

Arizona State LAW FORUM



JOHN SAMUEL ARMSTRONG

LEGISLATIVE FOUNDER OF ARIZONA STATE UNIVERSITY

ON FEBRUARY 28, 1905 YOUNG JOHN S. ARMSTRONG, CHAIRMAN OF THE HOUSE EDUCATION COMMITTEE INTRODUCED INTO THE THIRTEENTH TERRITORIAL LEGISLATURE A BILL TO ESTABLISH AN INSTITUTION OF HIGHER EDUCATION TO TEACH, AMONG OTHER THINGS, "THE FUNDAMENTAL LAW OF THE UNITED STATES" AND THE "RIGHTS AND RESPONSIBILITIES OF CITIZENS." FROM THIS ENABLING LEGISLATION HAS COME ARIZONA STATE UNIVERSITY. TO HONOR ITS LEGISLATIVE FOUNDER, THE UNIVERSITY HAS DESIGNATED THIS AS THE ARMSTRONG LAW BUILDING.

Remarks from the Dean Alan A. Matheson	1
The Role of Alumni in Legal Education — Apart from Fund Raising Willard Pedrick	2
The Mobilization of Shame: A Report on the Human Rights Work of Amnesty International David Kader	5
Cleary on Canby Edward Cleary	9
Law School News Briefs	11
Alumni News	13

Editors: David Kader, Susan M. Janssen and Stephen E. Lee
Staff: Nancy Zohner and Deb Williams

Published twice a year by Arizona State University College of Law. Produced by ASU Bureau of Publications. Special thanks to ASU Development Center.

Copyright © 1981 by Arizona State University College of Law. All rights reserved.

Address correction:

Changes of address should be sent to the editorial offices, College of Law, Arizona State University, Tempe, Arizona 85287, (602) 965-6181.

Photo credits:

Photos by Charles R. Conley, except on page 9, *Arizona Republic* photo, and alumni photos which are the courtesy of individuals pictured.

Please use the enclosed postage paid card to let us know address changes and news. We also welcome personal notes, clippings, photographs, and other forms of communication about events of interest in the lives of our alumni. Photos will be credited and returned after publication if so requested.

Remarks from the Dean

Dear Graduates and Friends:

During the past several years, the Law School has undergone many changes in personnel, curriculum and programs, but the original commitment to quality legal education has never been altered. Advancements and improvements have been noted at the school this academic year, and I wish to call your attention to the following developments of 1980-81.

After an intensive recruitment season, the school hired seven new faculty members, six of whom began teaching in the fall semester. These positions became available through retirement (Cleary, Strong), resignation to assume a judicial post (Canby), promotion (Matheson), resignation to accept appointment to another faculty (Zillman), and the addition of two new faculty lines by the University. The school was fortunate to attract able persons with extensive practice, government and teaching experience, and the newcomers have already enhanced the stature of an acknowledged strong faculty. These appointments and the naming of Professor David Kader as Associate Dean are the major personnel highlights of the academic year. In addition, William Cohen of Stanford University, a Constitutional Law Scholar, visited as the Meriam Distinguished Professor, and Eliza Newby of the University of Western Australia, George H. Hauck of the University of California, Robert Bartels of Iowa and Robert Grime of Southampton, taught as Visiting Professors during the year.

Significant decisions affecting the curriculum included the adoption by the faculty of a major writing requirement as a condition for graduation; a refinement of the credit-no credit grading system which essentially extended numerical grading to all offerings except seminars, internships and independent study; the abolishment of distinction between what were formally designated as "second-year" and "third-year" courses; and guidelines for externships by law students engaged in law-related activities outside the Law School. For the first time a course

emphasizing skills education, The Lawyering Process, was offered as an introduction to the internships.

The opportunities for law students in clinical programs were supplemented by a grant of \$59,000 to the school under the Federal Law School Clinical Experience Program. With these funds, the school hired a second staff attorney for the civil law clinic in an effort to provide more effective supervision for the student interns.

Two special visitors enriched the intellectual atmosphere of the Law School by their presence as "scholars in residence." Judge Carl McGowan of the United States Court of Appeals for the District of Columbia, and Professor Harry K. Jones of Columbia University spent several days at the College, teaching classes, meeting with students, lecturing and offering faculty seminars. We hope to continue and to expand this program of educational enrichment.

In March, a Colloquium on Community Property was offered at the School in cooperation with the Arizona State Bar. Also, a Trial Advocacy Seminar was offered for twenty newly admitted attorneys from the Phoenix area.

The beautiful law building is filled to capacity, and additional space is urgently needed to continue the educational programs of the school. Not only is our library stack space nearly filled, but the number of offices is insufficient to accommodate the present faculty and staff. Classroom availability is also a problem. Preliminary planning is under way for a major addition and remodeling of the law building.

With the assistance of the University and the Development Fund, the College of Law will move to semi-annual publication of the *Law Forum*. Our intent is to provide graduates of the school with information regarding activities of the College and of the alumni. We invite your suggestions and, particularly, your assistance in noting the achievements of fellow graduates.

Warm regards.

Alan A. Matheson

The Role of Alumni in Legal Education – Apart from Fund Raising

WILLARD PEDRICK

The old prescription for success as a university president — keep the alumni happy with a winning football team, the faculty with parking, and the students with sex — will, in our changing world, no longer work. It assuredly will not work for law school deans. A law dean is lucky if he can find a place to park his own car. A higher university official, typically a parking administrator, now handles policy questions of that magnitude. As for sex, with a student enrollment now about one-third female, the matter is rather out of the dean's hands. In any case, one ought not to expect too much from a middle-aged, happily married law dean — and there are a few such still extant. As for football, law alumni are not interested in having a law school athletic team. Moreover, being happy about legal education, for a great many alumni, is simply not a natural state. Many tend to regard their great personal success as a triumph over the limitations of their legal education, a tribute to their native talent and industry. They see themselves as largely self-made, taking honest and immodest pride in their product.

For an academic year, 1966-67, as the dean of a not yet operational law school, I had what many regarded as the ideal law school deanship — I had neither faculty, students, nor alumni — an ideal but, alas, unnatural state of affairs. Now, some 13 years later, with more than 1,000 alumni, my law school necessarily faces the questions of what to do about them or with them, for they won't go away and, like other submerged elements of our society, they want a piece of the action. What their role should be, apart from the crass and delightful business of alumni financial contributions, is my topic.

What ought alumni be asked to do for their law schools? Certainly not to return to the school to lecture the students about the real world and their incredible triumphs in that world. Generally, these success stories make dull listening. Fortunately, not many would be bored for, in this non-authoritarian era, there would be few in the audience. An occasional alumnus can be put to fruitful use in a seminar or even in an occasional class — as a resource person to answer questions, but not to expound at length. Even here discretion is advisable. There is something about legal education, a kind of virus, which seems to infect a high percentage of our graduates, who see themselves as teachers, great teachers. Perhaps it is because having seen

how, in their view, it ought not to be done, they feel confident they can improve dramatically the state of the art. Many are called, it would seem. Since the ranks of full-time law teachers are small, and likely to remain so, most alumni will remain frustrated on this front. A few will be chosen. The great growth of continuing education programs far beyond the capabilities of full-time law teachers does, of course, offer significant teaching opportunities for practitioners (therapy of a sort), and this area is one that is and will be further exploited. But these programs, important as they are, do not greatly affect the operation of the basic program of legal education for law students.



Professor Willard Pedrick served as founding dean of the Arizona State University College of Law and retired from that position to return to teaching in 1976. This article is based on his remarks to a program of the Section of Legal Education at the Annual Meeting of the American Bar Association.

There are ways, though, in which law school graduates can assist their schools in meaningful fashion (apart from money, as prescribed in this discussion). The American Bar Association accreditation standards, in Article 208, refer in a permissive way to the use of a "Committee of Visitors" in a "participatory" or "advisory" capacity. In my own service on accreditation visits to other law schools, it has been commonplace to inquire whether a Committee of Visitors or similar mechanism is in operation. Many schools have such committees, and other schools have been encouraged to use this system for an official channel of communication between the school, the profession, and the public.

