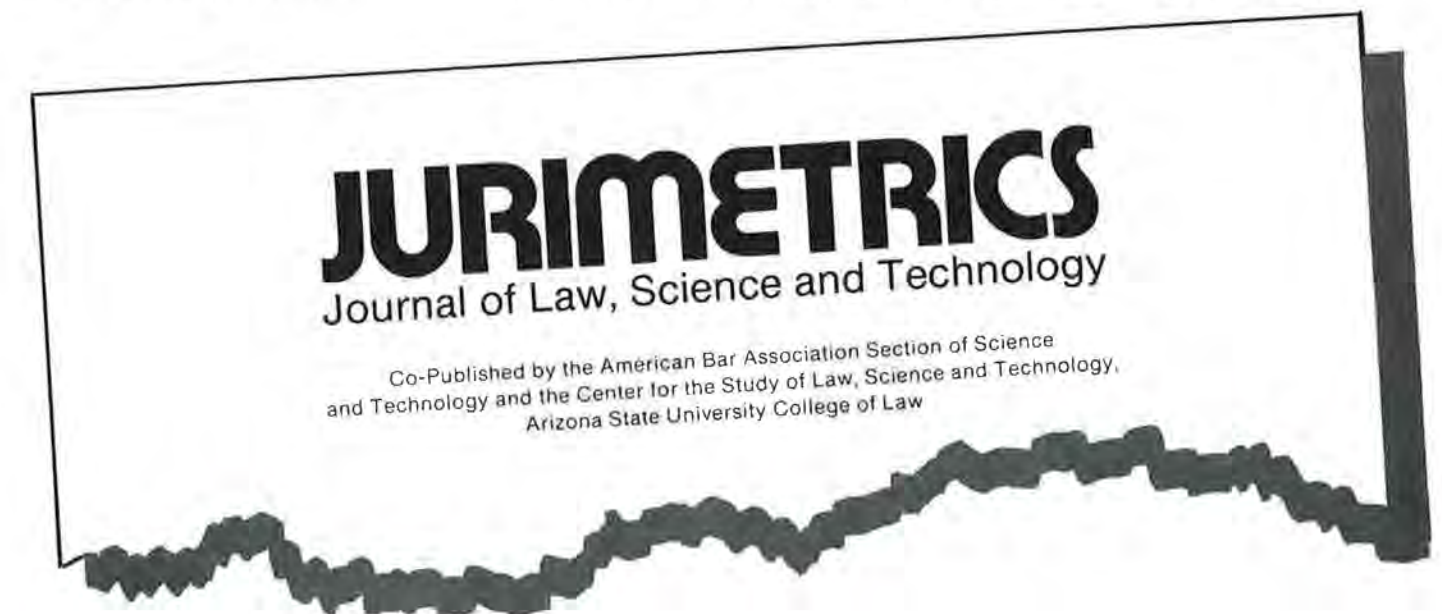
The ABA Section of Science and Technology was established in 1974 and was the successor to earlier ABA committees concerned with various aspects of the law-science interface. The Section now has over 3,000 members and seeks to promote professional and public understanding of the effects of changes in science and technology on law, of the problems arising from such developments, and of the processes by which the law responds.

The Arizona Board of Regents established the Center for the Study of Law, Science and Technology at ASU College of Law in the spring of 1984. Paul Bender, new Dean of the College of Law, said that the law school is now undertaking a search

for a faculty director for the Center, which has already jointly sponsored national conferences addressing recent scientific and technological advances from a legal and ethical perspective.

Edward Gerjuoy, Editor-in-Chief of *Jurimetrics*, said that the Journal goes to all members of the Section as well as to a number of non-member subscribers both in this country and abroad, and it is the largest journal of its kind in the world. Gerjuoy said he is looking forward to working with ASU law school because "ASU has an incredibly large number of technically sophisticated people on its law school faculty."

Gerjuoy now edits the journal in Pittsburgh, and it is published in Chicago by ABA Press. Professor David Kaye has been named as Associate Editor of the journal, Professor David Kader will serve as Book Review Editor and both will serve on the journal's editorial board. Dr. Edward Johnson, Director of ASU's Law, Science and Technology Programs, will serve as faculty liaison. Loevinger will continue to serve as a member of the editorial board, and Fiorito, as current Section chairman, will also be a member.





## Virginia Stewart Tribute

by Willard Pedrick

*Editor's Note: In November the College of Law honored Virginia Stewart with a luncheon on the occasion of her October 31 retirement following thirteen years of service to the College of Law as Placement Director. The following tribute to her was given by Professor Pedrick.*

This is your old worn out Dean (not to be confused with our youthful, handsome, virile new Dean). Nevertheless, rejuvenated with some of my own spare parts (the by-pass operation) I have the strength, at least, to ask one question. "Tell me, Is There Really a Santa Claus — for the ASU College of Law?"

Now, in the tradition of law professors, who are never satisfied with anyone else's answers to their questions, I'll give you the answer. Of course, Virginia, there is a Santa Claus for the ASU College of Law.

Santa Claus, as we all know, is a spirit, a spirit of generosity, of concern for others, of real interest in people, of a desire to help them and to brighten their lives. The ASU College of Law, from its beginning, has tried to nurture that spirit, but a massive spiritual infusion arrived in 1975 when a radiant, effervescent, electric, charming and energized dynamo by the name of Virginia Stewart appeared, as if by magic, to be our Placement Director, the person to open doors in the real world so our law school graduates could make their way at honest work — for a change, from being students, that is.

