

Arizona State University **LAW FORUM**



WINTER '86

ARIZONA STATE
UNIVERSITY

TEMPE, ARIZONA 85287

COLLEGE OF LAW (602) 965-6181

E R R A T A

STEPHEN W. CRAIG of WINSTON & STRAWN taught Corporate
Reorganization during the fall semester, 1985.
We regret our error in confusing Stephen J. Craig and
Stephen W. Craig.

Law School Receives Gifts of Art

The College of Law has recently received eight gifts of art from various local and regional artists. Suzanne Brown of the Suzanne Brown Gallery in Scottsdale represents the works of these artists and is responsible for securing the gifts. All of the artists reside in the Southwest. Five are from Arizona. They are all nationally recognized, and some have international acclaim.

The art works have been hung in the newly decorated administrative offices at the College of Law. This location was chosen because it is the main entrance to the law school, and the works can be seen by visitors as well as students, faculty and staff. The College of Law has recently begun the process of renovation to it's building in an effort to improve it's comfort and attractiveness. This artwork is a significant contribution. A public reception at the College is planned during the 1986-87 academic year.

The gifts of art include two acrylics, two lithographs, two oils, a woodblock print and a serigraph. Specifically, the collection consists of:

"Southwest Triangle," an acrylic painting by **Minnie Dobbins** of Las Vegas, Nevada. Several of her pieces can be seen at various banks in Denver, Colorado.

"Holocaust Series, State Two," a lithograph by **Gale Dubrow** of Phoenix. Ms. Dubrow received her Bachelors of Fine

Arts from Arizona State University. In 1981 she was commissioned to execute the Holocaust Memorial Sculpture for the Jewish Community Center of Phoenix.

"Navajo Family, State II," a lithograph by **Katalin Ehling** of Cave Creek. Ehling who is known for her work in batik, was born in Kassa, Hungary. She has several works displayed within the Valley in-

(Continued on inside back cover)



"Southwest Triangle"
Minnie Dobbins



"Study for Moran Point"
Bob Howard

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A Note From The Editor

This issue of the *Law Forum* is the first from its new editorial staff. The new staff is just one of many changes presently occurring at the College of Law (see "Letter from the Dean," p. 2). It is our hope that the *Law Forum* can become responsive to the needs of our alumni by being both an informative and interesting publication. At this time we would especially like to solicit your comments regarding our new format and approach. As always, your support and encouragement is very much appreciated.

The *Law Forum* staff would like to give a special thanks to Professor David Kader who served as Editor from 1981 to 1985. Professor Kader is on sabbatical in England during the spring semester.

Cover: "Stick Writing"
Veloy Virgil



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Letter From The Dean



Dear Alumni and Other Friends of the College of Law:

With this issue, the *Forum* adopts a somewhat revised format with increased emphasis on alumni activities and accomplishments, interesting substantive issues and extended news about current happenings and developments at the law school. The law school is an extremely exciting place. We hope to convey some sense of that excitement through the *Forum*. We also hope to be able to follow a regular schedule of twice-a-year publication, with one issue covering the fall semester (distributed in the spring), and a second issue devoted to the spring semester (ready for distribution in the early fall).

As you can see from the contents of this issue, we are in the midst of a great number of positive developments. We are on the verge of beginning construction of a much needed addition to our physical plant; refurbishing of the present building, including the display of a number of recent gifts of art work, is already underway; we have received a grant from the State Bar Foundation's IOLTA program to establish a new community-service clinical program; the Center for the Study of Law, Science and Technology is beginning a number of interesting programs; our faculty continues to grow with the addition of two exceptional young scholars; we are examining a number of interesting curricular innovations. The quality of our student body also continues to improve in a very gratifying way. Indeed, the median LSAT score of this year's enter-

ing class (38 on the new scale; the equivalent of about 660 on the old 200-800 scale) ranks it within the top 25 law schools in the entire United States. This is remarkable progress for a school that has not yet completed its second decade.

Please let us know of ideas about ways in which the *Forum*—and the school itself—can continue to improve. We keep saying that we want to be as good a law school as we can possibly be, and we mean it. Meanwhile, let me convey warmest greetings on behalf of our students, staff and faculty.

Paul Bender
Dean

The Future of Conservatism in American Law*

Edwin Meese, Jr.

I am honored to be here this morning as part of the program sponsored by the Barry Goldwater Chair of American Institutions. It is especially gratifying because of the great American this professorship honors and also because of the substantive concerns the Barry Goldwater Chair represents. The political institutions of our great nation have had no advocate more dedicated, more eloquent than Senator Goldwater himself.

The distinguished men and women who have preceded me at this podium serve as proud testimony to Senator Goldwater's unequalled record as defender of our Constitutional order. At the risk of providing merely an echo—I hope my remarks today will further underscore our national debt to the Senator for his many years of tireless public service.

In recent months, I have been involved with others in a debate regarding constitutional interpretation. Last July, in an address before the American Bar Association I suggested the need for a serious regard for our written Constitution. In my judgment, our public officials must be guided by the text of the document and the original intentions of those who framed, proposed, and ratified it. To do otherwise is to substitute contemporary policy preferences for fundamental, enduring principles. I seem to have sparked this debate by my call for the development of a jurisprudence of original intention—a jurisprudence at odds with the approach fashionable in some circles, what might be called a jurisprudence of personal invention.

Needless to say, I welcome this debate and the lasting contributions such a dialogue is likely to make to our constitutional order and the perpetuation of our political institutions.

Today, I would like to speak to a related but slightly different theme. Much of the criticism of jurisprudence of original intention has rested on false premises. There has been a tendency among some to dismiss such an approach as nothing more than conservative ideology cloaked in so-called fundamental principles. Nothing could be further from the truth.

To take the Constitution seriously—its text and inten-



tion—is to rise above the labels of “liberal” and “conservative.” A serious regard for our great charter serves all the ideological points along the political spectrum that is American society. But even saying that is unlikely to satisfy our critics completely. Therefore, today I would like to offer a few reflections on what I see as the future of conservatism in American law—and, perhaps more important, a few reflections on how that tradition is necessary to the maintenance of our governmental system.

No one, I think, has ever understood the Constitution better than the man often called its father, James Madison. His academic preparations for the Constitutional Convention are legendary. His role in Philadelphia as a spokesman for the nationalists and as the leading theoretician of republican government was unmatched. His great public service in transcribing for posterity the work of the Great Convention remains a shining example of a statesman with a sense of history. It is hard to imagine where we would be—or if we would be—had he not lived during that great moment of our national birth.

*Remarks of the Attorney General to the Barry Goldwater Chair on November 22nd in the Willard H. Pedrick Great Hall at the College of Law

Madison was blessed with the happy combination of philosophical sophistication and old fashioned political savvy. He knew what to say, when to say it—and most important, *how* to say it. His contributions in *The Federalist* to the struggle for ratification remain masterpieces of American political thought and rhetoric. He understood that often the simpler the language, the more powerful the argument.

Thus, he put it simply. "Justice," he said, "is the end of government. It is the end of civil society. It ever has been, and ever will be pursued, until it be obtained, or until liberty be lost in the pursuit."

He did not, of course, think liberty would be lost. He knew the Constitution was capable of securing justice and preserving liberty.

But what, precisely, did Madison envision? How was this Constitution he had helped design effect that happy union of liberty and justice for all?

The political secret, he thought, lay in the institutional design the Constitution created. By "contriving the interior structure of the government" in a particular way, he argued, "its several constituent parts may, by their mutual relations, be the means of keeping each other in their proper places." There had never been a government that was inclined to do too little. There would always be a tendency for government to do too much. Power, this sage from Virginia pointed out, ever had been and always would be of an encroaching nature.

The solution Madison and his brethren offered was an institutional solution. It was a science of politics that sought to erect hurdles to the various passions and interests that would characterize a free society.

The particulars of the Framers' science of politics were best catalogued by Madison's celebrated collaborator in *The Federalist*, Alexander Hamilton. Those particulars included:

The regular distribution of powers into distinct departments—the introduction of legislative balances and checks—the institution of courts composed of judges holding their offices during good behavior—[and] the representation of the people in the legislature by deputies of their own election.

As Hamilton put it, these were "means, and powerful means, by which the excellencies of republican government may be retained and its imperfections lessened or avoided."

Fundamental to their institutional scheme was the notion of separation of powers. Madison's famous reasons for this structural device of separated powers merits a full hearing.

[T]he great security against a gradual concentration of the several powers in the same department, consists in giving to those who administer each department, the necessary constitutional means, and personal motives, to resist encroachments of the others.

Madison concluded:

If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controuls on government would be

necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: You must first enable the government to controul the governed; and in the next place oblige it to controul itself. A dependence on the people is no doubt the primary controul on the government; but experience has taught mankind the necessity of auxiliary precautions.

These "auxiliary precautions" constitute the improved science of politics offered by the Framers as their "Republican remedy for the diseases most incident to Republican Government."

The "diseases most incident to Republican Government" were basically two. First, democratic tyranny. Second democratic ineptitude. The first was the problem of majority faction, the abuse of minority or individual rights by an "interested and overbearing" majority. The second was the problem of making a democratic form of government efficient and effective.

The goal was limited but energetic government. The constitutional object was, as Herbert Storing said, "a design of government with the powers to act and a structure to make it act wisely and responsibly."

This idea of separation of powers along with the idea of federalism constitutes the principled matrix of American constitutionalism. This is what Madison meant when he said that under the structures of the Constitution "a double security arises to the rights of the people. The different governments will controul each other; at the same time that each will be controuled by itself."

What this means, in the simplest possible terms, is that the Constitution does not make our liberties dependent upon the good will or the benevolence of those who wield power. The Constitution's Framers did not mistakenly assume that this nation was to be governed by that "philosophical race of kings wished for by Plato." No, they knew they were "yet remote from the happy empire of perfect wisdom and perfect virtue." Sound institutions were thus meant to supply the defects of human reason and virtue.