Whether through the machinery of a Committee of Visitors or through an alumni association, the law school can be assisted by interested alumni on several fronts. First, there is the matter of carrying the word — reporting to the profession (and a breathlessly waiting world) what the law school is doing in its program of legal education. The immaculate misconceptions about legal education, uncontaminated by worldly contact, which the practicing bar holds with an iron grip, pass belief. This credulity must be a continued and strengthened version of the law student's predisposition to accept any rumor, however bizarre, indicating that the school is embarking on some weird and unpromising departure from the tried and true ways of legal education. "Believe the worst" seems to be the watchword. A few years ago, for example, then Dean David Vernon of Iowa was locked in nearly mortal combat with the local bar over a reported law school decision not to list Evidence as a required course. In fact Iowa, as I recall, had not required Evidence for nearly 40 years. (It was not a required course at Northwestern either, my own law school where John Henry Wigmore made his name.) Of course, virtually every student took Evidence, but that is beside the point — compulsion is singularly attractive when it is applied to others, for example, current students.

To have a channel of really informed alumni and other friends of the law school in a position, after thorough briefing, to describe with accuracy and detail the significant features of the law school's current educational program and to answer proposals born of ignorance, can be of enormous value to the school. General awareness of the extent to which trial practice is now and has been taught for the past decade or more could help put the concern over law school training in that field in better perspective. The same is true of the now widespread programs of clinical education and developing instruction in counseling skills. It is not enough in this world to build a better mouse trap. The accomplishment has to be known. The alumni, through a Committee of Visitors and alumni association, can assist a school by publicizing, both formally and informally, significant features of the current instruction program of the school. A formal report by such a committee, to be published separately or as an appendix to the Dean's Report, deserves consideration.

A second function of such a Board or Committee is to

talk back to law teachers. Most full-time law teachers come from practice. They do know from experience as well as from libraries something of the nature of the real world. Moreover, the separation between the practicing world and the world of academia is fortunately not as great in this country as it is in most of the common-law world. But still, the world does change, and it is good to have some organized system for gathering intelligence on those changes. The alumni represent such an apparatus. They have not been as much used on an organized basis as they ought. The alumni can tell their schools about the kind of legal world in which they live and practice. They can also tell their schools which features of their legal education seem to relate most fruitfully to their practice and which relate least fruitfully, or not at all. We cannot expect the alumni to be particularly good at forecasting what the world will be like after a few more revolutions, for they spend their time looking at where they have been and are not usually much given to speculation about where they are going. The task of prophecy they leave to the academics, who are not particularly gifted at it either.

The alumni . . . can assist a school by publicizing, both formally and informally, significant features of the current instruction program of the school.

What the alumni can tell us about their experience, if properly organized for the purpose, can be of great value on at least two fronts. First, there is the business of what the law schools should teach. A recent volume of the *Journal of Legal Education* carries an article by Leonard L. Baird, Senior Research Psychologist with the Educational Testing Service, reporting on a study sponsored by the Law School Admissions Council. The article is entitled "A Survey of the Relevance of Legal Training to Law School Graduates." Dr. Baird's survey sent questionnaires to a sample of law graduates of Boston College, George Washington, Michigan, New York University, San Francisco, and Texas. Some 4,000 questionnaires in all were sent to graduates who had been out of law school for 5, 10, and 20 years, respectively. The questionnaire must have been somewhat burdensome, but the response rate was about 50 per cent, considered both adequate and good.

The study is highly interesting, and some of the results follow. Of the law graduates responding, 62.4 per cent were in the private practice of law, with another 22.3 per cent in the business world. As to the nature of the practicing

... by developing and using a two-way system of communication with our alumni, we can provide them with a sense of community in an enterprise in which they have a lifelong stake ...

lawyer's work, in Baird's words, "When all the alumni were considered as a group, it appeared that trial and litigation, corporate law, real estate and general practice were the most important, followed by commercial law and administrative law." In a later passage he observes,

When we asked the alumni who had pursued a special area of the law to describe the extent to which law school provided useful training in the area, four areas stood out: family law, personal injury law (plaintiff), personal injury law (defendant), and real estate. A sizable number of lawyers specialized in these areas and at least a third of those working in the area said that their law school training was not useful or that they had no training in the area. In addition, many lawyers expressed their opinions about the inadequacy of their law school preparation for trial and litigation work.

The responding law alumni were asked to indicate the importance of a variety of skills and knowledge thought to be relevant to the performance of lawyer's work. Of interest here is the information that "knowledge of statutory law" found 63.5 per cent rating it as of "great importance" in their work. Interestingly, the law school training (focused heavily as it is on common-law cases) was ranked as "essential" for attainment of competency in this area of skill or knowledge by 21.1 per cent while another 55.6 per cent found their law school work "helpful." In another area rated as "important" in practice, the "ability to counsel" clients, legal education does not fare as well, with two-thirds giving the law school no credit at all on that front.

I have dwelt a bit on this recently published study, for it illustrates in convincing fashion the feasibility of establishing an organized and continuing channel of communication between alumni and law school to secure thoughtful and useful information about the world in which law graduates practice and the extent to which law school training might be improved. Through such a channel (on a sampling basis), which I submit every law school ought to use (with Dr. Baird's questionnaire as a starting model), the alumni can speak not only to the faculty but to the current students as well. The matter of alumni reaction cannot, I believe, be served by a Board of Visitors, which is too small a sample.

One of the heartening things revealed by the Baird study is the recognition on the part of a surprising percent-

age of the responding alumni that the really important part of their legal education was not the assimilation of factual information, of rules of law, but was, rather, the development of basic skills of analysis and communications. In Baird's words:

When asked to describe the role their law school training played in their skills, the legally trained people credited law school with a major role in their ability to analyze and synthesize law and facts and the ability to do research.

In the words of one of the respondents: "While the factual course content is important, especially the basics taught in the first-year law school curricula, factual content is not at the heart of superior legal training." That is a message first-year law students need. It is a message they will credit much more when it comes from the practicing side of the profession, as contrasted to those who have taken the academic poverty vow.

The change in perspective from student to experienced practitioner on what is the real essence of legal education suggests yet another contribution alumni could make to their law schools. In this age of consumerism, the current law students pass judgment on the quality of their law teachers through an evaluation system. These student evaluations of the teacher's performance can and often do play a significant role in such important issues as promotion in rank, granting or denial of tenure, and salary improvements. Student evaluations are obviously relevant and useful information — but information that comes from a somewhat limited perspective. Often the student's assessment of the teacher's contribution to the educational experience will be revised in the light of later reflection and worldly experience. The teacher who was appreciated because he "laid out the black letter law" is likely to lose some of his fans as they mature and discover that the "true rules" generate little lawyers' work. At the same time, the teacher who emphasized analysis, precision in the use of words, and development of skills of advocacy will gain with many graduates as they come to appreciate better those features of their legal education. Ought we not at least sample these later assessments of teacher effectiveness and give significance to these more mature evaluations on issues relating to rewards for teaching excellence?

So I see several ways in which the alumni can offer factual data and impressions that can assist in the ongoing improvement of legal education. Moreover, by developing and using a two-way system of communication with our alumni, we can provide them with a sense of community in an enterprise in which they have a lifelong stake, their law school, and a means of contributing beyond money to improvement of that school. We will almost assuredly find that as we ask alumni to help by answering questionnaires and by serving on Committees of Visitors, we will not have damaged our financial prospects. When interest is compounded, the principal cannot be far behind!