She labored, of course, under a serious handicap for she spoke no English — only an obscure, "North Carolina" dialect. Though the subtleties of speaking this tongue continued to elude all of us, she demanded successfully that we all learn to understand it. She was on



Virginia Stewart being honored by former Dean, Professor Alan A. Matheson.

this, as on all matters, a lady with a will of iron and she charmed us all — faculty, students, prospective employers — even corporations. For her, they would even remove the corporate veil, and dance, yet!

What a job she has done as our Director of Placement! We are a young law school and it is a time of some slackening of the market for law graduates. Nonetheless, we have continued to enjoy a splendid placement record, thanks in part, of course, to the quality of our graduates, but due in no small measure to the superiority of our great Generalissimo of Marketing.

Our students and graduates love her, know she is interested in them



Virginia with former colleague Olivia Birchett.

as persons, and know as well that she has started them on the road to useful, satisfying professional careers. She is known and loved by the faculty because she has managed to run a placement office so as to minimize interference with the academic program of the school. And she is appreciated by the other professionals in law school placement work.

Now she claims she is retiring. But this restless energetic spirit will not retire from life. We can be sure that after an appropriate period of meditation, she will be at it again — in some role, somewhere, spreading cheer, concern and warmth. The marvelous thing for us, of course, is that she has nurtured and strengthened those qualities here at the ASU College of Law. She has given a part of her life to make this a law school "with a soul," and so it shall remain.

Yes, Virginia, there is a Santa Claus for the ASU College of Law and you have made a distinctive and marvelous contribution in helping to bring this spirit to our school. God speed.

We will watch your next orbit with fascination and delight. Thank you, from all of us.

## Janice Baker Named Placement Director

Janice K. Baker joined the College of Law in January as Placement Director. She comes to ASU from the law firm of Jennings, Strauss & Salmon in Phoenix, where she worked in various capacities since 1970, most recently as Recruiting Administrator. She has been an active, contributing member of the National Association for Law Placement, which provides a national forum for law schools and legal employers engaged in the activities of law placement, recruitment and legal career development.

Consistent with the desires and objectives of the College, of importance to the new Director is not only to maintain contacts with in-state firms, but to increase the contacts with out-of-state employers. Ms. Baker also is committed to developing a stronger recruitment program in the spring for small and medium size firms to interview the students for permanent and summer clerkship positions. "Some firms/agencies are unable to project their hiring needs a year in advance and thus would prefer to interview stu-

dents after the first of the year. Additional efforts will be made to communicate with these organizations, in-state and out-of-state, and to provide a forum for them to satisfy their hiring needs. Whether in the fall or spring (or any time in between), employers are always welcome to solicit resumes and/or interview students for permanent or temporary employment," said Ms. Baker. For further information on placement services, employers are encouraged to contact Janice at 965-5808.



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### New Placement Service Offered To Alumni

In order to assist ASU College of Law alumni in their search for, or change in employment, the Placement Office is now publishing a monthly Placement Bulletin. The Bulletin lists opportunities in and out of the Phoenix area with law firms, corporations, governmental agencies, and legal service organizations.

Copies of the Bulletin may be picked up from the Placement Office the second week of every month or will be mailed to requesting alums. If you would like to receive this information, please return the postcard in this issue of the Law Forum or call Janice Baker at 965-5808.

Employers are encouraged to advertise their employment needs by sending their request to the Placement Office, College of Law, Arizona State University, Tempe, AZ 85287, or by calling Janice at the number noted above.



## Guests and Visitors

Maricopa County Superior Court Judge **B. Michael Dann** spoke to the Arizona Trial Lawyers Association Student Division in October on "How to Argue a Motion Before a Superior Court Judge."

**Burton Barr**, majority leader of the Arizona House of Representatives presented an October faculty seminar on the Arizona health care propositions.

**Walter Wadlington**, the James Madison Professor of Law at the University of Virginia, spent three days in November as a University Centennial Scholar at the College of Law. He presented a public lecture on "Medical Choices for Terminally Ill Patients," taught classes and presented a faculty seminar.

**Edward Gerjuoy**, Editor-in-Chief of *Jurimetrics Journal* presented a November faculty seminar on the recent controversy surrounding international exchanges of scientific research.

**Milton R. Wessel** was a visiting

scholar at the law school in November. A practitioner in the areas of law, science and technology, he serves as an adjunct professor at Columbia University and is the author of several books on scientific dispute resolution and products liability, the subject of his faculty seminar.

The Honorable **Harold H. Greene**, District Court Judge from the District of Columbia, was a University Centennial Scholar in January. Judge Greene presided over the divestiture proceedings of AT&T and presented a faculty seminar on the impact of that process.

The Arizona Supreme Court heard arguments in the Willard Pedrick Great Hall on February 21. Following the oral arguments on *Rossell v. Volkswagen of America*, *State v. Rossi*, and *Mills v. Superior Court*, members of the court—Chief Justice **William A. Holohan** and Justices **James Duke Cameron**, **Stanley C. Feldman**, **Frank S. Gordon, Jr.**, and

**Jack D.H. Hayes**—met for lunch with the faculty.

The Honorable **Carl McGowan**, a former Merriam professor, visited the College of Law in February.