Recognizing that human nature was marred by man's "fallible" reason and the influence upon that reason by his passions and his interests, the Framers sought to construct institutions that would "refine and enlarge" public opinion. These institutional contrivances—representation, a bicameral legislature, an independent judiciary, and an energetic executive—would serve (in Madison's words) as "successive filtrations" through which popular opinion would be forced to pass before being translated into public law and policy. The purpose was not to thwart popular will but only to slow down popular passions and give the people "time and opportunity for more cool and sedate reflection."

By hedging against this natural tendency of popular institutions "to yield to the impulse of sudden and violent passions, and to be seduced by factious leaders into intemperate and pernicious resolutions," the Constitution seeks to check popular passions and elevate public reason. As Madison put it, "it is the reason alone that ought

to controul and regulate the government. The passions ought to be controuled and regulated by the government."

The primary focus of the Framers' concern was, as everyone knows, the legislative power. History proved to their satisfaction that a legislative department generally had a tendency to extend the "sphere of its activity" and to draw "all power into its impetuous vortex." Saying it should not usurp the other powers of governance was not good enough. "Parchment barriers," the Framers knew, were no match for power.

In order to check legislative power, the other, naturally weaker powers—the executive and the judicial—had to be bolstered. The secret was to give each institution "a constitutional controul over the others." Only in this way could the theory of separation of powers be maintained in practice.

Let me return for a moment to the obvious concern. Popular government presupposes that popular opinion should govern. But popular opinion is not always just. Majorities can be tyrannical. The object of the Framers was to achieve through institutional channels a *qualitative* not merely a *quantitative* majority rule. Thus the institutions created by the Constitution—the Congress, the Executive and the Judiciary—each has an indispensable role to play in securing the great ends for which the Constitution was established in the first place: the security and happiness and liberty of the people.

And the security and happiness and liberty of the people depends upon the entire constitutional design, not just a single part of it. Civil rights and political liberties are no safer if their security is thought lodged solely or even primarily in the hands of any one single institution rather than another. The substantive rights sought by the Constitution's Framers were understood to be best secured through orderly and nonarbitrary procedures that would be clearly defined by the entire constitutional system.

Sound procedure is a necessary means to achieving substantive justice under the Constitution.

There are obviously some who will disagree. The true substance of American justice, they will tell you, depends less upon adherence to procedure than upon the evolutionary moral vision of public officials. The ends, they will argue, justifies the means—any means—necessary to achieve them.

This view was rejected by the Framers; it must likewise be rejected today.

The greatest strength of the American Constitution is its design to replace the rule of men by the rule of law. The alleged benevolence of public officials is not to be trusted as the basis for our constitutional safety and political progress. This goes for "conservatives" and "liberals" alike. The imposition of a conservative ideology through a disregard for the institutional arrangements of the Constitution is no more palatable to true conservatism than the imposition of a liberal ideology.

True conservatism in law recognizes and appreciates that the institutional distillation of popular opinion is fun-

damental to good popular government. This is not to say popular opinion always has the final word. There are certain areas in which popular opinion cannot be allowed to rule. The Constitution rejects in principle and guards against in practice any simplistic notion of popular sovereignty. Liberty bereft of all restraint is not conducive to constitutional freedom. As Madison said, "liberty may be endangered by the abuses of liberty as well as by the abuses of power."

True conservatism respects the Constitution as a document that respects the process and powers of government. For example, it means taking the 10th amendment's language that "powers not delegated to the United States . . . are reserved to the States respectively, or to the people" seriously. Even though we may sometimes wish that the "right result" could somehow be imposed nationally, it respects the principle that the states are free to argue and decide, rightly or wrongly, for themselves in many areas. It means that states should be free to manage their governmental operations free from federal interference. It means that federal legislators, federal judges, and even the President, have no monopoly on wisdom, and that the states should be free to find their own solutions within broad principles to problems of public welfare, safety, and criminal justice.

True conservatism understands that it is an ordered liberty the Constitution seeks to secure, liberty tempered by a sense of restraint. As the man honored by this Chair once put it, we, as a people, seek

Freedom made orderly for this nation by our constitutional government. Freedom under a government limited by laws of nature and of nature's God. Freedom balanced so that order lacking liberty will not become the slavery of the prison cell; balanced so that liberty lacking order will not become the license of the job and of the jungle.

This is the fundamental point of the rule of law: to guide us, a free people, between the twin disasters of anarchy and despotism. True conservatism, the conservatism exemplified by Senator Goldwater and by President Reagan, is the unfaltering commitment to what Abraham Lincoln described as the "perpetuation of our political institutions."

Freedom presupposes a commitment to the law and a respect for legal institutions. Such a public attachment is the "strongest bulwark" a government such as ours has against the erosion of public order and private rights. This is what Lincoln meant when he argued that "reverence for the laws" must "become the *political religion* of the nation." He knew the danger to liberty posed by false prophets who would, by their words and deeds, seek to supplant the Constitution and the laws of the nation by their ambitious quest to refound the republic in their own image.

That is what keeps our Constitution and this republic what it has been for nearly two hundred years: "the last best hope of earth" to the cause of freedom.

Thank you.

AIDS—Striving Toward Legal Compassion

Jane Aiken*

As Albert Camus said in *The Plague*,

"Everyone knows that pestilences have a way of recurring in the world, yet somehow we find it hard to believe in ones that crash down on our heads from a blue sky. There have been as many plagues as wars in history; yet always plagues and wars take people equally by surprise . . . A pestilence isn't a thing made to man's measure; therefore we tell ourselves that pestilence is a mere bogey of the mind, a bad dream that will pass away. But it doesn't always pass away and, from one bad dream to another, it is men who pass away . . ."

The Center for the Study of Law, Science and Technology is sponsoring a national conference called "Responding to the AIDS Epidemic: Constitutional, Legal and Social Policy Issues." The conference is designed to address the innumerable issues that have arisen in response to the spread of AIDS. The disease not only poses significant and difficult medical issues but also creates legal questions heretofore unaddressed. At the conference, speakers from all over the country will discuss the implications that AIDS has for employment, for private and public insurance, and for public health generally. It will be clear at the close of the conference that AIDS poses a great challenge to the legal system in balancing the needs of a frightened public and the rights of those people who are afflicted with the disease. It is important for the law to confront these challenges by anticipating needs before they overwhelm us.

In order to truly understand the legal implications of the disease, one needs to know a little about its medical history and prognosis. Acquired Immunodeficiency Syndrome or AIDS is acquired damage to the immune system that makes the body susceptible to certain rare opportunistic infections that the body is usually able to fight off. The disease was first identified in 1981. At that time there appeared to be approximately 60 cases in the United States. There are now over 17,000 known cases

of AIDS in the United States. The figure is expected to double every 10 months.

There are three levels of infection that are recognized. AIDS is the diagnosis when the person shows a suppressed immune system with one or more of the serious opportunistic infections, such as Kaposi Sarcoma or certain kinds of pneumonia. AIDS Related Complex or ARC is diagnosed when the person shows signs of immune suppression with a pre-AIDS condition ranging from swollen lymph glands, flu-like symptoms to more serious diseases. It is unclear how many people suffer from ARC. Finally, the third level of diagnosis is a positive test for HTLV-III antibody. In March 1985, an experimental test, known as the ELISA test, was approved to screen blood for the presence of the AIDS antibody. A positive result on this test may indicate that the person has been exposed to the AIDS virus. It does not indicate whether the virus is live or dead. Furthermore, the ELISA test has a high degree of false positives. If a person tests positive twice on this test, a third test called the Western Blot test is used. This test is considerably more expensive but is more accurate. It is estimated that between 10-33% of people who test positive for the HTLV-III antibody will eventually come down with some form of AIDS. The Centers for Disease Control estimate that currently as many as 2 million people would test positive for HTLV-III antibody. That figure grows daily.

There is a great deal of confusion about what causes AIDS. Epidemiologists understand how the disease acts in the body. They do not as yet know how to stop it. To date, there is no cure and no vaccine. Most people die within 18 months of a diagnosis of AIDS. AIDS cannot be contracted through casual contact. It is communicated through blood and semen. Although the virus has been isolated on rare occasions in saliva and tears, medical evidence indicates that the disease cannot be spread through these bodily fluids. There has been no case of a family member getting AIDS from a person in the family suffering from the disease unless born of an infected mother. The virus is not hardy. It appears to require an exchange of blood and/or semen and a host with an already depressed immune system. In the United States, the majority of those persons with AIDS are homosexual men or intravenous drug users. This does not tell us much about the disease. In Africa, the disease afflicts

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heterosexual people with no history of intravenous drug use. Despite the clear evidence that AIDS cannot be communicated through casual contact, much of the public has been blinded by fear of this disease. In a recent *Los Angeles Times* poll, 51% of those polled said that they favored quarantine for persons with AIDS. It is this public fear and misinformation that has given rise to the

need for civil libertarian vigilance in coping with the AIDS crisis.

The response to AIDS has come from the public and private sector. Legislatively, there have been a number of proposals. Some of the legislation has anticipated the problem of discrimination against those persons with AIDS or persons perceived to be at risk of having AIDS.

Unfortunately, many of the legislative and regulatory proposals reflect a misunderstanding of the disease and create a serious threat to civil liberties. In Arizona, the State Health Department promulgated emergency rules to make AIDS a reportable disease. The Health Department is considering making a positive ELISA test for HTLV-III antibody reportable. Such mandatory reporting of HTLV-III positive test results is also incorporated in a bill sponsored by Representative Franks pending in the Arizona legislature. Senator Kunasek and Representative Baker have introduced a bill that would set up Communicable Disease Advisory Council to oversee emergency measures promulgated by the Health Department to deal with AIDS and other communicable diseases. Representative Goudinoff has introduced a bill that would prevent discrimination against persons with AIDS.