The Mobilization of Shame: A Report on the Human Rights Work of Amnesty International

DAVID KADER

This year marks the twentieth anniversary of the world's most vigorous and largest nongovernmental human-rights organization, Amnesty International (AI). In anticipation of a year of assessment of the work of AI, and of the condition of human-rights law and practice, I offer a brief report on this organization, which has been honored with a Nobel Peace Prize. This report will review the nature and role of AI and attempt to place it within the context of the modern international struggle to vindicate human rights. This presentation will indicate both how far the



Associate Dean David Kader was introduced to the work of Amnesty International while pursuing graduate study at the London School of Economics, University of London. He subsequently was a co-founder of the AI Iowa City Adoption Group in 1977 and now teaches a course in International Human Rights at the College of Law.

world of nations has come in substantive norm-setting and also how impotent the formal implementation procedures remain, in their letter and in their nonuse. The gap between declaration and deed in governmental and intergovernmental behavior creates the necessity for nongovernmental actors, like AI.

Prior to this century, the traditional theory and practice considered the fate of the individual a matter within the exclusive domestic jurisdiction of the State and, therefore, beyond the reach of international law. International law was as the very term denotes: law governing the relations between and among States, without recognition of the individual or nongovernmental bodies as equal legal actors.

Where exceptions existed to this jurisprudence (and a number did, as in the customary rules regarding aliens or diplomats and in the various treaties on the slave trade), the individual was the *object* of the law, and State motivation was in the main a product of political not humanitarian considerations. Hence, with the dawn of the twentieth century, either a State's treatment of an individual was not a matter of international law at all, or the individual was but its object.

These antecedents to modern international law have been greatly eroded, yet maintain vitality in State practice and in some important legal provisions. For example, Article 2(7) of the United Nations Charter exempts matters "which are essentially within the domestic jurisdiction" of a State from UN intervention. The idea of sovereignty embodied in this provision, combined with frequent State reliance on its letter, blunt the wholesale disappearance of last century's jurisprudence on a State's prerogatives over its own population.

With the Second World War, both international law and theory underwent a revolution, resulting in the emergence of new norms, subjects, and agendas for international law — not the least of which was the place of human rights. During and immediately after the War, efforts to formulate international legal norms on human rights commenced, the individual became a subject of the law, and human rights was very much on the agenda of international discourse. The barbarity of the Nazi domination of peoples in Europe led to an Allied war effort infused with

the rhetoric of rights and freedoms and ultimately to strategies for a structure of peace linked with, and even based upon, the vindication of individual rights.

The most prominent intergovernmental edifice of this revolution is, of course, the United Nations and its Charter. Most informed observers voice great disappointment over the failures of the UN in its central mission of peace keeping (more a product of nonfeasance than misfeasance), but vital achievements in human-rights norm-setting have nevertheless occurred. In addition to the Charter's own exhortations for "promoting and encouraging respect for human rights," a series of Declarations and Covenants together serve as the textual and moral basis for the effort to hold States to their formal promises.

The most notable early human-rights norm-setting achievements were two texts in 1948: the Genocide Convention and the General Assembly's Universal Declaration of Human Rights. The latter, though in its inception deemed merely declaratory and without binding legal force, has come over time to be seen and exercised as part of the International Bill of Rights. The other legal components of this positive law structure are the two 1966 International Covenants — one on Civil and Political Rights, the other on Economic, Social and Cultural Rights — and the 1966 Optional Protocol to the Civil and Political Rights Covenant. The two Covenants and the Optional Protocol aimed to create more binding norms and implementation procedures, including compliance reports from governments under the Optional Protocol. It is important to realize that whatever merit exists in these processes, they continue to be under-used and misused.

Finally, a number of important norm-setting Declarations and Covenants have been promulgated on other issues in recent years. The most important are the International Convention on the Elimination of All Forms of Racial Discrimination, from the United Nations and two regional developments: The European Convention for the Protection of Human Rights and Fundamental Freedoms and the American Convention on Human Rights. These regional developments are the most sophisticated of any intergovernmental effort to date, with the European community establishing a European Court and Commission on Human Rights that have been a relatively meaningful instrumentality of human rights protection. Its most notable act was the case against Greece brought by Denmark, Norway, Sweden, and the Netherlands in 1967.

Norm-setting for human rights in international law was the virtue of our immediate past; its vice was the inadequacy and passivity of implementing techniques — in their narrow availability, in their over-politicization, and in their inherent lethargy. Into such a landscape, new forces are invited, to the extent that a human-rights ideology has hold on the popular mind and will. The contemporary forces of greatest note are the nongovernmental organizations, most notably AI.

Amnesty International (AI), founded in 1961 by an

The gap between declaration and deed in governmental and intergovernmental behavior creates the necessity for nongovernmental actors, like AI.

English barrister, is a world-wide, nongovernmental human-rights organization. These characteristics stress personal international responsibility for the protection of human rights. First, AI is international in character, both in volunteers and beneficiaries. More than 2,000 adoption groups exist, with national sections in 39 countries and with individual members and supporters residing in nearly 80 other countries. The vast majority of adoption groups are in the West, however, and greater effort and resources are being given to forming Asian and African groups, largely from the monies received with the 1977 Nobel Peace Prize. Moreover, AI responds to human-rights violations world-wide, maintaining research departments in its Secretariat office in London — on Africa, Asia, Latin America, the Middle East, and Europe — to monitor and report on matters within the organization's mandate. These efforts resulted in nearly 5,000 cases last year, though more than one-half million persons were believed deserving of attention. Information comes from a variety of sources, including public sources, such as press and radio; private sources, such as field reports from experts and appeals from victims and their families; and from a world-wide network of AI contacts and fact-gathering missions.

Second, AI is a nongovernmental organization, holding consultative status with the United Nations (ECOSOC and UNESCO) and the Council of Europe, cooperative relations with the Inter-American Commission on Human Rights of the Organization of American States, and observer status with the Organization of African Unity. The principle of noninterference, which is based on national sovereignty, is the bar to meaningful formal governmental action against human-rights violations. Thus, significant non-government-related action is invited and received, primarily but not exclusively from AI. Individuals throughout the world are assuming increasing responsibility for the safeguarding of human rights, independent of any government and free of political, economic, or religious dogma.

Third, AI's commitment is to the defense of human rights by working for the release of persons detained anywhere in the world for their beliefs, color, ethnic origin, language, or religion, and who have not used or advocated the use of violence — the "prisoners of conscience." In addition, AI seeks a fair trial and humane treatment for all prisoners, but its "violence clause" means that AI does not

seek the release of prisoners who are serving sentences imposed after a fair trial for activities involving violence. The protection and freedom of prisoners adopted by AI is sought by various means — letter writing, public campaigns, observers, and special reports. The aim is to remind governments that injustice will not pass unnoticed. Vigilance and illumination is AI's practice. The symbol of AI is a candle surrounded by barbed wire.

Fourth, AI is a voluntary movement of concerted action by individuals organized into small local groups. These adoption groups are assigned at least three cases, which the International Secretariat has verified as involving prisoners of conscience. The cases assigned each group involve the critical work of communicating international concern for the prisoner and for his or her human rights. This work is undertaken by the local adoption groups who conduct insistent and informed appeals to the relevant government official or jailer and attempt to involve other persons or groups in similar efforts. AI's independence is assured by its financial support, which rests in large part on the support of individual members and adoption groups; for the year ending in 1979, more than 90 percent of the total income comes from these sources.

In addition to assisting prisoners of conscience, AI also seeks to stop torture and the use of the death penalty in all cases, regardless of the offenses involved. On Human Rights Day in 1972, AI launched its Campaign for the Abolition of Torture. The campaign's goal is not only the rescue of individuals subjected to torture, but also public and governmental awareness-raising efforts, including the establishment of codes of ethics for those who might become involved in the torture process (jurists, doctors, police, and military personnel). In 1973, AI issued its country-by-country *Report on Torture* as a reference source for the Abolition of Torture Conference in Paris. It remains the primary international review of the use of torture, and is devastating in its findings and conclusions. In essence, AI reports that torture is a world-wide, systematic, administrative practice of political control — not merely a device of extracting information. The suspension of the rule of law by extraordinary emergency declarations of martial law seems to be the "legal foundation" for the growth of torture.