Judge **Harry Edwards**, a Circuit Judge from the District of Columbia, was at the law school as a University Centennial Scholar in March.

The ongoing fall faculty seminars included **David Kaye** on micro-computer use, **Fernando Teson** on military intervention and human rights, and **Hannah Arterian-Furnish** and **Charles Calleros** on sexual harassment. Spring seminars were given by Professor **Anthony D'Amato** of the Northwestern University Law School, Dr. **Mikel Aickin**, Professor **Dale Furnish** on enforcement of foreign judgments in Arizona and Mexico, Professor **Fernando Teson** on international human rights, the Hon. **William Canby**, Professor **Linda Greene** of Harvard University and Professor **Haywood Burns**, City College of New York.



Boris Bittker



Milton R. Wessel

## 1984-85 Visiting Faculty

During the fall semester there were two visiting professors at the College of Law. Ralph Spritzer, professor of law at the University of Pennsylvania, taught Antitrust. Vivian Wilson, professor of law at the University of California Hastings College of Law, taught Negotiations and Criminal Law. Five adjunct professors assisted during the semester as well. Professor Junius Hoffman from the University of Arizona and then Arizona Corporation taught Securities Regulation. John A. LaSota, Jr., former member of the College of Law faculty and the Phoenix law firm of Winston and Strawn, now the chief aide to Arizona Governor Bruce Babbitt, taught State and Local Government. Samuel J. Sutton, Jr., of Cahill, Sutton and Thomas, Phoenix, taught Commercial Torts and Mark S. Wallace, Martori, Meyer, Hendricks and Victor, Phoenix, taught Business Planning. Hugo Zettler, of the Maricopa County Attorney's Office, directed the Prosecutor Internship throughout the year.

In the spring, joining Professor Spritzer as visiting faculty who taught a Supreme Court seminar, was Gerald Dworkin, former Dean of the College of Law, Southampton University in England, who offered Law and Medicine and Intellectual Property.

Six adjunct faculty joined the law school for the spring semester. The Honorable William C. Canby, Jr., of the United States Court of Appeals, Ninth Circuit, taught the first-year course, Constitutional Law. Judge Canby is a former member of the College of Law faculty, as is Stephen E. Lee, now with the Phoenix firm of Brown and Bain, who taught Corporate Tax. Vincent F. Chiappetta of Martori, Meyer, Hendricks and Victor presented the Law and Technology class. Harlan J. Crossman, a Phoenix attorney, offered a course



Gerald Dworkin admiring faculty gift, with Alan A. Matheson.

in Workmen's Compensation. Lawrence J. Hammond and Donald M. Peters, Martori, Meyer, Hendricks and Victor, Phoenix, offered a seminar on Advanced Discovery Techniques. Wendell Kay joined the College once again from his Anchorage, Alaska firm of Kay, Christie, Fuld, Saville and Coffey to offer Practice Court.

## Merriam Distinguished Visiting Professor

Boris I. Bittker, Sterling Professor Emeritus of Yale University Law School, held the Charles Merriam Distinguished Visiting Professorship at the Arizona State University College of Law during the past semester. He taught a course on corporate tax, in addition to offering a faculty seminar on U.S. tax policy and meeting with students and faculty during his stay.

Professor Bittker, considered by many to be one of the major tax authorities in the country, has served

on the Yale Law School faculty for nearly 40 years. A graduate of the Cornell Law School, with a Doctor in Law (LLD) from Yale as well, Professor Bittker was law clerk to Jerome Frank of the United States Court of Appeals, Second Circuit and worked as an attorney in the Lend-Lease Administration during the early 1940s. A prolific scholar, Professor Bittker has published numerous casebooks and treatises on federal, individual, corporate, and estates and gifts taxation.

The Merriam Distinguished Visiting Professorship was established in the spring of 1980 by Mr. and Mrs. Charles Merriam of Phoenix. Past "Merriams" at the College have been Professor Louis B. Schwartz of the University of Pennsylvania Law School; Professor William Cohen of Stanford University Law School; former Secretary of Labor, W. Willard Wirtz; Judge Hans A. Linde of the Oregon Supreme Court; and Carl A. McGowan, senior judge with the United States Court of Appeals, District of Columbia Circuit.



## Law School News Briefs

### College of Law Sponsors CLE Programs

On November 10, the College of Law sponsored its Third Annual Legal Problems of Small Businesses Seminar at the Board of Supervisor's Auditorium for Arizona businessmen. Sixty attendees heard presentations by Professor Dale Furnish and eight other attorneys and accountants on creditor-debtor rights, taxes and financial planning, use of legal counsel, employee relations, contracts and consumer laws.

The Fourth Annual Trial Advocacy Skills Training Course was also held at the College of Law from March 30-April 27. Twenty local attorneys attended the program which utilized NITA materials and teaching methods. Professors Selwyn Dallyn, Wendell Kay, Charles Pulaski, Robert Bartels and Lawrence Weeks served as faculty for the program as well as Judges I. Sylvan Brown, Jeffrey Cates, William Maroney, Edmond Noyes and Rebecca Albrecht (JD '75), as well as local attorneys Robert Begam, Jordan Green, William R. Jones, Jr., Ruth McGregor (JD '74) and William Sandweg III (JD '74).