The abundance of bills and new regulations dealing with AIDS is not limited to Arizona. New York State's Public Health Council has invoked its quarantine power and has authorized the permanent closure of gay men's baths. The Texas Board of Health has proposed a rule to add AIDS to the list of diseases subject to quarantine. The Illinois legislature has proposed a law that would require registration of persons with AIDS and allow for quarantine. The use of the quarantine power raises fundamental issues concerning the exercise of police power and protection of individual liberty. Most state quarantine laws are broad in coverage and are given great deference by the courts. Generally, the power to quarantine has only been deemed necessary when the disease was communicable by casual contact. Given the fact that AIDS is a blood borne disease transmitted through the exchange of semen or blood, the use of quarantine power appears too inappropriate yet states continue to add AIDS to the list of quarantinable diseases.

The Executive Director of the Association of State and Territorial Health Officers urged at a national meeting of that group that there should be mandatory reporting of positive HTLV-III antibody tests and contact tracing of all sexual partners. Wisconsin and Colorado already have mandatory reporting of HTLV-III positive results. The reason for such reporting is unclear particularly when balanced with the potential for discriminatory use. First, the test has limited predictive value since only 10-33% of those who repeatedly test positive come down with AIDS. Secondly, the test is flawed by its high false positive rate. That flaw may be tolerable to protect the blood supply but not for the other purposes that the test may be used. For example, some employers have considered using the test to screen applicants for specified jobs. Other policy makers have considered requiring some workers to carry cards indicating that they are free from AIDS. Currently, the United States government tests all new recruits for the military and those who test positive are turned down for military service. The test has just been instituted for all current military personnel. A positive test

results in discharge from military service. The test is not only being considered for use in the employment arena. Insurance companies are alarmed at the high cost of medical care for people with AIDS. Many companies are proposing to test prospective insurance holders for the AIDS antibody and deny coverage or assess higher premiums if the antibody is present. This does not mean that persons with AIDS do not get medical care. It merely means that such medical care costs are shifted to the state. Several legislatures are considering a mandatory blood test for the HTLV-III antibody before granting permission to marry. Since once infected with the virus, the test remains positive, whether or not the person actually comes down with the disease, such a law would create an absolute prohibition on marriage. Making reportable the names of those person who test positive for the HTLV-III antibody is likely to have additional unwanted consequences. Given the discriminatory use to which such test results are vulnerable, people will be unwilling to get tested, thereby not getting the early warning that may help both in the curing of the disease and curbing its spread. Fewer people will give blood for fear that they may be stigmatized resulting in a decrease in the nation's blood supply.

Perhaps one of the reasons that such repressive legislation is being considered is that, at least in this country, the heterosexual population has not seen itself at significant risk of contracting AIDS. Since AIDS has been identified with the gay community much of the legislation targets this discrete and insular minority. In Indiana, it appears that the state health director is considering closing all public establishments where gay men congregate regardless of whether any sexual activity occurs there on the theory that this will curb the spread of HTLV-III. There is a New Jersey legislative proposal to regulate gay bookstores by requiring them to maintain registries of their customers and making the bookstore liable if any patron contracts AIDS. Two New Mexico state legislators plan to introduce a bill to recriminalize consensual sodomy which was decriminalized in 1976. They claim the bill is necessary to prevent the spread of AIDS.

There are obviously no easy answers to the problem of AIDS. There is also no way to avoid dealing with the problem. Governments have been forced to balance public concern about the spread of the disease and protection of those with the disease in the school and prison context. In the fall of 1985, the debate about AIDS intensified. Parents concerned about their children's vulnerability to this life-threatening disease placed considerable pressure on school boards to prevent children with AIDS from going to school. In the seven states and the District of Columbia where the issue was addressed, only two of those states permitted children with AIDS to remain in school. Since that time the Center for Disease Control has issued guidelines that indicate that children with AIDS should be allowed into school unless they have

open sores. Of course, this has not quieted many parents fears and leaves open many questions on how such guidelines should be enforced.

Dealing with AIDS in prison creates the same tension as in the school context with the same necessity for government response. It is estimated that as much as 80% of the New York State prison population would test positive for the AIDS antibody. Inmates who fear contracting AIDS in prison are calling for mandatory screening and segregation of people who test positive or are diagnosed as having AIDS. Those prisoners with AIDS are fighting the use of isolation and the restrictive conditions that flow from segregation. Medical care in prison is often inadequate and diagnosis of AIDS is often delayed, resulting in early deaths due to a lack of understanding of how the disease progresses. Prison personnel are concerned about the risk of exposure to the AIDS virus and many are unwilling to have any contact with the inmate with AIDS. Prison administrators argue that isolation is necessary to protect the life and safety of the inmate who is diagnosed with AIDS. They note that the spread of the disease is likely given the incidence of consensual and nonconsensual sex in prison. There have been proposals to set up an "AIDS colony"—a specific prison designated for inmates with AIDS. Civil libertarians are troubled by the pitting of the rights of the inmate with AIDS against the rights of the inmate population concerned about the transmission of AIDS.

Doctors knowledgeable in the research concerning AIDS have urged that the best way to prevent the spread of the disease is to educate the public about unsafe sex practices and hygienic needle use. Many state health departments have been approached by groups who are willing to produce brochures and other educational devices concerning ways to prevent the spread of AIDS. These departments have been reluctant to assist financially or otherwise in the production and distribution on the theory that the government should not assist in criminal acts, i.e. sodomy and illicit drug use. Despite the evidence that education is the most effective means to curb the spread of AIDS, the Center for Disease Control has held up publication of educational materials on AIDS out of concern that the government may be producing pornographic materials.

No matter what ones views are about the phenomenon of AIDS, we are not able to avoid its impact. In the near future, we will see an ever expanding number of people coming down with the disease and more and more legislation that attempts to cope with the myriad problems that AIDS poses for us as a society. It is essential that we respond to AIDS with knowledge and compassion. We must avoid both the urge to ignore it in hopes that it will go away and the urge to separate ourselves from the victims and punish them for the disease thinking such punishment will keep us safe. We must strive to be "true healers" who see through the eyes of the victims. As Ca-

mus noted in *The Plague*:

"All I maintain is that on this earth there are pestilences and there are victims, and it's up to us, so far as possible, not to join forces with the pestilences. That may sound simple to the point of childishness; I can't judge if it's simple, but I know it's true. You see, I'd heard such quantities of arguments, which very nearly turned my head, and turned other people's head enough to make them approve of murder; and I'd come to realize that all our troubles spring from our failure to use plain, clean-cut language. So I resolved always to speak—and to act—quite clearly, as this was the only way of setting myself on the right track. That's why I say there are pestilences and there are victims; no more than that. If, by making that statement, I, too, become a carrier of the plague-germ, at least I don't do it willfully. I try, in short, to be an innocent murderer. You see, I've no great ambitions.

I grant we should add a third category: that of the true healers. But it's a fact one doesn't come across many of them and anyhow it must be a hard vocation. That's why I decided to take, in every predicament, the victims' side, so as to reduce the damage done. Among them I can at least try to discover how one attains to the third category; in other words, to peace."



Should The State of Arizona Divest From American Companies in South Africa?

Richard D. Mahoney '80

Should the state of Arizona allow its pension funds to be invested in U. S. companies doing business in South Africa? Ten states have already withdrawn such monies; another five have conditioned pension investment on proof that the companies in question commit themselves to the Sullivan principles, which require equal pay for equal work, a desegregated workplace, and free labor organizing. The state Legislature is now considering a bill put together by the Arizona Civil Rights Advisory Board that requires companies such as IBM and Honeywell to live up to the Sullivan principles (signatory companies in South Africa are audited each year by Arthur D. Little, Inc.), or face the withdrawal of the approximately \$700 million the state pension fund has invested in U. S. companies.

The Board held hearings last December in Phoenix and Tucson and received the oral and written testimony of more than 50 individuals and groups. The Board's recommendation was drawn from its answers to two questions:

- Is the cruelty of the South African state so unique that we must set it apart from the other 147 states with which we do business?
- What results would our withdrawal of monies from U.S. companies in South Africa have on the Afrikaner regime and black South Africans?

Is South Africa Unique?

Arizona Senate President Stan Turley made the observation following his prepared testimony on December 13 that, however wrong *apartheid* may be, such repression is not unique—"what about the Soviet Union?" *Arizona Republic* columnist Pat Murphy and State Representative Jim Hartdegen were others. The Board believed this opinion deserved serious consideration.

The simplest reading of the 1985 Amnesty International report produces the conclusion that whatever the measure of state terror—number of executions, incidence of political torture and imprisonment, etc.—South Africa is neither unique in the world, nor necessarily first in its repressive class on the continent of Africa.

What does set South Africa aside is the racial basis of its brutality and deprivation, one in which the white state has deliberately spun a web of laws to reduce its 21 million Africans (about 72 percent of the total population) to servitude and to strip them of citizenship. Senator Turley (with House Speaker Jamie Sossamen's concurrence) pointed out that the white government this past year has dismantled certain laws such as the Mixed Marriages Act. Mike Shea (representing the Arizona Coalition Against Apartheid and APEA/AFSCME Council 97), however, characterized these reforms as mere "mechanisms for modernizing *apartheid*." The Board agreed with Mr. Shea.

The enormous gulf between black and white—whose iron wedge is *apartheid*—remains:

- Black infant mortality rates in the homelands or bantustans into which the African population has been banished are 20 times as high as white infant mortality rates;
- over 3 million Black children under the age of 15 suffer from malnutrition in Africa's richest state;
- the government spends \$1,115 per year on the education of each white while his black counterpart receives only \$170;
- the white manufacturing worker receives four times the wage as the black for the same job.

As Carolyn Trowbridge put it (testifying on behalf of Tucsonans Against Apartheid), "separate in South Africa does not mean equal."

What became apparent from such testimony and our own reading is that South African law is the central source of this misery. Since 1960, the South African government, under its "influx control" law, has forcibly removed over 3.5 million blacks from white areas. Another 1 million more Africans have been forcibly relocated to the bantustans. The immediate result of this forced exodus has been arrests and violent resistance. The long term result of forcing the Africans (72 percent of South Africa's people) at the point of the gun to relocate on 13 percent of South Africa's land—barren, to a large ex-

tent—is to doom them to the levels of infant mortality and malnutrition previously maintained.