In its opposition to torture, to the death penalty, and to the detention of prisoners of conscience, AI mounts a world-wide voluntary movement to awaken opinion, believing it the force capable of shaming governments to human rights adherence. AI's commitment is to personal responsibility for humane conduct world-wide. Central to this campaign is not simply the direct engagement of governments and intergovernmental organizations but, more fundamentally, the concerted effort of individuals organized into small working groups. To these groups, with memberships as small as 10 persons, the International Secretariat of AI in London assigns particular cases of individual deprivations after extensive research to verify the human-rights violation. It is this strategy of specific casework by a world-wide network of adoption groups that so

dramatically distinguishes the strategy of AI from other nongovernmental human-rights groups.

AI is devoted to impartiality in its casework. This commitment is in large part ensured by three basic operational rules: First, adoption groups usually work simultaneously for prisoners from different political circumstances. Second, adoption groups are never assigned a prisoner detained or abused by their home government. Third, the Research Department of the International Secretariat is comprehensive in its efforts to investigate all viable information it receives, within the obvious constraint of resources.

These impartiality rules have led to general recognition of AI as the primary source of information about international human-rights violations pertaining to political imprisonment. This recognition, however, has placed a particular burden on the organization. Demand now exists for continued and increased servicing of requests for information by scholars, journalists, and even governments, in the midst of an expanding need of the adoption group system as it increases in size world-wide.

The research program is the first stage of AI work — it leads to action on behalf of individual prisoners of conscience. The cornerstone of the adoption group effort to achieve release of prisoners of conscience, or at least a betterment of prisoners' circumstances of detention, is to make more visible the individual's plight — more visible to the victimizers by a letter campaign from the adoption group and others whom the group can persuade to assist. Assistance is forthcoming often from wide segments of the local public and frequently from professional groups interested in the person or status of the prisoner. Words are the weapons of AI action, and its conviction is that justice will increase with its messages coming from all parts of the world, from all segments of society.

My adoption group work introduced me to three obscure names that are my constant provocation to rethink: Victoras Pyatkus, Benson Kanengoni, and Anselmo Fernandez. They are the three adoptees of Amnesty International's Adoption Group number 58, of Iowa City, Iowa. I wish to discuss them and how AI is trying to make their predicament more visible and thereby more tolera-

In its opposition to torture, to the death penalty, and to the detention of prisoners of conscience, AI mounts a world-wide voluntary movement to awaken opinion, believing it the force capable of shaming governments to human rights adherence.

ble. My information comes from my past association with Group 58.

In November 1976, Victoras Pyatkus, a scholar of Lithuanian literature, and four others formed the Lithuanian branch of the Public Group for the Assistance of the Implementation of the Helsinki Agreements in the USSR. In August of 1977, he was arrested for these monitoring activities and was held incommunicado until his trial at the end of July 1978. As feared, Pyatkus received the severest available penalty: ten years in a prison labor camp and five years of Siberian exile for "anti-Soviet agitation and propaganda." The fear of severe penalty was based on Pyatkus's early convictions for political crimes. In 1947, as a teenager, he was sentenced to ten years imprisonment for Catholic youth activities and ten more years for an escape; given his youth, Pyatkus served only a total of six years. In 1957, he was sentenced to and served eight years for connection with the activities of certain Lithuanian intelligentsia. His trial coincided with and was overshadowed by the more noted Moscow trials of Anatoly Shcharansky and Alexander Ginzburg, also a Helsinki monitor.

Benson Kanengoni, a 25-year-old Rhodesian, was arrested April 12, 1976, under the Emergency Powers that were passed in 1965 following Rhodesia's unilateral declaration of independence and are still in force. Kanengoni was held in preventative detention without charge, trial, or sentence in Wha Wha prison in Gwelo, Rhodesia, until April 12, 1978, when he was released with approximately 700 other prisoners of conscience under the new interim government's amnesty. Information of his release came to Iowa City from Kanengoni himself in a letter of great warmth but continued concern. The Rhodesian coordinator in London later made clear the reason for AI's instructions to keep Kanengoni's file active: a high possibility of rearrests following the expected fall elections existed, and domestic pressure for amnesty would then be less consequential. Kanengoni is currently living in Salisbury with his family, but remains unemployed, as do so many of the ex-detainees. Some modest financial support continues from AI to Kanengoni.

Anselmo Fernandez, a Uruguayan engineer working for the National Telecommunication Agency, was arrested December 16, 1975, evidently for communist sympathies. Little is known of his circumstances except that he was a member of an international communications union and is being held in the First Military Establishment of Reclusion. Fernandez has apparently been tried and sentenced for 6 to 13 years. His family last saw him in August of 1976. The Iowa City adoption group recently received a letter in Spanish from a Colonel Carlos Maynard of the Central Office of Persons in Uruguay stating simply that no address for Fernandez is known. The Central Office of Persons is a new agency established in part as a response to international pressure and in deference to AI efforts to learn more of the status of the many prisoners of conscience in Uruguay.

Iowa City's AI prisoners of conscience are three among thousands who exist amid an even greater population of unknowns. They suffer from the now routine habits of state intimidation and repression common in much of the world.

Rather than evolving into irrelevance, AI has become increasingly vital in a world that has become increasingly inhumane. Repression continues to grow as the primary theme of official state behavior throughout the world, with terror as a major technique of government. Human rights are being breached in most countries and in all geographic regions regardless of ideological persuasion. There is no monopoly — increasing evidence points to an internationalism in torture, with tools and techniques becoming a matter of commerce and governmental aid.

AI finds more of the barbarity of nations to their own peoples than of crimes between states. This casts doubt on the central idea of progress for most people in this century who have been freed from colonialism: that there is an indissoluble alliance between the principle of nationalism and the principle of freedom. Rather than national freedom with individual liberty, we find torturing ruling elites and martyred populations.

Diverse cultures, economies, and ideologies are the home of human-rights violations, and it is impossible not to wonder about what measure of success can be expected of a world-wide, voluntary human-rights movement such as Amnesty International. Difficult though it is to measure, AI's 20 years of careful and persistent efforts have reaped benefits both in the number of prisoner releases and in the improvement of conditions for those still detained. The U.S.A. National Section of AI publishes a quarterly newspaper entitled *Matchbox*. The story that spawned the paper's name captures the spirit with which most Amnesty workers work:

During the final days of World War II, a captured resistance member sat alone in a black prison cell, tired, hungry, tortured and convinced of approaching death. After weeks of torture and torment, the prisoner was sure that there was no hope, that no one knew or cared. But in the middle of the night the door of the cell opened, and the jailer, shouting abuse into the darkness, threw a loaf of bread onto the dirt floor. The prisoner, by this time ravenous, tore open the loaf. Inside there was a matchbox. Inside this matchbox, there were matches and a scrap of paper. The prisoner lit a match. On the paper there was a single word: CORRAGIO! Corragio. Take Courage. Don't give up, don't give in. We are trying to help you. CORRAGIO!

Cleary on Canby

EDWARD CLEARY

In 1937 President Franklin Roosevelt was dealt a vacancy on the Supreme Court by the retirement of Associate Justice Van DeVanter. The name of a surprise candidate, Senator Hugo L. Black of Alabama, was transmitted to the Senate. Opposition was not long in organizing. Among other things, he had supported the Court-Packing Plan, and he was charged with being sympathetic to that artfully alliterated aggregation, the Ku Klux Klan. After a merry war, the candidate was approved and joined the Court. Only then did it surface that the new Justice had in fact, and by his own admission, been for a short time a member of the Klan. The fires reignited, but soon burned out, and the Justice began a long and distinguished career on the Court, without suggestion or indication of the slightest that his brief sojourn in the Realm left any imprint upon his views or actions. The Klan incident, however, enabled his son, Hugo, Jr., a Miami lawyer, to introduce his father to the Florida Bar as a man who at an early stage had put on a white robe and scared hell out of the black folks, then put on a black robe and begun scaring hell out of the white folks.

This reference to robes may serve to lead our thoughts to the present occasion, a happy one sometimes described by the unhappy term "robing." Robing suggests its counterpart, disrobing, and here a connecting thread is established: Professor Canby was the ASU law school's resident expert on disrobing. His was the only class to be visited by a streaker when streaking was *de rigueur*. Was this a form of expression protected by the First Amendment? And what was being expressed, anyway? Only a constitutional expert could tell us.