### Law School Hosts Legislative Weekend

On November 17 the College of Law and the School of Social Work hosted the academic program for Sun Devil Weekend at the College of Law. During the weekend event, the University hosted the members and spouses of the Arizona Legislature to examine firsthand the programs of the University. Three law professors participated. Professor Ira Ellman spoke on "Living Wills and Powers of Attorney," Professor Robert Misner discussed "Alternatives to Incarceration," and Professor Ann Stanton discussed "Legal Issues Concerning Child Abuse."

entitled, "Introduction to Legal Method and Process" for West Publishing Company.

### Boston Conference Hosted by College & ALTI on Security Interests in Intellectual Property

This past October 26 in Boston, Massachusetts, the College of Law and the Arizona Law & Technology Institute (ALTI), hosted a conference on "New Assets For Secured Lenders and Judgement Creditors: Software Programs and Other Intellectual Property." The conference was a one-day briefing workshop on how to identify and maximize the value of property related to high technology as collateral and to reach it to satisfy judgments and other claims. Bankers, bank attorneys, high technology lawyers and lenders were the primary participants.

With the ALTI Advisory Board, Roy Freed, a high technology lawyer with the Boston law firm of Brown, Rucnick, Freed and Gesmar, led the conference. Conference faculty included: John W. Brackett of Infocom, Inc. of Boston; Professor Dale B. Furnish of the ASU College of Law; Adolf Monosson of the Boston Financial and Equity Corp.; and Barbara Plantholt of New England Venture Services.

### Tutorial Program

This year's 15-student, first-year tutorial program was directed by Rebecca White Berch, a partner in the Phoenix law firm of McGroder, Tryon, Heller, Rayes & Berch. Ms. Berch graduated from the College of Law in 1979 and is married to Law Professor Michael Berch. The Berches recently completed a casebook

entitled, "Introduction to Legal Method and Process" for West Publishing Company.

Ms. Berch was ably assisted in teaching the tutorial program this year by student tutors Jim Wright, Diane Evans, Julie Griffith, Charles Kolberg, Rick Kreckler and Rob Swartz.

### Moot Court Team Gains National Finals

For the fourth year in a row a team of Arizona State University third-year law students has finished among the final twelve teams in the National Moot Court Competition. The team, composed of Jofene Mills, Timothy O'Neill and Ann Scott, placed first in the regional competition hosted by ASU in November and finished in the top half of the twenty-five teams that survived a national competition of approximately 170 law school teams. The competition is sponsored by the Young Lawyer's Committee of the Association of the Bar of the City of New York and the American College of Trial Lawyers. Professors Hannah Arterian-Furnish and Michael Berch served as faculty advisors for the program.

### Student VITA Program Receives Award

The College of Law has received a 1983-84 Certificate of Merit from the ABA/Law Student Division for its successful Volunteer Income Tax Assistance Program. The award, presented at the ABA Annual Meeting in Chicago, recognizes an ongoing ASU law student income tax assistance program for qualifying taxpayers in the community.

### Jessup Competition

This year's ASU team for the Philip C. Jessup International Law Moot Court Competition, sponsored by the Association of Student International Law Societies and the American Society of International Law was Rosemarie Christofolo, Joe Lichtenstein, Karen Lugosi, Vicki Riccardo and Mickey Walker. They participated in the February regional competition in Denver, Colorado where they performed admirably, especially in the oral argument phase of the competition. The national finals were held in April in New York. Teams from nearly 200 law schools in some 39 countries argued a complex international dispute involving the creation of a Nuclear Free Zone and regional authorization of the use of force. Professor Fernando Teson served as faculty advisor.

### Student International Law Society Formed

Students from the College of Law have recently formed an International Law Society. Composed of over thirty students, the organization plans to present symposia, speakers and other activities at the College of Law. President of the organization is Rosemarie Christofolo and faculty advisor is Professor Fernando Teson. "The group has very ambitious plans," noted Teson, "and I think the interest in international issues is truly a sign of a maturing law school."

## Alumni News

### 1984-85 Annual Alumni Fund Drive

The 1984-85 Alumni Annual Fund Drive is near its \$32,000 goal. Overall class participation has increased in number of alumni and average size of gifts. The Annual Fund seeks unrestricted gifts from alumni which will help assure that necessary funds are available for:

- student scholarships and loans
- student activities
- continuing education and speaker programs
- faculty research and scholarships and the
- building expansion fund

Alumni are encouraged to contribute to the Annual Fund and may restrict their contribution for a specific purpose.

Class agents have contributed their time and energy to help make the Annual Fund Drive a success. Each agent was responsible for sending his/her respective classmates a special appeal letter in November asking for their participation in the Alumni Annual Fund. Several class agents assisted in follow-up telephone calls in March to those alumni who had not made a contribution.

### Law Society Fund Drive

The Annual Law Society Fund seeks unrestricted funds from the Law Society and other friends of the Law School.

Haze Burch of Burch and Cracchiolo, President of the Law Society, and Dean Paul Bender cosigned an appeal letter to raise unrestricted funds from Law Society members.

Nearly \$30,000 has to date been contributed by various members of the Law Society and supporters of the college, including individuals and firms.