Apartheid's master device is the requirement under the Abolition of Passes Act that all Africans over age 16 must be fingerprinted and carry a pass book at all times to enable the police to track their entry into white areas, employment, etc. In 1982 alone, more than 200,000 Africans were arrested under this law. South Africa, accordingly, has the highest per capita prison population in the world (440 per 100,000); about half of those in jail for offenses only Africans can legally commit.

The Reverend Warren Stewart (Pastor of the First Institutional Baptist Church in Phoenix), who himself has visited Soweto, quoted Dr. Martin Luther King, Jr. regarding the paradox of South Africa: "A medieval segregation is organized with 20th century efficiency. A sophisticated form of slavery is imposed by a minority upon a majority that is kept in bondage."

To conclude an answer to the first question: the Board believed that the level of violence in South Africa—outrageous as it may be—is not unique; many governments, including some in Black Africa, are at war with their own peoples. What makes South Africa unique is the racial basis for its systematic assault upon the dignity and liberty of the majority of its citizens. The freeing of black people, both in Africa by the European powers and in America by the brave among us, may well be the central achievement of our age. In the second half of the twentieth century, there is still one great barrier standing against this global tide—white South Africa.

What Impact Would the Withdrawal of Our Monies Have Upon the Afrikaner Regime and Black South Africans?

We sought to pose this question in the practical—and not moral—realm: "What will happen if we pull out?" The answers we heard regarding divestment's impact on the Afrikaner regime ranged from "the destruction of *apartheid*" to "nothing at all."

It is admittedly difficult to calculate the impact of widespread symbolic actions (such as the one we are contemplating) on any government's behavior. But the white regime seems impervious on all counts. In the first place, the Afrikaners' historical concept of themselves has been to fight to the death whether against the Zulus or the British. They are accordingly armed and ready for the siege and brandish the tenets of the Dutch Reformed Church at any among them who might waver. Second, P.W. Botha had every reason this past year—from internal upheaval to international pressure—to undertake major reforms at the eleventh hour—and didn't. Instead, he drew in the *laager* (the circled wagons) and ordered his soldiers to direct offensive fire from armored cars at African crowds. Aside from his own convictions, there was a political reason for this retrenchment; namely, to protect his ruling Nationalist party from further losses to right-

wing splinter groups which have accused his government of African appeasement. In the economic realm, pressure seems unavailing; when the Chase Manhattan Bank and other U. S. banks refused to roll over some of South Africa's short term debt, the government angrily defaulted.

Reform, Botha's Defense Minister Mangus Malan observed in the South African Parliament, will only trigger the floodgates of "black chaos" and ensure white extinction. The Arizona Civil Rights Advisory Board does not see a serious basis for anticipating change among the Afrikaners as a result of divestment.

Does American investment (about \$14 billion of which \$2.6 billion is direct investment) strengthen the economic and military self-sufficiency of the Afrikaner regime? The president of the African Students Union at the University of Arizona, Didier Nguessan, made a forceful case that U. S. corporations are "the single most fool-proof source of revenue for *apartheid*." Control Data Corporation has sold equipment to the South African police in violation of U. S. customs regulations; IBM provides computers to the government, some of which are presumably used for "influx control." Charles Henderson, an executive in the Northern Trust Company, contended, on the other hand, that in many cases American businesses have been exemplary (e.g. negotiation the first contracts with black unions whose total memberships now numbers about 270,000). We believe the record is mixed, and our recommendations are based on that judgment.

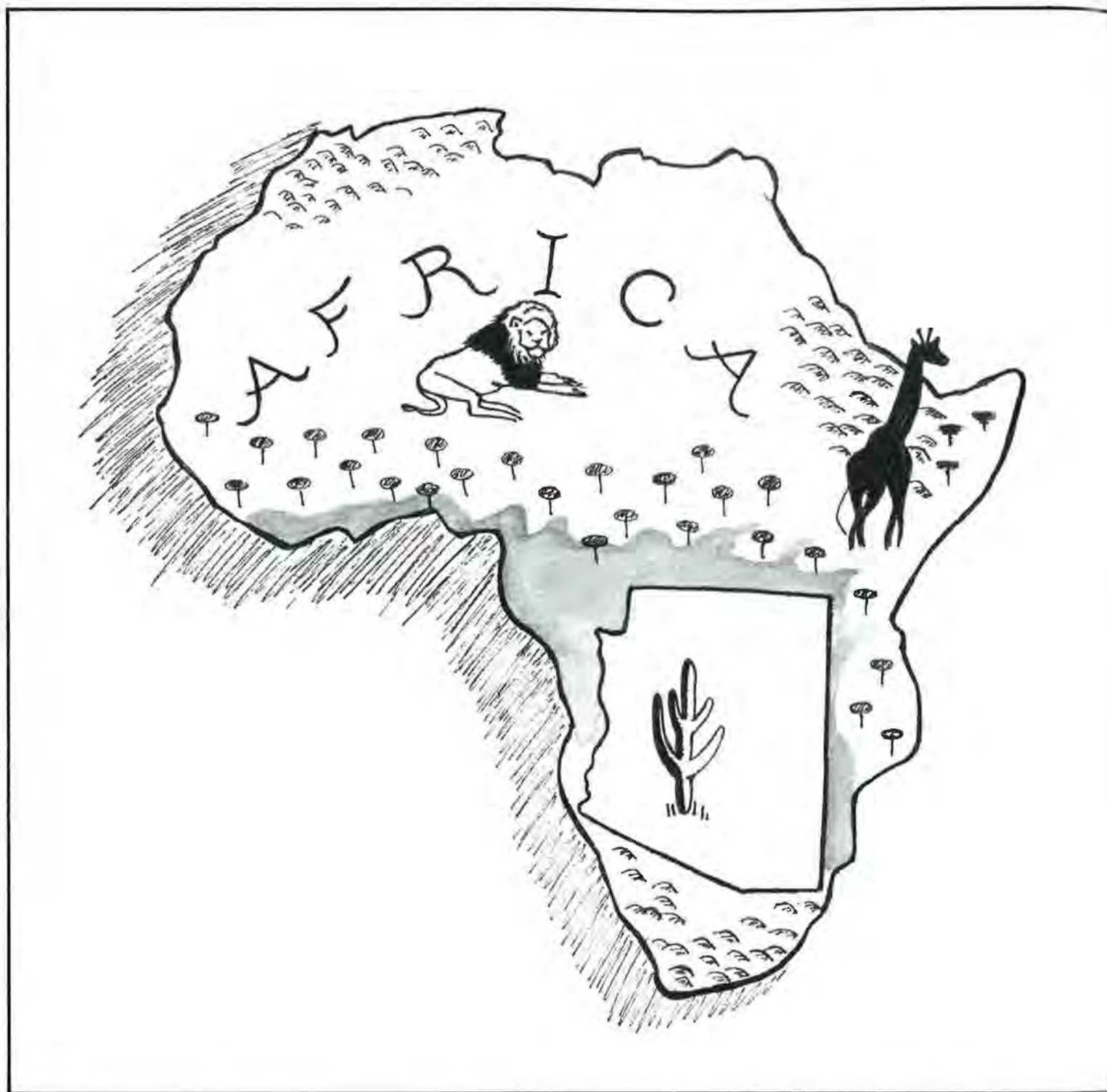
What of the impact of divestment on Black people? Representative David Bartlett of Tucson pointed out that among the many unknowns regarding divestment, one thing is known: that over 100,000 black workers, many of whom benefit from the salaries and freedoms provided in the workplace of the American companies, will lose their jobs as a result of a U. S. withdrawal. Mildred Jones, the President of the Maricopa County Branch of the NAACP, agreed but argued that South African blacks are prepared to pay the price of such withdrawal:

The victims of *Apartheid* will be the victims in the struggle to end it. Our concern for those victims and our opposition to institutionalized racism cannot be superseded by economic considerations given to American companies in South Africa which do not aggressively defy *Apartheid*. Shortly before he was killed because of his public statement condemning *apartheid*, Steve Biko stated, 'We blacks are perfectly willing to suffer the consequences (of divestment). We are quite accustomed to suffering.'

Nobel laureate and head of the South African Council of Churches, Bishop Desmond Tutu, has also decried the effects of foreign investment, as has the Reverend Allan Boesak, the head of the multiracial United Democratic Front.

Gatsha Buthelezi, the Chief of the Zulu nation in South Africa, believes the opposite; namely, that blanket divest-

*Richard D. Mahoney is the Chairman of the Arizona Civil Rights Advisory Board. He graduated in 1973 from Princeton University with a B.A., received a J.D. from ASU College of Law in 1980 and a Ph.D. from Johns Hopkins University in 1980. He is a member of the Arizona Bar, and currently teaches African Studies at the American Graduate School of International Management. Mr. Mahoney is the author of *JFK: Ordeal in Africa* (Oxford University Press, 1983), which was nominated for a Pulitzer Prize in History.



ment would destroy the prospects of those it purportedly was trying to help, the blacks, without inducing the whites to dismantle apartheid. FOSFATU (the largest federation of black trade unions) has avoided endorsement of unilateral and unconditional withdrawal as its 1984 policy statement indicates: "FOSFATU is definitely opposed to foreign investment that accepts the condition of

oppression maintained by this regime."

But what of foreign investment that rejects the condition of oppression and fights for change? In 1976, the Reverend Leon Sullivan of Philadelphia (and a member of the Board of Directors of General Motors) set forth a list of principles by which American businesses could attack apartheid in the workplace:

- Equal pay for equal work;
- Nonsegregation of the races in all eating and work facilities;
- Initiation of training programs to bring blacks into supervisory, technical and management positions;
- Improving the quality of life for minorities outside the work environment in areas such as housing, health, transportation, and schooling;
- Minimum wage standards;
- Support of the right of black workers to organize and join unions.