Judge Canby's confirmation hearing was not like Justice Black's. It was, I understand, a modest affair attended by a single senator, who presided over himself. It is further my understanding that essentially but a single question was asked the candidate as a witness: Did he favor a bill, sponsored by the presiding senator, in effect telling the federal judges to do their work? Not yet being a judge, the subject of the inquiry replied that he saw no particular harm in the exhortation. The hearing concluded, the committee polled itself and voted unanimously to recommend confirmation, and the Senate acted accordingly.

Professor Emeritus Edward Cleary delivered these remarks at the swearing in of Judge William Canby to the bench of the U.S. Court of Appeals, Ninth Circuit.



William C. Canby Jr.

Quite evidently, speechmaking material had to be sought elsewhere. Not having the FBI at my beck and call, though I had been at theirs, I turned to a tattered file that begins about 1966 and contains materials relating to the inception of the ASU law school, including the enlistment of the original faculty of six.

Here are some passages from a copy of a letter in the file addressed to Dean Pedrick by Dean Lockhart of the University of Minnesota Law School, dated November 3, 1966, now almost old enough to qualify for authentication as an ancient document:

* * *

An exceptionally able lawyer for a faculty addition has just come to my attention.

* * *

I speak of William C. Canby, a 1956 LL.B. graduate of Minnesota with a most impressive record. He is one of those graduates who comes along every 5 to 10 years who you know for sure will make an excellent teacher.

* * *

Canby was number one in his class with an A average for all three years. He had 25 A's and only 4 B's.

* * *

[You can see that we have not only the Old Math and the New Math, but also the Minnesota Math.]

He has a B.A. from Yale.

* * *

Canby has all the qualifications for an outstanding teacher — extremely quick and imaginative mind, capacity to express himself forcefully and effectively, but not in the least domineering or bombastic. He was a joy as a student in class.

* * *

Despite his intellectual leadership and keen, razor sharp mind, he was very well liked by his classmates both on and off the *Law Review*, because he was modest and simply a genuine good fellow.

All this suggests a rereading of *Stover at Yale*. Let me at this point reassure you on two scores: (a) this paragon was not imaginary — a William Canby did in fact exist; and (b) the writer of the letter was not engaging in a practice known in the law school trade as “praising away” an unwanted faculty member.

Canby makes a pleasing personal appearance. He is good looking with a strong chin and penetrating eye.

To interpolate again, this sounds like a man who could be depended upon to burn down a law school, if necessary, in order to rid it of students lacking in aptitude or application, though he in fact acquired no fame in student lore as a hatchet man. Translated now into a judicial environment, it suggests Baron Jeffreys of Wem, who presided over the “Bloody Assizes” of 1685 following the failure of the Duke of Monmouth’s rebellion. As appears from his portrait, he too was of strong chin and penetrating eye. Some 200 executions are reported to have resulted from his judging. Here only time will tell. Personality changes following elevation to the bench are not unknown.

Strange as it may seem, all the representations made in this letter proved to be true, and more, as we should have known from the beginning, in view of the identity of the author. Diogenes would have liked this rarity among letters of recommendation.

Enough of these incursions into privacy. Judges and judging must have been on Judge Canby’s mind during the past days. In fact the press quotes him, “I will have to learn the job. There will be new things to find out about the process.” Some thoughts in that direction will not be amiss.

The occupation that he is entering is one that on occasion has articulated an unexacting self-image. “Courts are presumed to be no more ignorant than the public generally,” said the Supreme Court of Illinois. *Chicago v. Murphy*, 313 Ill. 98, 102, 144 N.E. 802 (1924). The standard thus set may be comforting to judges, but less so to the public generally. Of course, the court was referring to judicial notice. Still . . .

Judges on the whole seem to have an affinity for inevitability: the law, applied to these facts, compels this

judgment. The appearance of certainty is comforting to writer and to reader. The opinion writer has, of course, become an advocate for the ordained result. Only a dissent, or perhaps the next case, suggests what really occurred in conference.

Some familiar techniques may be helpful. If invention is necessary, be discreet. No one, save the miscreant himself, could have felt uneasy when the Supreme Court of Illinois said, as a matter judicially noticed, “It is well known that for a lawyer to steal a client’s money involves moral turpitude.” The court was on solid ground. And one can only nod agreement when the Supreme Court of the United States just last year said, “We are aware of the danger to life and property posed by vehicular traffic.” *Delaware v. Prouse*, 1979. Less certainty, however, underpins the Court’s further statement that “drivers without licenses are presumably the less safe drivers whose propensities may well exhibit themselves.” From the latter assumption the Court concluded that searches for drivers’ licenses during stops for traffic violations made random stops for that purpose an unreasonable intrusion upon Fourth Amendment rights. Better that the Court had said, “We follow the wisdom of the common law, tested and proved by time, ‘Every dog is entitled to one bite.’” Everyone except the writers of digests and headnotes would have felt reassured.

Other ancient concepts also lend themselves to stretching: consider implied consent and constructive notice. Precedent and stare decisis, like the currency or a clause in the Constitution, may be stretched or shrunk. And “dictum” is one of the noblest products of legal art.

As a judge, you will find that your literary works will meet with the hearty approval of approximately 50 per cent of your closest readers. Few writers in other fields do as well. The Supreme Court will be grading your papers; adverse comment from this source is an occasional occupational hazard, to which the bench seems readily to adjust. Critical professors may be dismissed as visionary, as you were once yourself.

To your colleagues whom you are leaving, to the law school to which you have contributed so greatly, and to generations of unborn law students, this is an occasion of sadness. But great challenges lie ahead. We have every confidence that you can and will do for the First Amendment what Oliver Wendell Holmes, Jr. did for the dissenting opinion and what Senator Sam Ervin did for the *Bible*. Our best wishes go with you on your new adventure.

Canby makes a pleasing personal appearance. He is good looking with a strong chin and penetrating eye.

Law School News Briefs

Faculty Honors and Awards

■ Professor Willard Pedrick, founding dean of the College of Law, was presented the 1981 Faculty Achievement Award by the ASU Alumni Association. In the past the Association has honored two other members of the law faculty: Professor Emeritus Edward W. Cleary received the 1974 Faculty Achievement Award; Professor Richard W. Effland was named 1970 Distinguished Teacher of the Year.

■ At the Law Society-Alumni Dinner, held at the Registry Resort in February, the Distinguished Achievement Award was presented to the Hon. William C. Canby Jr., Ninth Circuit Court of Appeals, and Clarence J. Duncan, a senior partner at Jennings, Strouss & Salmon. Past recipients of the award, which honors exceptional support of the law school and professional achievement, include the Hon. Walter E. Craig, Michael D. Hawkins '70, Bud Jacobson, Jarril F. Kaplan, Orme Lewis, Louis McClennen, the Hon. Mary M. Schroeder, Samuel J. Sutton Jr., and Philip E. von Ammon.

Research Awards

■ During the past year, members of the law faculty have received a number of distinguished research awards. Professor Willard H. Pedrick received a grant from the Arizona Legislative Council to study the Arizona Lower Court System. The Ford Foundation awarded Professor John D. Leshy a grant to study water law entitled *Irrigation Districts in a Changing West*. Professor Gary T. Lowenthal received support for the Civil Clinic through the U.S. Office of Education Law School Clinical Experience Program.

■ The University Faculty Grant-in-Aid Committee awarded two law faculty members summer stipends for research projects. Professor David H. Kaye’s project is entitled “Naked Statistical Evidence,” and Professor Ann

M. Stanton is working on “The Capacity of Children to Waive Legal Rights.” Professor John D. Leshy was also awarded a Faculty Grant-in-Aid but declined in order to accept the Ford Foundation grant.

■ The Edward W. Cleary Research grants for the summer were awarded to Professor Dennis S. Karjala for work on “A Rational Approach Towards Statutory Regulation of Insider Trading in Impersonal Markets” and Professor Jonathan Rose for work on “Bias and the Occupational Licensing Process: Professionals as Practitioners and Simultaneous Regulators.”