The 1984-85 Class Agents are:

- 1970 — Duane Schultz; ASU Legal Counsel
- 1971 — Guy Knoller; Fannin, Terry and Hay
- 1972 — Van O'Steen; Van O'Steen and Partners
- 1973 — Michael Green; Weltsch, Santerre and Vande Krol
- 1974 — Franzuela Bacher; O'Connor, Cavanagh, Anderson, Westover, Killingsworth and Beshears

- 1975 — Michael Carnahan; O'Connor, Cavanagh, Anderson, Westover, Killingsworth and Beshears
- 1976 — Martha Kaplan; Campana and Horne
- 1977 — Michael Brophy; Ryley, Carlock and Ralston
- 1978 — Joyce Geyser; Sacks, Tierney and Kasen
- 1979 — Rebecca White Berch; McGroder, Tryon, Heller, Rayes and Berch
- 1980 — Suzanne Clark; Weyl, Geyer, MacBan and Olson
- 1981 — Maritza Munich; Treon, Warnicke and Roush
- 1982 — Judy Miller; Snell and Wilmer
- 1983 — Lenni Benson; Sacks, Tierney and Kasan

Two Area Agents also assisted the Fund Drive this past year: Washington, D.C. — Joe Sims, '70; Jones, Day, Reavis and Pogue Las Vegas — Denise Blommel, '78; Smith, Gould, Katchka and Treberg



## Alumni Association Holds Annual Luncheon

The College of Law Alumni Association held its Annual Luncheon at the Plaza Club on December 7, 1984. Approximately 250 alumni and friends attended the luncheon honoring Mayor Terry Goddard '76, 1984 Outstanding Alumni, and Professor Dale B. Furnish as 1984 Outstanding Professor.

The Alumni Association presented a check for \$4,000 to Dean Paul Bender to be restricted to the Alumni Endowment Fund. A check of \$1,000 was also presented to Dr. Lou Holcher, President of the Student Bar Association at the College of Law, to be used for various student activities.

Nominations for board members for the 1985 Board of Directors were made at the luncheon. The following alumni were elected:

### Officers

Jack MacIntyre '80 . . . . . President  
Richard Lorenzen '80 . . . . . Vice President  
Theodore C. Jarvi '73 . . . . . Secretary  
Susan Van Slyck '81 . . . . . Treasurer

### Directors

Andy Abraham '82  
Judith Bailey '75  
Ken Behringer '79  
Tim Burns '80  
David Chamberlain '74  
Susan Elkins '79  
The Honorable Elizabeth Finn '72  
Maureen Gavelek '79  
Barbara Jarvis '79  
Kevin Kane '71  
Martha Kaplan '76  
Diane Linstrom '81  
Michael Scott '71  
George Sterling, Jr. '72

### 1984-85

#### Alumni/Faculty Seminars

Fall 1984 Alumni/Faculty Seminars featured Professor Hannah Arterian Furnish whose topic was "Preventing Sexual Harassment Litigation," Professor Charles Calleros, "Legal



Professor Dale B. Furnish, Mayor Terry Goddard and Dean Paul Bender.

Writing in Litigation—the Effective Brief, the Enlightening Judicial Opinion," and Professor Fernando Teson, "The Future of Human Rights in United States Foreign Policy."

The Spring 1984 Alumni/Faculty Seminars featured Professor Larry Winer, discussing "What To Do About The Libel Problem," Professor Edward Cleary, whose topic was entitled "Putting It Down," and Dean Paul Bender, discussing "United States Court—Recent Decisions and Developments."

Alumni/Faculty Seminars are held three times each semester and alumni are urged to attend. For more information or suggestions concerning these matters, please contact Diane Schwan, Department Office, 965-6181.

### Alumni Appointed to Judicial Posts

Linda K. Scott, 1974 was appointed to the Maricopa County Superior Court. She was sworn in as Maricopa County's fifth woman Superior Court Judge on January 20, 1984. Judge Scott was a member of the

Phoenix law firm of Treon, War-nicke and Roush, where she practiced commercial litigation and bankruptcy.

Rebecca A. Albrecht, 1975 was appointed to the Maricopa County Superior Court in February, 1985. Governor Bruce Babbitt selected Judge Albrecht to fill one of the vacancies at the Superior Court created by the establishment of three new divisions. Upon graduation from the College of Law, Judge Albrecht worked in the Public Defender's Office until 1981, when she became Commissioner in the Juvenile Division where she served, up until her appointment to the Superior Court Bench.

Barry G. Silverman, 1976 became Superior Court Judge in Maricopa County on September 14, 1984. Governor Bruce Babbitt selected Silverman to fill the vacancy created by the departure of Judge David Perry from the Court. Judge Silverman served as an Assistant Prosecutor for the City of Phoenix from 1976-1977, was then Deputy County Attorney for Maricopa County until his appointment in 1979 as Court Commissioner for the Maricopa Superior Court.

## Alumni News

### Alumni C.L.E. News

The College of Law Alumni Association sponsored the Continuing Legal Education Seminar, "Exploring the Interaction Between Law and Psychology/Psychiatry" on Friday, April 12. The seminar covered domestic relations, criminal law, personal injury and workers' compensation.