Of the 352 American companies in South Africa, 152 have signed the Sullivan principles. According to Arthur D. Little, the corporation assigned to monitor and grade subscribing corporations, of that 152 signatories, 43 companies fully comply (class 1); the other two thirds received either failing or inadequate grades. Corporate performance under the Sullivan principles, therefore, has fallen far short of its promise, and this fact occasioned hard commentary from some of our witnesses. Carolyn Trowbridge quoted Bishop Tutu: "Our rejection of the Sullivan code is on the basis that it does not aim at changing structures. The Sullivan Principles are designed to be ameliorative. We do not want apartheid to be made more comfortable. We want it to be dismantled." According to Mike Shea, when the Ford Motor Company (the largest U. S. employer of black workers in South Africa) asked its African workers to evaluate the Sullivan principles, they responded with a written statement that called the principles "a toothless package . . . that allows this cruel system of apartheid to survive."

The Board is aware of the deficient record of corporate action to attack apartheid in the workplace as well as the prospect that the Sullivan principles proffer reform in a season of revolution. Nevertheless, we think there is no alternative but to stay and fight, and we think that what leverage we have (which is not great) is best used to inform the American companies into which we have funds to adhere fully and strictly with Sullivan, or else. We think we have a candle to light in South Africa and that no one will gain from cursing the darkness. We note that after its own internal debate on this matter, the national board of directors of the NAACP accepted Executive Director Benjamin Hooks' call for a *selective* boycott on U.S. companies, the standard being Sullivan. Our recommendation for action does not satisfy our intentions; it only addresses our calculation of results.

Recommendations for Action

The Arizona Civil Rights Advisory Board has recommended to the Legislature and the Governor:

- 1) that there be no new investment of Arizona pension funds in American companies doing business in South Africa if those companies permit any form of apartheid in the workplace;
- 2) that Arizona pension funds be immediately withdrawn

from companies that do not adhere to the strictest standard of the Sullivan principles (class 1).

In making these recommendations, it is important that we emphasize our belief that the American government, more than American companies, is our essential instrument to fight for change in South Africa—and that the policy of accommodation with the whites, known as "constructive engagement," practiced over the past five years resulted in very little more than a *carte blanche* for Afrikaner retrenchment. President Reagan's imposition of sanctions under congressional pressure last September admitted as much; but we lost five years in the realization.

It is fundamental that the U. S. government open a dialogue with the exiled African National Congress, as Secretary of State George Schulz has suggested the white South Africans do. We should move actively to secure Nelson Mandela's release as well as to stop the western flow of technology that is used in the repression of black people.

Great events—as Montesquieu wrote—do not have small causes. And the United States, for all its great political and commercial power, remains a small cause in the South African reckoning. But that must not stop us from doing what we can. Robert F. Kennedy, on tour in South Africa in 1966, told students that "few will have the greatness to bend history itself, but each of us can change a small portion of events, and in the total of all those acts will be written the history of this generation."

Law School Briefs

College of Law Receives Grant For New Clinical Program

The State Bar of Arizona and the Arizona Bar Foundation have awarded a grant of \$50,000 per year to the ASU College of Law which will enable the College to establish an important new clinical program. Law students enrolled in the new program will provide representation for low income and indigent clients under the direct supervision of law school faculty members. The first installment of the grant was presented to Dean Paul Bender of the College at a press conference in Phoenix on January 16.

Larry Weeks, Clinical Professor of Law, said the grant will be used to add a new member to the law school faculty who will design and supervise a community service clinical program at the Community Legal Services office in Mesa beginning next July. The new program will be

an important addition to the College of Law Clinic, which for more than 10 years has enabled second and third year law students to learn legal skills in a practical setting under faculty supervision.

In accepting the grant, Dean Bender emphasized that the new program has three primary objectives. It will provide badly needed legal services for the poor, serve as an important educational vehicle within the College, and also acquaint students with the great rewards and satisfactions of *pro bono* legal service during their legal careers.

The grant to the College of Law was among more than \$700,000 granted statewide this year by the State Bar Foundation to support and expand delivery of legal services to the poor under Arizona's Interest on Lawyers' Trust Accounts (IOLTA) program.

The IOLTA plan requires lawyers to invest small or short-term deposits from clients so that those otherwise idle funds may be pooled to generate interest. These funds are then channeled through the Arizona Bar Foundation in order to provide legal services

to the poor and public legal education.

According to the State Bar, about 90 percent of Arizona's needy citizens currently do not receive civil legal assistance because of inadequate funding for legal aid to the poor. ■



Jerry L. Angle, President of the Arizona State Bar Association presenting Dean Paul Bender with the IOLTA check.

Armstrong Hall Addition And Remodeling

The Arizona State Legislature has approved bonding authority to fund several University building projects including a 14,500 sq. ft. addition to Armstrong Hall. The 2 million dollar project has been approved by the Board of Regents, and procedures are now underway for the selection of a project construction manager and an architect. The two-story additions will be constructed on two existing pads located southeast and southwest of Armstrong Hall. This space will be used for faculty and administrative offices, library expansion, a new placement center, classrooms and additional space for the Center for the Study of Law, Science and Technology, the legal clinic, and student areas. Funds are also included within this allocation to provide further renovations to our present facility. It is hoped that construction can begin in the fall of 1986.

During the fall semester, re-

modeling of Armstrong Hall's current facility began. The first room to be remodeled was Classroom 112. New blue fabric cushioned chairs have replaced the former swivel chairs which were bolted to the floor. Red-orange carpeting is now on the floor and beige acoustical panels attached to the walls in an effort to reduce noise in the room. New lighting fixtures have been added to increase the amount of light available. Desk tops have been refinished and the walls painted a pale coral color. The new result is a modern design, a warm and colorful place for classes to meet and study. This room may serve as a prototype for the redecoration of existing and future classrooms at the College of Law.

The faculty/staff lounge has also been remodeled, adding new furniture, lighting, carpeting and built-in bookcases to the present space. ■

Arizona Water Law

Michael Sillyman ('75)

The ASU College of Law Alumni Association sponsored a Water Law Seminar on October 26, 1985. The seminar was held in the Great Hall with more than 400 persons in attendance.

The program was moderated by Kathleen Ferris, the newly appointed and recently confirmed Director of the Arizona Department of Water Resources.

The seminar was a nuts and bolts approach to the status of water law in Arizona. Subject matter covered such diverse areas as the authority of the Department of Health Services to promulgate groundwater quality regulations and the merits of those regulations; practical issues under the Arizona Groundwater Code, including proof of 100 year supplies of water, formation of water companies, well drilling problems, service areas, well impact, and the

purchase of water rights; urban, agricultural and practice perspectives of water transfers; the adjudication of water rights including the status of Gila and Little Colorado River adjudications, Indian and federal water rights, the relationship between service water and groundwater and the potential effects of adjudications; and, the legal characteristic of effluent.

Alumni and faculty members participating in the seminar included Michael Brophy ('77), Professor John Leshy and Professor Robert Misner.

The Water Law Seminar was the most successful seminar ever sponsored by the ASU College of Law Alumni Association in terms of attendance and response of those in attendance. It proved to be a valuable public service in identifying topical water law issues in Arizona and was directed to public officials, lawyers, engineers, hydrologists, and city and county planners. ■

Groundwater Hydrology Seminar

The Center for the Study of Law, Science and Technology co-sponsored a seminar on Groundwater Hydrology with the Department of Civil Engineering at Arizona State University, and the Arizona Hydrological Society. The short course was held in the Great Hall on December 7, 1985. Groundwater Hydrology is the art and the science of investigating, developing and managing groundwater for man's beneficial use. The seminar covered such issues as the history of groundwater hydrology, introduction to terms, hydrologic concepts, methods for hydrologic evaluation, groundwater quality and practical applications. Approximately 125 attorneys and other professionals attended this program. ■

Law Library Hosts Mid-Winter Institute

The College of Law Library hosted the American Association of Law Libraries 1986 Mid-Winter Institute, which was held in the College on January 8-11, 1986. The Institute, "Concept Through Construction: Mastering the Art of Law Library Design," attracted more than 80 law librarians from throughout U.S. and Canada. The faculty was composed of some of the leading law librarians in the country, including the directors of the law libraries at the United States Supreme Court, Columbia University, Northwestern University, New York University, George Washington University, and the University of Michigan, as well as architects and designers. ■

Appointment of New Business Manager

Rhonda Kirkeide was appointed the first Business Manager of Armstrong Hall in September, 1985. Ms. Kirkeide came to the College of Law from the Departments of Geology and Chemistry where she was an Administrative Assistant III. She received her B.S. from Emporia State Uni-



Rhonda Kirkeide

versity in Sociology with a minor in Business Administration.

The Business Manager is responsible for a wide variety of tasks ranging from monitoring the law school budget to coordinating building remodeling and repairs. Ms. Kirkeide also schedules meetings and conferences at the law school. If you are interested in scheduling a function at the College of Law, please contact Ms. Kirkeide at 965-6181. ■

New Admissions Director Joins College of Law

Although Brian J. Murphy, the law school's first full-time Admissions Director only joined our staff in September, he quickly found himself on the "recruitment road." He represented the College of Law at various pre-law conferences across the country in an attempt to attract a more diverse pool of students to our campus. Rather than merely



Brian Murphy

processing unsolicited applications, as was the common practice in the past, the admissions process now requires more active recruitment. "We are interested in attracting students rather than sitting back and waiting for them to come to us," states Murphy. At a time when law school applications are down nationwide, ASU College of Law experienced an increase in both the size and quality of the applicant pool for the 1985 entering class.

Murphy, former Admissions Officer at the University of Cincinnati, received his B.A. from State University of New York at Albany and his M.Ed. in Guidance and Counseling from the University of Cincinnati. He is presently enrolled in the Higher and Adult Education doctoral program at the Education College at ASU. While at Cincinnati, he organized a comprehensive minority student recruitment program which emphasized increasing minority diversity by recruiting out-of-town and out-of-state students.