Canby Competition

■ The first annual William C. Canby Moot Court Competition was held April 21-24. At the Fiesta Inn banquet following the competition, awards were presented to Joseph Kendhammer as Outstanding Oralist and Amy G. Langerman for Best Brief. The teams selected to compete in National Moot Court Competition were Shawn Aiken, Steven Keller, Joseph Kendhammer, Amy G. Langerman, Thomas M. Ryan and Wayne Turley. The distinguished judges for the Canby Moot Court Competition were the Hon. William C. Canby Jr. and the Hon. Mary M. Schroeder, both of the U.S. Court of Appeals (Ninth Circuit), Michael D. Hawkins '70, former U.S. Attorney General for Arizona, Denise M. Blommel '78, the Hon. Sandra O'Connor of the Arizona Court of Appeals and recently nominated to the U.S. Supreme Court, the Hon. Jeffrey Cates of the Superior Court of Arizona, Franzula I. Bacher '74, Frederick Stiner, Professor Victor J. Gold, and Wendell P. Kay. The revitalized law school moot court program is under the leadership of the Student Moot Court Board, Michael Perry, President, and Professor Hannah Arterian Furnish, advisor.

Canby Indian Law Book Collection

■ At the annual meeting of the Law Alumni Association in December the Association donated \$1,000 to the law school to purchase additional materials for an Indian Law Collection to be named in honor of former Professor, Judge William C. Canby Jr.

Commencement

■ At the May 15 commencement exercises in the Great Hall, Victoria S. Lewis was named the recipient of the Armstrong Award as the student selected by the faculty as the year’s outstanding law graduate. She spoke



Victoria S. Lewis

briefly to the graduating class and guests at the commencement ceremonies and was followed by the principal speaker, Representative Morris Udall. Past Armstrong award recipients are Richard A. Jones '70, Richard A. Gibson '71, John R. Bates '72, H. Bartow Farr III '73, Ruth V. McGregor '74, Jack S. Emery '75, Patricia A. Metzger '76, Michael J. Brophy '77, M. Joyce Geyser '78, Ronald Kilgard '79, and Kevin E. O'Malley '80.

■ Karl Jeffery Erhart '81 was selected by the faculty to receive the Alumni Association Outstanding Graduate Award. Past recipients of this award are Patricia K. Norris '77, Judith E.



David Weatherwax

Sirkis '78, James Howell '79, and Barbara Torrez '80.

■ During the spring, the faculty decided to initiate a new award, the Distinguished Achievement Award, to be given the student who graduates first in the class with the highest grade point average. David Allen Weatherwax '81 was the first graduate to receive this award.

Other Student Awards

■ Mark Karolczyk recently was awarded \$500 as the recipient of the Best Student Writing Award for submitting the best student article to the *Arizona State Law Journal*. Gary Gotto was the second place winner and recipient of \$100.

■ Stuart Gerrich, who will be a second year student in the fall, was named the 1981-82 recipient of the Chester M. Smith Award, a \$1,000 scholarship competition held annually between the two Arizona law schools. Last year Deanne Delmar '81 was the scholarship winner.

■ Douglas Gerlach '81 was the winner of the Roger W. Perry Memorial Legal Writing Competition which is held each year between the two Arizona law schools. Gerlach received a certificate and a \$250 prize.

Visits and Visitors

■ During the spring semester, William Cohen, a Constitutional law authority from the Stanford Law School, served as the Merriam Distinguished

Visiting Professor of Law. Last year, Louis B. Schwartz, Benjamin Franklin Professor and University Professor of the University of Pennsylvania Law School, was the first Merriam Professor and taught a course in patent law. Next spring W. Willard Wirtz, Secretary of Labor under President John F. Kennedy, will be in residence and will offer a labor law course. The Distinguished Visiting Professorship is made possible by a gift from the Charles J. Merriam family and has contributed greatly to the educational vitality of the college. Mr. Merriam was a well known patent attorney.

■ In addition to Professor Cohen, the law school had other visiting faculty who contributed much to the law school program. During the fall of 1980, the College had three visitors on the faculty — Helga E. Newby of the University of Western Australia law faculty, John F. Wilson from the University of Southampton Law School and George Hauck, an international law scholar. This past spring Robert Grime from the University of Southampton Law School joined the faculty as did Professor Robert D. Bartels of the University of Iowa.

■ Besides the visiting faculty, the law school benefitted from the talented contributions of two members of the local bar, Neal Kurn and Samuel J. Sutton Jr., who served as adjunct faculty. Kurn offered a seminar in the spring on Planning for the Business



William Cohen

Client while Sutton taught a fall course in Commercial Torts. Also in the fall, Wendell P. Kay, a distinguished member of the Alaska State Bar, taught Practice Court.



Harry Jones



The Hon. Carl McGowan

■ The law school hosted several distinguished visitors during the 1980-1981 academic year who have enriched faculty and students with their presence and presentations. Harry Jones, Professor Emeritus of the Columbia University School of Law, was in residence for several days during March and spoke to the faculty on legal education. In the fall, Jerry L. Mashaw of the Yale Law School faculty conducted a faculty seminar. The Hon. Carl McGowan, U.S. Court of Appeals, was in residence in February and visited with the faculty on the future of legal education.

(Continued on page 16)

Alumni News

CLASS OF 1970

John E. Burke serves on the City Flood Control District in Phoenix.

Robert M. Cook now practices in Norfolk, Nebraska.

Michael D. Hawkins, formerly United States Attorney for the District of Arizona, has re-entered private practice with the Phoenix firm of Dushoff & Sacks.

John S. Lancy and **James W. Ryan**, '74, have formed a professional association, Lancy & Ryan, in Phoenix.

Robert A. McConnell has been appointed by President Reagan as Assistant Attorney General in charge of legislative affairs.

Major Robert L. Schaefer, USAF, has been promoted to Associate Professor of Law at the U. S. Air Force Academy in Colorado Springs, Colorado.

CLASS OF 1971

Bruce T. Baker is working with the Office of Inspector General, Office of Investigation, of the Veteran's Administration in Los Angeles.

Jolyon Grant '71, **John E. Herrick** '70, and **Edmund F. Richardson** '73, served on the faculty of the Arizona State Bar Fifth Continuing Legal Education program held at the University of San Diego, San Diego, California, the end of July.

Cheryl Hendrix, formerly with Hill & Savoy in Phoenix, has been appointed a Court Commissioner of the Maricopa County Superior Court.

Rex L. Martin is a Board Member of the Arizona Department of Transportation.

Sandra L. Massetto is serving as Commissioner with the Navajo-Hopi Relocation Commission.

Cecil B. Patterson was appointed Judge of Maricopa County Superior Court. He had previously served as a deputy public defender.

Richard J. Trujillo is a shareholder in the Phoenix firm of Richmond and Trujillo, P.C.

CLASS OF 1972

Thomas E. Collins unseated Maricopa County Attorney Charles Hyder in the November 1980 general election.

Elizabeth R. Finn has been elected president of two organizations, the Young Lawyer's Section of the Arizona State Bar and the Arizona Municipal Judge's Association.

James Lane Rhoads writes that he is "taking a break from the profession, to experience an Alaskan adventure: working as a roustabout (laborer) on an oil drilling rig at Prudhoe Bay — the North Slope of Alaska. I may never be the same!"

Martha T. Russell Thomas was elected president of the Phoenix Executives Club for the 1981-82 year.

CLASS OF 1973

Luis Aranda has been named Assistant Provost for Affirmative Action at Arizona State University.



Luis Aranda



Thomas E. Collins

Gloria Aguilar is a partner in Himelstein and Aguilar in Phoenix.

Timothy H. Barnes has become a member of Wentworth & Lundin in Phoenix.

Alice L. Bendheim and **Theodore D. Mote** have opened a Tempe branch of their Phoenix firm, Bendheim & Mote.