Speakers for the event included numerous local experts in psychology and psychiatry. Neal H. Olshan, Ph.D., a Forensic Psychologist in private practice in Scottsdale, spoke on evaluating your case and client. Phillip W. Esplin, Ph.D., a Phoenix Psychologist, discussed how to choose between a psychiatrist and a psychologist and also discussed psychological testing. Otto Bendheim, M.D., Psychiatrist, previous Director of the Arizona State Hospital, and founder of Camelback Hospital, presented the "Psychiatric Autopsy" defense and discussed evaluating behavioral experts' conclusions in domestic relations.

Jack Potts, M.D., Director of the Durango Psychiatric Treatment Program, discussed evaluating behavioral experts' conclusions in criminal law. Maier I. Tuchler, M.D., a Forensic Psychiatrist and an expert witness, discussed the insanity defense, how it is used and how it will be affected by proposed legislation. Thomas O'Brien, M.D., Psychiatrist, an expert witness in torts, malpractice, and criminal cases, spoke on personal injury and workers' compensation cases.

The College of Law Alumni Association has other seminars planned. Please contact the Development Office at the College of Law for more information, 965-6181.

### Class of 1970

John Burke is a Real Estate Administrator for the City of Phoenix.

Michael D. Hawkins has joined Sacks, Tierney and Kasen (formerly Dushoff and Sacks).

Robert A. McConnell has been named a Vice President of CBS, Inc. in Washington, D.C.

Duane Schultz, ASU Legal Counsel is serving as Class Agent for the 1984-85 Alumni Annual Fund.

### Class of 1971

Guy Knoller, Fannin, Terry and Hay is serving as class agent for the 1984-85 Alumni Annual Fund.

### Class of 1972

A. Thomas Cole, a Casa Grande lawyer, writes a weekly law column for the *Tri-Valley Dispatch* and has been elected to the City Council of Casa Grande.

Van O'Steen, Van O'Steen and Partners, is serving as class agent for the 1984-85 Alumni Annual Fund.

### Class of 1973

William Chick has relocated his law office to 4500 North 43rd Street, Suite 100, Phoenix, Arizona 85018.

Redfield T. Baum has joined O'Connor, Cavanagh, Anderson, Westover, Killingsworth and Beshears in Phoenix.

Jerry C. Bonnett and William Fairbourn have formed their own firm: Bonnett, Fairbourn and Friedman, located in Phoenix.

Michael Green, Weltsch, Santerre and Vande Krol, Ltd. is serving as class agent for the 1984-85 Alumni Annual Fund.

William J. Eckstrom is a Mohave County Attorney in Kingman, Arizona. He was named 1984 County Attorney of the Year.

Daniel P. O'Hanlon has been elected for an eight-year term as Circuit Court Judge of Cabell County, West Virginia.

Roger William Rea attends the American Graduate School of International Management, Thunderbird Campus in Glendale.

### Class of 1974

John P. Zanotti has been named Assistant to the President, Newspaper Division of Gannett Co., Inc. in Arlington, Virginia.

Franzuela M. Bacher, O'Connor, Cavanagh, Anderson, Westover, Killingsworth and Beshears is serving as class agent for the 1984-85 Alumni Annual Fund.

Larry Anderson has relocated his law office to 4500 North 32nd Street, Suite 100, in Phoenix.

Wendy Bay Lewis was a contributor to *Flying Solo: A Survival Guide for the Solo Lawyer*. Wendy's chapter is entitled "Practicing Law in One Particular Field: For Lawyers who do not like to 'wing it'."

Frederick G. Gamble is President of Frederick G. Gamble, P.C. in Mesa.

### Class of 1975

Clifton Coleman, Jr. was appointed Director of Corporations by Bill McCuen, Arkansas' Secretary of State.

Michael W. Carnahan, O'Connor, Cavanagh, Anderson, Westover, Killingsworth and Beshears is serving as class agent for the 1984-85 Alumni Annual Fund.

### Class of 1976

Patricia A. Hall was re-elected last November as a LaPlata County Judge in Vayfield, Colorado. She



was appointed by Governor Lamm in 1982.

**Larry Dahl**, Vice President of Fidelity National Title Insurance Company in Scottsdale, has been appointed Director of Agency Operations.

**Martha B. Kaplan** of Campana and Horne is serving as class agent for the 1984-85 Alumni Annual Fund.

#### Class of 1977

**Michael Brophy** of Ryley, Carlock and Ralston is serving as class agent for the 1984-85 Alumni Fund Drive.

**James R. McArthur** was a contributing writer to the book *Flying Solo: A Survival Guide for the Solo Lawyer*. His chapter was entitled "Getting the Court to Award Reasonable Fees." James is with the law offices of James L. Corbet in Wickenburg, Arizona.

#### Class of 1978

**Joyce Geyser** is with the law firm of Sacks, Tierney and Kasen (formerly Dushoff and Sacks) and is serving as class agent for the 1984-85 Alumni Annual Fund.

**Francis G. Fanning** has relocated his law office to 45 West University in Mesa.

**Michael R. Temple** is with the U.S. Bankruptcy Court in Phoenix.

**Steven G. Smith** is with the newly formed law firm of Riggs and Smith at 45 West University in Mesa.

**Mark Freitag** has joined Hahn and Cazier in San Diego, California.

#### Class of 1979

**Captain Ila C. Bridges** is with the Judge Advocate General's School of the Army in Charlottesville, Virginia.

**Mary Jacqueline Frey** was appointed to the Board of Directors at Chandler Community Hospital.

**Donna M. Killoughy** has joined the Phoenix law firm of Lancy, Scult

and Ryan. Donna was Editor-in-Chief of the book, *Flying Solo: A Survival Guide for the Solo Lawyer* which was published by the American Bar Association. Local contributors included Wendy Bay Lewis '74 and James R. McArthur '78.