Looking forward to the challenges of a new position at a law school he says will be easy to market, Murphy stressed diversity and recruitment as his top priorities in the days ahead. ■

New Admissions Program

With the appointment of a full-time Admissions Director, the College of Law has redefined the purpose of Admissions. The College is committed to attracting talented students from around the country. This entails a substantial increase in recruitment activities, including participating nationwide in pre-law events and developing relationships with state undergraduate institutions and the community at large. Eventually, students, staff, faculty and alumni will have an opportunity to play a vital role in the recruitment effort. In addition, key emphasis will be given to increasing the recruitment responsibility of minority student groups in our law school; including making contact with newly admitted

students, answering their questions and encouraging their matriculation.

During the fall semester, ASU conducted student information sessions at Temple University, the University of Pennsylvania, Princeton University, Columbia University, Brown University, Harvard University and Northern Arizona University. Law day seminars were attended in Boston, as well as Cal-Berkeley, UCLA, Stanford, Cal-San Diego and the University of Arizona. Approximately 500 prospective law students were contacted in this manner.

In December, a direct mail campaign was launched. Letters from the Admissions Director and Dean Bender were sent to 350 talented minority students from around the nation, encouraging each student to consider the College of Law. Most of these students were not previously aware of the vast opportunities available to them at our College and in the Phoenix legal community in general. The Admissions Office is currently gearing up for a mail campaign to talented students attending such established institutions as Yale, Illinois, Wisconsin, Macalaster, Pomona, and Stanford. ■

Placement Updates

During the fall semester, briefcases and business suits replaced backpacks and jeans. The Placement Office reports that 89 employers visited the campus and conducted 1129 interviews with 145 students of the second and third-year classes. Twenty-five of the employers were recruiting for offices located outside the Phoenix metropolitan area. By the end of the first semester, our survey indicated that approximately 45% of the second-year students had accepted summer clerkships and 38% of the third-year class had confirmed permanent employment, 11% of whom received judicial clerkships with judges of the Arizona courts upon graduation.

Opportunities for law students to work on a part-time basis in the legal community

have been plentiful this year according to Placement Director Janice Baker. "The on-the-job experience provides good, practical exposure for the student to the practice. Some of the students receive offers from these employers to become associated with the firm after they graduate."

Guests and Visitors

U. S. Attorney General **Edwin Meese** spoke on "The Future of Conservatism in American Law" on November 22 in the Willard H. Pedrick Great Hall at the College of Law. His talk was sponsored by the Barry M. Goldwater Chair of American Institutions at Arizona State University.

Meese is a graduate of Yale University and of Boalt Hall, University of California, Berkeley. He was Legal Affairs Secretary, 1967-1969, and Executive Assistant and Chief of Staff to Ronald Reagan, 1967-74, when Reagan was Governor of California. He also has served as Professor of Law and Director of the Center for Criminal Justice Policy and Management at the University of San Diego. Before becoming Attorney General, Meese served as counselor to the president.

The Honorable **Burton Barr**, Majority Leader of the State House of Representatives spoke on September 23 in the Willard H. Pedrick Great Hall at the College of Law on the

The spring recruitment program will begin in March and will continue through the first of May for employers seeking law clerks and new associates. For additional information regarding the program, please contact Janice Baker at 965-5808. ■

issues involved in the freeway tax election that was held in Maricopa County on October 8th. The proposition passed by a large majority. The basic issue involved in this election was the imposition of a 1/2 cent sales tax in Maricopa County to fund the freeway plan for the Valley. This plan will build 233 miles of new freeways in the Phoenix area.

Winton Woods, Professor of Law at the University of Arizona, spent two days at the College of Law in October as a visiting professor. He presented a faculty seminar on future directions in legal education.

F. Lee Bailey spoke at the ASU Memorial Union in November. This event was co-sponsored by the SBA, the College of Liberal Arts, and the ASASU.

Norman Baxt, Visiting Professor at Osgoode Hall Law School and Professor at Monash University in Australia, visited the college in November. He presented a faculty seminar on "Fiduciary Duties of Australian Directors."

Dr. Robert Bowman lectured in the Willard H. Pedrick Great Hall at the College of Law on "Star Wars Defense Plan" in October. It was sponsored by ASASU.

Larry Koslow, Vice President of 3M Corporation in Minneapolis, visited the Law College in October. He spoke on "Practicing International Business Law."

Roger Axford presented "World Coalition for Peace" in November. His talk was sponsored by the Department of Higher and Adult Education.

The fall semester faculty seminars were as follows:

Professor **David Kaye** on the use of computerized spreadsheets in grading, and how to write computer tutorials; Associate Professor **Fer-**

nando Teson on the Israeli raid in Tunisia under international law; **Sam Sutton**, Adjunct Professor and partner with Cahill, Sutton, and Thomas, on copyright law for law professors; **Mark Wallace**, Adjunct Professor and partner at Meyer, Hendricks, Victor, Osborn & Maledon, on lenders as partners for tax purposes; **Steve Craig**, Adjunct Professor and partner at Winston and Strawn, on preparing law students for life as a lawyer; Professor **Lawrence Wiener** on the pornography laws; **Roxanna Bacon**, Adjunct Professor and partner at Sacks, Tierney and Kasen, on the Arizona Bar; and Dr. **Jack Kinsinger**, Vice President for Academic Affairs on issues regarding University Governance. ■

Moot Court News

The College of Law's National Moot Court Team attended the regional competition in Provo, Utah in November. The team was composed of Terrie Kreig, Ken Burford, Steve Sharp, Brent Welker, Janet Kornblatt and Judith Dworkin. Despite a tremendous effort made by all the members, the team did not advance out of the regional competition. Professor Michael Berch was the coach and Vista Thompson Brown the coordinator for this program.

Professors Michael Berch, Dale Furnish and Fernando Teson completed the selection of the Jessup International Moot Court team. Third year students Jean Huffington and Scott Gibson were selected by the faculty judges to join second year team members, Michael Hensley, Diane Norvell and Susan Lowther. The second year members were selected from the first year class in a competition held last spring. The Jessup competition will be held at the Reuben J. Clark School of Law at Brigham Young University on February 20-22. ■

Student Bar Association Activities

Edward Ranger, President ('86)

The Student Bar Association (SBA) hit the fall '85 semester running and has yet to stop. In late August and early September, we conducted an intensive recruiting drive intended to increase memberships and bolster the treasury. Our success was greater on both counts than we had anticipated. In addition to members and money, the SBA drive whipped up enthusiasm and participation to an unprecedented level.

The goal of the officers was to transform the SBA into a

full service, nondenominational organization emphasizing social and law related activities available to the entire student body. Increased Student/Faculty/Alumni interaction was also a key priority. We believe that these two ideals have been approached, but it is only a start.

We incorporated these goals in the fall semester. The orientation party for the incoming first year class introduced the new students to the full force of the SBA. The picnic had an interesting mix of second and third year students, tenured and non-tenured faculty, administrative staff and a few winos. Most of the invitees stayed until dark,

The crowd dispersed when they realized that they had reached a toxic level of fun.

The next major SBA function was a stress management and spousal maintenance seminar co-sponsored with the Women Law Students Association. This event was not standing room only, but for the approximately 50 students in attendance the professional counselling and practical advice was invaluable. The success of the seminar and the positive feedback received has resulted in the scheduling of monthly meetings on a variety of pertinent topics.

In addition to structured programs, the SBA sponsored a number of house parties and happy hours. These diversions from the rigors of Law School serve an important academic and pre-professional function. "Networking" is the word of the 80's and especially vital in the highly competitive legal field. At these informal gatherings students loosen up, forget about pending assignments and talk to people they recognize only from the library. It is a well known fact that the students who regularly attend these parties experience a powerful catharsis and, as a result, are more relaxed, efficient and socially skilled.

Given the holistic qualities of celebrations, the SBA organized (with the help of Janice Baker and Sue Lowther) the first annual Armstrong Hall Halloween Costume Contest. The judges included Deans Bender and Matheson, Professor Aiken, Janice Baker and other luminaries. The contest was held in the rotunda and the evaluation of the costumes occurred while the contestants paraded around the ghoulish figures of the Space Family. Winners included Cheryl Masterson, Tim Trask, Chris Smith as a pumpkin, and Mike Berch as the werewolf of Tempe. That hallowed eve, the revelers made their way to Hambone Belanger's house to drink SBA beer and howl at the moon.

Within a couple of weeks the student body was treated to a visit by a fierce but important guest speaker. F. Lee (affectionately known as "Flee") Bailey came to ASU

to discuss his fame and fortune. This event was co-sponsored by the SBA, the College of Liberal Arts, and ASASU. Mr. Bailey consented to a tour of Armstrong Hall and even ventured into, albeit hesitantly, the swirling vortex of Dean Bender's Con Law II

Stress Management at Armstrong Hall: Survival Training Series

September 1985 was the beginning of the "Survival Training Series" at Armstrong Hall, a series of seminars designed to help law students cope with the rigors of law school and the strain law school often places on family relationships.

Each month counselors from the ASU Counseling Center lead a two-hour workshop at the law school on such topics as stress management, maintaining relation-

ships in law school, self-esteem and interpersonal relationships. The final workshops this year will address the law students' entry into the working world.

Karen Dickinson, Secretary-Treasurer of The Women Law Students, and Frank Sandler, SBA Vice President, developed and continue to coordinate the series on behalf of the sponsoring organizations. Professor Ann Stanton is the faculty advisor. ■

Scholarship News

Two outstanding students of the entering class of 1985, Gary Scott Dukarich and Daniel Joseph Kiley, received \$5,000 scholarships in the name of Martori, Meyer, Hendricks & Victor and the Law Society. Mr. Dukarich received his B.S. from MIT in 1980 and Mr. Kiley received his B.A. from Harvard in 1985.

In recognition of superior achievements, seven additional entering students received tuition waivers and \$1,000 scholarships from the Law Society. These awards continue for three years conditional upon the recipients ranking in the upper quarter of their class. The scholarship recipients are Lynn Roseberry, David Fehrman, Mark Fuller, Matthew Gregory, Jan Rostal, Debra Runbeck and Susan Watchman.