Joseph Marty Harper with **Mary Arnold Story** '81 presented a paper at a California conference sponsored by the American Bar Association which was entitled "Protecting Children Through the Legal System."

Kevin H. Maricle works with the U.S. Copyright Office, Library of Congress, in Washington, D.C.

Alison J. Swan has been named Chief Antitrust Counsel for the State of Arizona.

CLASS OF 1974

Mark E. Aspey has joined the U. S. Department of Justice as an Economic Crime Enforcement Specialist and is assigned to the U. S. Attorney's Office in Phoenix. He previously served 4½ years with the Special Prosecu-

tions Division of the Arizona Attorney General's Office.

Gareth G. Morris is associated with Friedman & Koven in Chicago.

Stanley E. Munger has become a partner in Kindig, Beebe, Rawlings, Nieland & Killinger, of Sioux City, Iowa.

CLASS OF 1975

Judith M. Bailey is a partner in Lewis & Roca, Phoenix.

Vida K. (Brack) Berkowitz works with Central Massachusetts Legal Services and lives in Worcester.

Charles Case II is a partner in Lewis & Roca, Phoenix.

James R. Feltham, formerly Administrative Assistant to John J. Rhodes, Minority Leader of the U. S. House of Representatives, is now associated with O'Connor, Cavanagh, Anderson, Westover, Killingsworth & Beshears of Phoenix.

Keith G. Larsen has become a member of Greene, Callister & Nebeker.

Herbert P. Schlanger, formerly associated with Hansell, Post, Brandon & Dorsey, has opened his own office in Atlanta, Georgia for the practice of antitrust and trade regulation law.

William L. Topf III, former Director of the Student Defender Project of the College of Law, has accepted a post as Court Commissioner of the Maricopa County Superior Court.

Chris Van Dyke has been elected District Attorney for Marion County, Oregon, which includes Salem, the state capital.

CLASS OF 1976

William D. Back is with the Office of the Solicitor, Department of the Interior, in Window Rock, Arizona.

Michael Lee Cantor has opened an office in the Arizona Title Building, 111 West Monroe.

AnnaMary E. Gannon, formerly labor relations counsel for Hughes AirWest, has joined the Los Angeles firm of Nelson & Rexon.

Patricia A. Hall has opened her own practice in Bayfield, Colorado,

has been appointed municipal court judge for the towns of Bayfield and Ignacio, and is tribal court judge for the Ute Mountain Indian tribe.

Robert C. Howard, Jr. is a partner in the Scottsdale firm of Jekel & Howard.

William M. Lawson, Jr. is now associated with Warner, Angle, Roper & Hallam of Phoenix.

Robert B. Martinez, formerly associated with Knight & Sullivan, is a partner in the Albuquerque firm of Fisher & Martinez, P.A.

Patrick E. McGinnis is associated with the Office of District Counsel, Internal Revenue Service, in Oklahoma City.

Patricia A. Metzger has become a member of the Salt Lake City firm of Giauque, Holbrook, Bendinger & Grumankin.

Jon E. Pettibone is an associate with Lewis & Roca of Phoenix.

Susan M. Swick has joined the Law Department of Motorola, Inc. in Phoenix and primarily practices international as well as equal employment law. She is active on the Equal Employment Opportunity Committee of the Labor Section of the ABA, and the Fair Employment Practices Committee of the Labor Section of the Arizona Bar. She is a member of the Arizona Association of Women Lawyers and serves on its Steering Committee.

Robert L. Wright and **David J. Harowitz** have opened a Tempe partnership, Wright & Harowitz.

CLASS OF 1977

Carol J. Galbraith is a staff attorney with the Federal Deposit Insurance Corporation in Washington, D.C.

Susan D. Goodwin recently resigned as the first assistant city attorney of Apache Junction, Arizona. She has also taken a year's leave of absence from her Phoenix law firm, Martinez, Curtis, Goodwin & Karasek, to travel to North Africa, Asia and India.

Walter Lee Jackson chairs the bar directory committee of the Maricopa County Bar Association.

Carolyn M. Kaluzniacki is associ-

ated with Moore, Jennings, Kepner, Scheffing & Hart of Phoenix.

Patricia K. Norris, associated with Lewis & Roca in Phoenix, has been elected Treasurer of the ASU Law Alumni Association.

Donald Wilson, Jr. has formed a partnership, Richter & Wilson, with Joseph C. Richter.

CLASS OF 1978

Steven A. Cohen is now a partner in the Phoenix firm of Levenbaum, Cohen & Reed.

Randall S. Dalton has become an associate in the Phoenix firm of Ehmann, Waldman & Brody, P.C.

Louis Demas is Special Assistant United States Attorney for the Eastern District of California, in Sacramento.

Robert Fabre is an editor for Michie-Bobbs Merrill Law Publishing, in Gordonsville, Virginia.

Karen C. Kennedy has joined the Albuquerque, New Mexico, firm of Cherpelis and Nivala as an associate.

Dennis E. Kovach is associated with Sughrue, Rothwell, Mion, Zinn & Macpeak in Washington, D.C.

David W. Kreutzberg has joined with others forming a partnership under the firm name of Storey & Ross.

Thomas R. McCormick is a partner in Sinclair, Clulo & McCormick, in Midland, Michigan.

Nancy-Jo Merritt, an associate in Erlichman, Fagerberg & Margrave, P.C. P.A., in Phoenix, was married in December 1980 to **A. Frederick Schaffer, Jr.**, associated with Furth, Fahmer, Bluemle, Mason & Wong in Phoenix.

Steven K. Rendell, now in Beaufort, South Carolina, has been promoted to Captain in the United States Marine Corps.

Judith E. Sirkis is an associate of Lewis & Roca in Phoenix.

CLASS OF 1979

Maryland L. Austin, formerly a deputy prosecutor with the Third Judicial Circuit of Indiana, won the November general election for Hamison-Crawford County Judge.

Mania Baghdadi is associated with Arent, Fox, Kintner, Plotkin & Kahn in Washington, D.C.

Florence Bennett is a prosecutor with the Peoria County State's Attorney's Office in Peoria, Illinois.

Ila Corinne Bridges is stationed in Germany, serving with the Prosecution and Legal Assistance Office of the U.S. Army Judge Advocate General Corps.

Dwight Callahan is associated with the Casa Grande firm of Echeverria, Glenn & Howard.

Susan Elkins is associated with Kahn, Kleinman, Yanowitz & Arnson in Cleveland, Ohio.

Dennis Goginsky is on the tax staff of Arthur Andersen & Co. in Atlanta.

Linda (Shannon) Heumann is now associated with O'Melveny & Myers in Los Angeles.

James Howell, after serving as law clerk to Judge William P. Gray of the United States District Court in Los Angeles, is joining the Anti-trust Division of the Department of Justice in Washington, D.C.

Ron Kilgard, formerly law clerk to Judge Mary M. Schroeder of the U.S. Court of Appeals for the Ninth Circuit, is now an associate of Martori, Meyer, Hendricks & Victor in Phoenix.

Donna M. Killoughey has joined the Chandler firm of McGowan, Johnson & Dorsey and is active on the Legal Services to the Elderly Committee of the Alumni Board.

Ruth Koester is practicing with the County Attorney's Office for Pinal County.

Todd R. Nissle, a registered patent lawyer, is associated with the Phoenix patent firm of Drummond and Nelson.

Chris Reece, formerly law clerk to Judge Jack Ogg of the Arizona Court of Appeals, is now associated with Snell & Wilmer of Phoenix.

Barbara J. Ross is associated with Jekel & Howard of Scottsdale.

Julie White is now with the U.S. Department of Transportation in Washington, D.C., serving as attorney-

adviser for the Board of Correction of Military Records of the Coast Guard.

Robert J. Wilson, Jr., formerly with Fettingier & Bloom in Alamogordo, New Mexico, is now with the Legal Department of the Navajo Nation in Window Rock, Arizona.

CLASS OF 1980

Robert K. Banks is judicial clerk to Chief Justice Charles Donaldson of the Idaho Supreme Court, in Boise.