**Rebecca White Berch**, a partner with McGroder, Tyron, Heller, Rayes and Berch, is an Adjunct Professor at ASU College of Law and is Director of the Tutorial Program. Rebecca is also serving as class agent for the 1984-85 Alumni Annual Fund.

#### Class of 1980

**Tim Burns** has joined Greyhound Capital Corporation as Assistant Corporate Counsel in Phoenix.

**Joseph C. McDaniel** has founded the firm McDaniel and Jaburg in Phoenix. The four attorney firm is currently highly concerned with Bankruptcy Law.

**Suzanne P. Clarke** has joined the Phoenix firm Weyl, Guyer, MacBan and Olson and is currently serving as class agent for the 1984-85 Alumni Annual Fund Campaign.

In Memory, **David Craig Wilson** passed away this past September. David was with the law firm Burch and Cracchiolo.

#### Class of 1981

**Martha McConnell Bush** is currently the Staff Bar Counsel for the State Bar of Arizona in Phoenix.

**Maritza Munich** has moved back home to Bayaman, Puerto Rico to practice law. Previous to her relocation, Maritza served as class agent for the 1984-85 Alumni Annual Fund.

**Michelle K. O'Hair** is a Deputy County Attorney with the Maricopa County Attorney's Office.

**Vincent Iannone** was appointed the City Attorney in Lake Havasu City.

#### Class of 1982

**Julie Putnam Comfort** is with the

law firm Heyl, Royster, Voelker and Allen in Peoria, Illinois.

**Richard C. Onsager** is an Associate with Jennings, Strouss and Salmon. Richard completed his LL.M. in taxation at New York University last June.

**Judy Miller** of Snell and Wilner is serving as class agent for the 1984-85 Alumni Fund Drive.

#### Class of 1983

**Lenni B. Benson** is with the law firm of Sacks, Tierney and Kasen (formerly Dushoff and Sacks). Lenni is currently serving as class agent for the 1984-85 Alumni Annual Fund.

#### Class of 1984

**David Beychok** has joined the firm of Myers & Barnes in Phoenix.

**Robert Boatman** is now practicing with the Phoenix firm, Gallagher & Kennedy.

**Lynne Bonanno**, former member of the Scottsdale Planning Commission, has joined the law firm of Jennings, Strouss and Salmon where she is specializing in zoning.

**Alan Bornstein** relocated to the Seattle, Washington area and is an associate with Ferguson & Burdell.

**Emily Burns** is an associate with Farrer & Larson, P.C. in Sun City.

**James A. Burns** joined the firm of Carson, Messinger, Elliott, Laughlin & Ragan in Phoenix upon graduation.

**Vincent Andrew Cass** is an associate with the firm of Crampton, Woods, Broening & Oberg in Phoenix. He is also the proud father of a new baby girl, Britt.

**Paul G. Cereghini** joined the firm of Gray, Plant, Mooty, Mooty & Bennett upon graduation.

**Alan R. Costello** joined the Phoenix firm of Nye, Shaw and Fisher, P.A.

**Wendy Danielson** is now practicing as an associate with the firm Harrison & Lerch, P.C. in Phoenix.

**Lizbeth Griffin Ellis** was married after graduation and has joined the firm of Lewis and Roca in Phoenix.

**Jody Falk** is a new associate with the Phoenix firm of Snell & Wilmer.

**Jeff Finley** moved to the Flagstaff area and is practicing with the Fresquez & Fresquez firm.

**Coni Rae Good** has joined the firm of Teilborg, Sanders & Parks, P.C. in Phoenix.

**Richard W. Gurtler** is not only employed as a physicist with Motorola, Inc., but is also in the legal profession as a solo practitioner.

**Robert Handy** is with Motorola in the Patent Department.

**Ralph Hatch** has joined the Phoenix law firm of Mitchell, Timbanard and Katz.

**Lynn Harraway** is an associate with David Hadley, Jr. & Associates in Phoenix.

**Pamela Doak Hayman** was married last fall to Thomas G. Hayman (ASU 78) and is currently an associate with Streich, Lang, Weeks & Cardon, P.A. in Phoenix.

**Cheryl Ikegami** is a new associate with Snell & Wilmer in Phoenix.

**Terry Jackson** joined the Tucson firm of Bilby & Shoenhair and noted that he is finding Tucson a great place to live and begin practice.

**Neil Loughlin Kimball** relocated to Holland, Michigan and is an associate with the firm of Scholten, Fant & Marquis.

**David Louis Lansky** is an associate with the Phoenix firm, O'Connor, Cavanagh, Anderson, Westover, Killingsworth & Be-shears.