Three students in the entering class successfully completed the Council on Legal Education Opportunity summer program. Those students, Cornelius Camerena, Boni Cherelle, and Luis Guzman, will each receive \$875 scholarships every semester during their legal education at ASU.

The Sun Angel Foundation

Scholarship recipients for the 1985-86 academic year are Kim Langdon ('88), Joseph Lichtenstein ('86), Robb Louk ('88), Pamela Maher ('88), Mark Stelow ('88), Cathleen Sullivan ('87), Tyrone Walker ('88), and Ernest Warren ('88).

Three students were chosen in the spring of 1985 as externs in Senator DeConcini's office in Washington, D.C. Melinda Kelley ('87) served during the summer of 1985, Jacqueline Hightower ('86) during the fall 1985 semester and Roberta Mann ('87) will be an extern during the spring 1986 semester.

Executive Moot Court Board members for the 1985-86 academic year are Richard Calcagno ('86), Laurie Laughlin ('86), Vista Brown ('86) and Debbie Lister ('86). All of these students received tuition waivers. In addition, for her outstanding contributions to the Moot Court Program, Dyanne Greer ('86) has been awarded the O'Connor, Cavanagh, Anderson, Westover, Killingsworth and Beshears Assistantship for the 1985-86 academic year.

Law Journal Editors, Robert Bornhoft ('86), Scott Gibson ('86), Kevin McCarthy ('86), Sharen Meade ('86), Barbara Mertz ('86), and Lori Roback

('87) received scholarships for their work on the Law Journal for the 1985-86 academic year. Editor-in-Chief, J. Barry Shelley ('86) received a tuition scholarship and a \$1,000 Law Society scholarship provided for by a gift from local attorney I. Jerome Hirsch ('73).

The Truman R. Young, Jr. Prosecutorial Fellows for the 1985-86 academic year are James Heiler ('86) and Susanna Pineda ('86). James and Susanna received a stipend and will work in three separate prosecutorial offices during the 1985-86 academic year.

Through the contributions of College of Law alumnus George S. Wright ('74), two students—Boni Cherelle ('88) and Jay Fraude ('86)—have been awarded the George S. Wright Book Scholarship.

Nikolas Nikas ('86) has been named the 1985-86 Chester M. Smith Scholarship recipient. This scholarship is given to a deserving student from either Arizona State University or the University of Arizona.

The Barnett E. Marks Scholarship has been awarded to Kathleen Etsitty ('86) a third year Native American student. ■

Bar Examination Results

The overall pass rate on the July, 1985 Arizona Bar Examination was 66% (401 passed, out of 610 taking the exam). Of the ninety-nine 1985 ASU graduates who took the exam, 76 passed and 23 failed, for an ASU "first-time taker" passing rate of 77%. ■



Dean Paul Bender, Mrs. Ursula Meese, U.S. Attorney General Edwin Meese, Jr., and President J. Russell Nelson meet before the Attorney General's speech.

In Re Faculty

Michael Altman continued as a participating attorney in the Arizona Sanctuary case. He was quoted in the January 1986 issue of the *Student Lawyer* in the article "Hiding in the Pen" by Peter Korn on issues relating to the "sanctuary movement."

Hannah Arterian Furnish continued as the Faculty Advisor for the Moot Court Board at the College of Law. She will be on a sabbatical leave for the spring semester to work on a projected article considering the educative role of law in American society using harassment under Title VII of the Civil Rights Act of 1964 as the model.

Roxana C. Bacon, partner at Sacks, Tierney & Kasen in Phoenix, taught Legal Profession during the fall semester. Ms. Bacon was a Visiting Professor at the College of Law in 1979.

Robert D. Bartels, as Chair of the Appointments Committee, attended the AALS Recruitment Conference in Chicago. He completed the final revisions on the manuscript of his book on *State vs. Triplett* (an Iowa murder case).

Dean Paul Bender published a chapter entitled "The Obscenity and Pornography Report" in the book *Media, Social Science and Social Policy for Children*, Rubenstein and Brown, eds. (Ablex Pub. Corp. 1985). During the summer he taught a course on the American Bill of Rights at the 6th Annual Human Rights Seminar of the Canadian Human Rights Foundation in Charlottetown, Prince Edward Island, Canada, and also spoke on the Canadian Charter of Rights and Freedoms and the U. S. Bill of Rights at a conference at Dalhousie University, Halifax, Canada. In September, Dean Bender delivered his annual review of the Supreme Court term to the NAACP Legal Defense Fund Cooperating Lawyers Institute at Arlie House, Warrenton, Virginia. He also spoke on obscenity law to the Phoenix Press Club and on the Equal Protection Clause to a leadership conference of the Arizona Civil Liberties Union. He was appointed Special Master for Discovery Matters in the AHCCCS litigation in the Maricopa County Superior Court (*McAuto Systems Group, Inc. v. The State of Arizona, et al.*). He has been a regular participant discussing constitutional issues on KAET's *Horizon* program, and was a guest on KTAR and KFYI radio. In addition, Dean Bender is a member of the following committees and organizations: the Merit Screening Committee for the District of Arizona (to consider applicants for a vacant bankruptcy judgeship in that district), the

search committee for the Dean of the College of Fine Arts, the Board of Governors of the State Bar of Arizona and the Arizona Center for Law in the Public Interest.

Michael Berch published a *Teacher's Manual for the Introduction to Legal Method and Process* (West Publishing Co.) in the fall of 1985 with **Rebecca White Berch**. He also served as the coach to our National Moot Court Team at the regional competition in Provo, Utah.

Rebecca White Berch continued as the Director of the Tutorial Program at the College of Law. This program has been successful in increasing the retention of our first year students.

Richard L. Brown was selected Book Review Editor for the *Jurimetrics Journal* in October. He was the Local Arrangements Chair for the American Association of Law Libraries Mid-Winter Institute that was hosted by our Law Library on January 8-11, 1986. In addition, he also

published an article in Volume 11 of the *Rutgers Computer and Technology Law Journal* entitled "Copyright and Computer Databases: The Case of the Bibliographic Utility."

Charles F. Calleros directs the new writing program for the College of Law for the academic year 1985-86. In October he presented a paper, "Variations on the Problem Method in First-Year and Upper Division Courses," to the Conference on Minority Faculty at the University of San Francisco School of Law. He also published an article in the Winter 1985 issue of the *Hofstra Law Review* entitled "Reconciling the Goals of Federalism with the Policy of Title VII: Subject Matter Jurisdiction in Judicial Enforcement of EEOC Conciliation Agreements."

David G. Campbell of Meyer, Hendricks, Victor, Osborn & Maledon in Phoenix is team teaching a class on Presidential Powers with **Lawrence A. Hammond** of the same firm during the spring semester.

The Honorable William C. Canby, Jr. of the United States Court of Appeals, 9th Circuit will teach Constitutional Law I during the spring semester. Judge Canby is a former member of the College of Law faculty.

Vincent F. Chiappetta, of the Phoenix firm of Meyer, Hendricks, Victor, Osborn & Maledon is the first Visiting Professor to the Center for the Study of Law, Science and Technology. (See article on Mr. Chiappetta, Pg. 25, ed. note). He will be teaching Law and Technology and Planning for the Business Client spring semester.

Stephen J. Craig of the Civil Division of the Phoenix City Attorney's Office joined the faculty as an Adjunct Professor for the fall semester, teaching Corporate Reorganization.

Steven B. Duke, the Law of Science and Technology Professor at Yale Law School, is the 1986 Charles Merriam Distinguished Visiting Professor at the College of Law during the spring semester. (See the article on Professor Duke, Pg. 21, ed. note). He will be teaching Criminal Procedure.

Richard W. Effland has just returned from the University of Arkansas at Little Rock, where he was the Benjamin J. Altheimer Distinguished Visiting Professor of Law. While in Little Rock he gave a public lecture on December 5th entitled "On the Horizon: Uniform Legislation to Provide New Estate Planning Tools." As one of the Arizona Commissioners on Uniform State Laws, he is currently a member of the drafting committee of the National Conference of Commissioners to prepare a Non-Probate Transfers at Death Act and chairman of the Review Committee on the Personal Custodian Trust Act. He also serves as an advisor to the Conference drafting committee on a proposed Power of Attorney Statutory Form Act. He will attend a three day meeting of this committee in Chicago on January 31-Feb. 2. He continues to serve as Research Director of the Joint Editorial Board on the Uniform Probate Code; the Board meets twice a year to consider trends in transmission of wealth, to propose changes in the Uniform Probate Code, and to recommend to the Conference possible new legislation. For several years Professor Effland has served as a member of the Wisconsin State Bar Committee on Marital Property. The Wisconsin Marital Property Law, which is patterned on the Uniform Marital Property Act, went into effect on January 1, 1986. Wisconsin is the first state to adopt the Uniform Act and becomes the



Professor Charles Calleros

ninth "community property" state in the United States.

Roger Faith, Professor of Economics at ASU, will team teach the class Law, Economics and Public Policy with Professor Dale Furnish during the spring semester.

Dale B. Furnish testified before the Arizona Legislature on garnishment in November. He also spoke on garnishment to the East Valley Bar Association. He was a short-term Fulbright Lecturer in Lima, Peru in September where his topics were "U. S. Law and the Latin American Foreign Debt" and "Formation of a Contract." He was an invited participant to the United Nations Development Programs Legal Seminar on International Trade held in Rio de Janeiro and Brasilia, Brazil, November 25-29. His topic was "U. S. Law of International Trade: International Lending." In addition, Professor Furnish was named to a 3-year term on the six-person Executive Board of the Phoenix Committee on Foreign Relations.

Amy Gittler, Director of the Center for Law and the Public Interest, is teaching

a class on public interest law spring semester.