Steve Chanen has joined the firm of Wentworth & Lundin.

William W. Clayton is Deputy Navajo County Attorney in Holbrook, Arizona.

Fred Duval has been appointed Special Assistant to Governor Bruce Babbitt.

Stephen Hall is associated with Bryant, O'Dell & Basso in Syracuse, New York.

Thomas K. Irvine has joined Dushoff & Sacks in Phoenix.

Rosann Johnson is associated with Stephens & Toles of Phoenix.

Ronald B. Merrill is associated with Brownstein, Hyatt, Farber & Madden in Denver, Colorado.



Student Lounge

Scott K. Midgely is associated with Rawlins, Ellis, Burrus & Kiewit in Phoenix.

Macre S. Monson has become an associate in the Phoenix office of Bendheim & Mote.

Robin Morris is a staff attorney with the Federal Trade Commission Bureau of Consumer Protection, in Washington, D.C.

Sandra L. Slaton is associated with Burton & McMahon, P.C., in Scottsdale.

Steve Tackes is clerk for the Administrative Law Judge of the Public Service Commission in Carson City, Nevada.

Paul Taylor serves with the Judge Advocate General Corps at Maxwell AFB, Alabama.

Jon A. Titus is associated with the Phoenix firm of Furth, Fahrner, Bluemle, Mason & Wong.

Dan Valenzuela is a staff attorney with the Department of Labor, Employee Benefits Division, in Washington, D.C.

Sara Ziskin is on a six-month visit to Israel.

(Continued from page 12)

■ Richard W. Harding, Professor at the University of Western Australia, addressed faculty and students on Gun Control: An International Perspective. In February the Arizona Supreme Court heard arguments in the Great Hall, and this annual visit to the law school was very well attended by students and faculty.

■ 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 and jurists were Gloria Aguilar '73, Frederick M. Aspey '72, John J. Bouma, Robert E. Brown, James E. Brophy III '74, F. Haze Burch, Mariner P. Cardon, Hon. Walter E. Craig, Clarence J. Duncan, Paul F. Eckstein, Michael L. Gallagher '70, Hon. Frank X. Gordon Jr., Richard Grand, Kevin M. Kane '71, Jarril F. Kaplan, Roger W. Kaufman, Gary G. Keltner, David L. Lange, Ilene J. Lashinsky '72, I. Harrison Levy '71, John E. Lundin, Louis J. McClennen, Ruth V. McGregor '74, Daniel H. O'Connell, Hon. Sandra D. O'Connor, Martha T. Russell '72, Robert J. Stephan Jr., '72, Philip E. von Ammon, Ted F. Warner, and Ronald E. Warnicke.

■ Several members of the law faculty were on leave during the past year. In the spring, David H. Kaye was on the University of Southampton faculty, Ira Mark Ellman was with the Institute for Social and Policy Studies at Yale University, and Robert L. Misner was on the University of Virginia faculty. In January, Dennis S. Karjala rejoined the faculty after a year as a Fulbright scholar at Hokkaido University in Japan.

Summer Study

■ The College of Law hosted a Council on Legal Education (CLEO) summer institute with its 38 student participants for six weeks beginning June 7. Professor John P. Morris was the director of the program and Arizona State University Professors Stephen E. Lee and Gary T. Lowenthal taught in the program. Three visiting



Members of the Board of Visitors: Clarence J. Duncan, John J. Bouma, John E. Lundin, Michael L. Gallagher, Richard Grand, Philip E. von Ammon, Roger W. Kaufman, Gloria Aguilar, and Ilene J. Lashinsky



John P. Morris

faculty members completed the CLEO staff: Woodruff J. Deem from Brigham Young University, Kenney F. Hegland from the University of Arizona and Jeffery E. Olson from the University of Utah.

■ The law school 1981 summer session, in addition to internships, offered Commercial Law (Professor Dale B. Furnish), Employment Discrimination (Professor Hannah Arterian Furnish), Evidence (Professor Michael A. Berch) and Estate Planning (Professor Richard W. Effland).

Clinics

■ Carla G. Ryan, a staff attorney with the Civil Clinic, was appointed Director following the resignation of Lynwood Evans who is now with the office of the Arizona Attorney General.

■ Robert S. Briney has replaced William L. Topf III '75 as Director of the Student Defender Project. Hugo Zettler continues to assist with the Prosecutor Internship program.

Continuing Legal Education

■ The law school sponsored two Continuing Legal Education programs during the past months. In conjunction with the State Bar of Arizona, a Colloquium on Community Property was held in the Great Hall on March 27 and 28. Professor Willard H. Pedrick served as Chair of the program,

and Professors Richard W. Effland, Stephen E. Lee and Ann M. Stanton served on the faculty. Other members of the faculty included the Hon. Irwin Cantor, Superior Court of Maricopa County, Phoenix, Professor Edward C. Halbach Jr., of the University of California at Berkeley, Professor Stanley M. Johanson of the University of Texas, and Phoenix attorneys Sheldon M. Mitchell, Alfred Olsen, and Susan Smith. The sessions dealt with community property and divorce and estate planning for community property spouses.

■ Under the direction of Professor Victor J. Gold and Wendell Kay of the State Bar of Alaska, a ten-week program was held from late February through early May entitled "Trial Practice Seminar for Attorneys with Little Trial Experience." Students performed problems in mock trial settings aimed at developing basic skills of direct and closing statements. Members of the faculty included Philip von Ammon, Susan Freeman, Truman Young and several other distinguished members of the State Bar of Arizona.



Richard Hine, second-year student

Library

■ There have been several changes in the Law Library staff during the past year, with Professor Richard C. Dahl continuing as Director and Richard M. Nash as Assistant Director. Sharon A. Firestone is the Associate Librarian in charge of Government Documents; Naomi H. Reed and Marianne Alcorn are Assistant Librarians in charge of Reference; and Jeanette Au is the Librarian heading Technical Services.

Deans

■ Dean Alan A. Matheson served as a member of the University Presidential Search Committee which resulted in the selection of J. Russell Nelson, former president of the University of Colorado at Boulder, to replace retiring Arizona State University President John W. Schwada.

■ Professor David Kader was appointed Associate Dean following the return to full-time teaching by the previous dean, Professor Milton R. Schroeder.

Promotion and Tenure

■ On the recommendations of the Dean and faculty, Ira Mark Ellman, David Kader and Dennis S. Karjala were promoted to full professor, and Hannah Arterian Furnish, Ira Mark Ellman, and Dennis S. Karjala were granted tenure.

Student Appointments

■ During the spring, Greg Harris was elected President of the Student Bar Association, Maria Burke — Vice President, Catherine Jane Presney — Treasurer, and Janet Sievwright — Secretary. Third year representatives are Kenna Finch, Loren Molever and Duane E. Okken; second year representatives are Jeannette Bickner, Patricia A. Magrath and David Schwartz; Jeff Clyman and Adrienne Kalyna will act as representatives to Associated Students of Arizona State University (ASASU), and Linda A. Thompson was named Law Alumni Association Liaison.

■ The student paper, *The Devil's Advocate*, was issued four times during



Dean Alan Matheson

the 1980-81 school year, and while there were several editors, all issues were under the general direction of Crystal L. Francis. The 1981-82 editor will be Lenni Beth Benson.

■ The editorial board of the *Arizona State Law Journal* was announced at an April luncheon held at Cafe le Serre. Mark Karolczyk, Editor-in-Chief, will be assisted by the following editors: Andrew Abraham (Managing), James M. Ackerman (Executive), Michael Ahearn (Executive), Thomas Arendt (Managing), James Bryan Ball (Articles), Gary Gotto (Special Projects), Richard P. Onsager (Articles) and Ralph Wexler (Topics). Faculty advisor to the *Law Journal* for the coming 1981-82 academic year will be Dennis S. Karjala.

100078
Arizona State Law Forum
College of Law
Arizona State University
Tempe, Arizona 85287

Non-Profit
Organization
U.S. Postage
PAID
Permit No. 1
Tempe, AZ

Address
Correction
Requested