**Victoria A. McGuigan** is practicing law in Prescott. She was recently married to a fellow classmate, Ron Brambl, Jr.

**Diane M. Miller** is an associate with the Phoenix office of De-Concini, McDonald, Brammer, Yew-twin & Lacy, P.C.

**Jane Nicoletti-Jones** joined the Phoenix firm of Fennemore, Craig, von Ammon, Udall & Powers upon graduation.

**Patricia Nolan** accepted a judicial clerkship with the Arizona Court of Appeal for Arizona.

**Jose Salvador Padilla** is an associate with Gutierrez, Contreras and Padilla in Phoenix.

**Kathleen Pierce** joined the Phoenix firm of Kaufman, Apker & Nearhood.

**Eve Ross** is an attorney with W. L. Gore & Associates, Inc. in Flagstaff.

**Marta Ruiz** accepted a position with the Southern Arizona Legal Aid, Inc. office in Tucson. She was selected as a recipient of the Reginald Heber Smith Community Lawyer Fellowships (Reggies) for 1984-85 with SALA. The program provides one year of service in a Legal Services Council law office for lawyers who are sensitive to the needs of the poor and who demonstrate commitment to working in the community.

**Robert P. Solliday** is a student at New York University in the LL.M. Taxation program and reports that he had the privilege of being sworn in to the State Bar of Arizona by Justice Sandra Day O'Connor at the U. S. Supreme Court in Washington, D.C. last fall.

**Deborah Ann Solove** relocated to Albuquerque, New Mexico and is an associate with the law firm Ortega and Snead.

**Jennifer A. Smith** is an attorney with the Reno, Nevada firm Lionel, Sawyer and Collins, and was recently married to Alex Flangas (ASU 84).

**Wendi A. Sorensen** joined the Phoenix firm Langerman, Begam, Lewis and Marks upon graduation.

**Vera Ann Stiesmeyer** recently married, practiced law with a litigation firm briefly, and is now working part-time with Phoenix attorney Brice Buehler.

**Charles Alan Struble** joined the Scottsdale firm of James A. Tilker, P.C. upon graduation, and has married Debra Schoenback.

**Gregg Temple** has written an article, "Freedom of Contract and Intimate Relationships" under a fellowship grant from the Institute for Humane Studies and notes that it will be published in Harvard Journal of Law and Public Policy. Gregg is currently a judicial clerk for Chief Justice William A. Holohan, Arizona Supreme Court. He married fellow classmate Cynthia Cheney after graduation.

**Annette Trainor** is a new associate with Norton, Burke, Berry & French in Phoenix, and was recently married to James Burns (ASU 84).

**Christopher Ware** is an attorney with Culbert & De Ninno in Globe.

**Louise Werho** accepted an associate position with Evans, Kitchel & Jenckes, P.C. in Phoenix upon graduation.

**Denise M. Westfall** is an Assistant Attorney General in the State Attorney General's Office in Phoenix.

**Lynn Thomas Ziolk** is practicing with McLoone, Theobald & Galbut in Phoenix, and recently was married to Barbara Jean Rupley.

**Yvonne Hunter Evans** is practicing with the Maricopa County Attorney's Office in Phoenix.

**Christopher C. Mason** has relocated to Seattle, Washington, and is an associate with Thoreson, Yost, Berry & Mathews.

**Mark L. Barry** is practicing in the City of Phoenix Prosecutor's Office.

**Dennis Glanzer** has joined the Flagstaff firm, Wilson, Gaytford & Grimsrud.

**Steven E. Carr** relocated to Idaho Falls after practicing briefly in Salt Lake City. He is currently a partner in the Fuller & Carr firm.

**John Woodrow** is a tax consultant with the Phoenix Office of Arthur Young & Company.



**Barbara L. Cook** joined the Murphy & Posner law firm in Phoenix.

**Cynthia Cheney** accepted a judicial clerkship with Judge Bruce E. Meyerson of the Arizona Court of Appeals. She married a fellow classmate, Gregg Temple, last summer.

**Ritz Schmitz** is an associate with Fennemore, Craig, von Ammon, Udall & Powers in Phoenix.

**Lance Perna** is practicing in the Law Offices of Steven J. Brown in Phoenix.

**Gloria S. Perez** joined the Phoenix firm of Rallis, Silva & Silva, P.C.

**Laura A. Estau-Lowery** is an attorney with Daniel R. Ortega, Jr. P.C. in Phoenix.

**Don C. Bevins** accepted a judicial clerkship with Honorable Paul W. Schnake, Illinois Court of Appeals (2d District) and is residing in North Aurora, Illinois.

**Christopher Johns** served as the Acting Director for Arizona Statewide Legal Service Project until January 1985.

**Richard K. Miller** is a Deputy County Attorney with Maricopa County in Phoenix.

**Francisca Cota-Perez** is practicing with Dennis P. Turnage, P.C. in Phoenix.

**Robert J. Spurlock** served as a clerk with the Arizona Court of Appeals for Judge D. L. Greer.

**Cynthia L. Wolfe** is an associate with Bentley, Brandes & Brandes, P.C. in Phoenix.

**Craig K. Williams** accepted an associate position with Snell & Wilmer in Phoenix upon graduation.

**Noah S. Hirsch** served in Washington, D.C. as a clerk for the Federal Communications Commission Chief Administrative Law Judge, Thomas Fitzpatrick.

**Judith C. Darknall** is practicing on a limited basis as a sole practitioner in Tempe.

**Susan M. Schramm** relocated to Pittsburgh, Pennsylvania, and is Assistant Counsel for Ingersoll-Rand Financial Corporation in Pittsburgh.

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