Mark Hall revised an article written during the summer entitled "Hospital and Physician Disclosure of Patient Crimes," to be published in the *University of Detroit Law Review*. He also wrote a book review of P. Danzon's *Medical Malpractice* (1985) to be published in the Winter 1986 *Jurimetrics Journal*. He attended a conference in Mesa on "Health Care: Right or Privilege?" and was selected as the faculty member to represent the College of Law in its new London program.

Dennis Hoffman, Associate Professor of Economics at ASU teamed up with Professor David Kaye to teach the course Forensic Economics during the fall semester.

David Kader has taken a sabbatical leave for the spring semester and will be teaching as an exchange professor with the University of Southampton in London. Professor Kader will also work on an article covering the history, techniques and theory of the over-ruling decisions of the Supreme Court of the United States.



Professor David Kaye

Dennis Karjala will be teaching at the University of Tokyo for the academic year and will study the application of Japanese intellectual property law to computer software protection.

Wendell Kay is joining the College once again from his Anchorage, Alaska firm of Kay, Christie, Fuld, Saville and Coffey to offer Practice Court to our students during the spring semester.

David H. Kaye was chosen as an outstanding ASU faculty member honored in celebration of National Higher Education Week. He was chosen on the basis of his outstanding scholarly accomplishments and was recognized, along with faculty from other colleges, in pre-game ceremonies on October 19. Later he was presented with an award at a reception for faculty honorees on October 22.

John A. LaSota formerly a member of the College of Law faculty and the Phoenix law firm Winston and Strawn, now the chief aide to Governor Bruce Babbitt, taught State and Local Government fall semester.

Gene Lemon corporate counsel for the Greyhound Corporation, will teach a class on Securities Regulation spring semester.

John Lesby was the Robinson Cox Visiting Fellow at the University of Western Australia during the summer of 1985. While he was there, he wrote an article on the American Indians and the Australian Aborigines, comparing their control over mineral development. The article will appear in the Winter issue of the *University of New South Wales Law Review*. He spoke at a faculty/alumni seminar and at the Arizona Civil Liberties Union Leadership Conference in September on "The Re-emergence of the State Constitution." He also spoke at the Arizona Water Law Seminar in October and participated in a by-invitation-only workshop on western water policy sponsored by the Western Governors Association in November.

Alice P. Mead resigned from the faculty to accept employment with the San Francisco law firm Morrison & Foerster. Professor Mead, who joined the College of Law faculty in 1983, is on leave for the academic year 1985-1986. She has taught Civil Procedure, Constitutional Law and Federal Jurisdiction at the College of Law.

Gary Lowenthal led a workshop at the annual meeting of the Association of American Law Schools in January, 1986. The subject of his workshop was "Alternative Dispute Resolution in the Law School Curriculum."

Leigh Price is a Visiting Professor at the College of Law for the 1985-86 academic year. (See the article on Mr.

Price, pg. 23, ed. note) During the fall semester he taught Indian Law. On October 7-11, he attended the annual convention of the National Congress of American Indians in Tulsa, Oklahoma where he participated in a workshop on environmental law and legislation. He co-authored a short piece on Indian law and litigation strategy which was delivered at the convention. During the spring semester, Professor Price will teach Environmental Law.

John P. Morris was recognized for his contributions to the law school and the University at a ceremony held just before the start of the ASU football game on October 12. The ceremony was part of a new program sponsored jointly by the Department of Athletics and the Vice President for Academic Affairs, to honor outstanding ASU faculty members. He received a Kachina with an inscribed plaque. During the summer, Professor Morris was in Australia where he lectured at the University of New South Wales in Sidney.

Willard H. Pedrick has returned from the University of Colorado School of Law where he occupied for the fall semester the Distinguished Charles Inglis Thompson Visiting Professorship. Next fall, he will serve as the Raymond E. Rice Distinguished Visiting Professor at the University of Kansas Law School. Between excursions, he is back at ASU this spring semester teaching the course on Family Tax Planning, Estate Planning I. In January at the University of Miami Estate Planning Institute he delivered another of the joint papers written with Professor Walter J. Blum of the University of Chicago, entitled "The All Enduring Principles of Tax Reform." Describing himself these days as an "Itinerant Professor of Law," our founding dean gives substance to the title.

Donald Peters of the Phoenix law firm Meyer, Hendricks, Victor, Osborn & Maledon, will teach Pretrial Procedure at the College of Law spring semester.

Jonathan Rose was on leave during the fall semester to work as a special assistant for Governor Bruce Babbitt. He focused on policy planning in the areas of federal and state regulatory policy, economic regulation of business, regulatory reform and federal-state relationships. He was named a member of the advisory board of the BNA Antitrust Trade Regulation Report, the Blue Ribbon Commission on Property and Casualty Insurance, the Legislative Advisory Committee on the Reform of the Arizona Administrative Procedure Act, and the Governor's Regulatory Review Council. He was an expert witness on authorized practice of law in *Wood v. Ticon*, and he testified before the Arizona House of Representatives, Joint Committee of Ref-

erence on the Board of Technical Registration.

Professor Rose gave a speech on "Regulatory Reform in Arizona" to the Purchasing Management Association of Arizona, and a speech on "The Rise and Fall of the Per Se Rule in Administrative Law" at the Mid-Winter Convention of the National Association of Attorneys General.

He published two articles in Volume 37 of the *Administrative Law Review* on "Nonlawyer Practice Before Federal Administrative Agencies Should be Encouraged" and "The Case for Nonlawyer Practice."

Ralph S. Spritzer will be a Visiting Professor each year for one semester beginning fall 1986. Presently, he is a Professor of Law at the University of Pennsylvania, where he plans to retire at the end of the 1985-86 academic year. Professor Spritzer will teach Antitrust.

Ann Stanton spoke on "Children in the Courts" at the Arizona Women Lawyers Association Annual Conference in November. She also spoke on "New Developments in Child Support" at the faculty/alumni seminar in November. As chair of Arizona's Commission on Child Support, she participated in the National Conference of State Legislatures meeting on "Children in Poverty: The Effects of Nonsupport" held in Charleston, South Carolina in October. Last fall she helped organize a series of counseling seminars for students at the College of Law.

Samuel J. Sutton, Jr. of Cahill, Sutton & Thomas in Phoenix conducted a class on Commercial Torts during the fall semester.

Fernando R. Teson published an article in the Summer 1985 issue of the *Virginia Journal of International Law* entitled "International Human Rights and Cultural Relativism."

James Weinstein of Seyfarth, Shaw, Fairweather & Geraldson in Los Angeles, has accepted a position of Associate Professor starting in August 1986. He will teach Civil Procedure.

Mark S. Wallace of Meyer, Hendricks, Victor, Osborn and Maledon in Phoenix, was on campus fall semester for a class in Planning for the Business Client.

Laurence H. Winer moderated a faculty/alumni seminar this fall on the way the local media reacts to and covers controversial issues that may be offensive to some of its audience.

Hugo Zettler will continue his leadership in the Prosecutor Clinic this year. Professor Zettler is with the Maricopa County Attorney's Office in Phoenix. ■

A Conversation with Three Visiting Professors

The College of Law is fortunate in having three prominent visiting professors during the spring semester. Each one has a different background and experience: Steven Duke is a Professor at Yale Law School, B. Leigh Price, Jr. is the Agency Indian Coordinator for the EPA, and

Vincent Chiappetta is a member of the Phoenix law firm, Meyer, Hendricks, Victor, Osborn & Maledon. The interviews were held in February, 1986 and highlight the wide variety of experience and knowledge brought to their teaching.



Steven B. Duke is the 1986 Charles J. Merriam Distinguished Visiting Professor at the College of Law during the spring semester. He is the Law of Science & Technology Professor at Yale Law School. Professor Duke graduated from Yale Law School in 1961 with an LL.M. after having received his J.D. from the University of Arizona (where he was Editor-in-Chief of the *Arizona Law Review*) and B.S. from Arizona State University. He was a law clerk to Mr. Justice Douglas of the Supreme Court of the United States from 1959-60, clerking at the same time as Dean Paul Bender. He is a member of the State Bar of Arizona and of the Connecticut District Court. Professor Duke has written extensively in the areas of criminal law, criminal procedure, tax penalties and prosecutions. He will teach Criminal Procedure at the College of Law.

As a native of Arizona and an alumnus of the undergraduate college, how does it feel to be back at ASU?

It's a shock to see how much it's changed and how much it's grown. It's a challenge to try to identify things that haven't changed and to try to recall what was there before the present structure. A lot of reminiscing and nostalgia are associated with it.

Have you been here since the Law School was built?

I came here for the dedication of the building, which was in about 1968. Most law schools sent representatives. It was a weekend celebration. The campus has grown enormously since then.

It probably isn't fair to ask you this just yet, but what are your impressions of the College of Law?

The Law School got off to an exceptionally strong start, with a superb Dean, a first rate faculty, and an excellent building. It seems to have made good progress since then. I sense ambition to become one of the great law schools, an ambition that can be achieved with adequate financing. The faculty, administration and staff have been very friendly and accommodating. The students bear only a physical resemblance to my ASU classmates. They are serious about learning.

Tell us something about your experience as a clerk for Justice Douglas. What kind of influence did this have on you and your professional career?

In terms of my own professional development it was the best thing that ever happened to me. It gave me confidence in my own ability which I lacked as a farm boy from Roll, Arizona. I did not think that I was capable of handling the job. In fact I tried to turn it down. I went in to Dean Lyons at the University of Arizona and said 'I'm not capable of handling this job,' and he said 'You're a damn fool if you don't take it.' So I did, and I was successful. That really changed my whole outlook on who I was and what I was.

Did you have any idea while clerking for Justice Douglas that he would become such an atypical Supreme Court Justice?

I knew. He was already.

Tell us some of the highlights of your clerkship.

There are several things that stand out. One is a case where I suggested that he insert a bit of dictum, and he said 'that's hornbook law'. I replied that I couldn't find it in hornbooks, and that it was worth saying because I didn't think it had ever been said before. so, he stuck it in his opinion, and the case became a fairly famous case for that dictum.

What case was that, do you remember?

Yes, I do, but I probably shouldn't identify it. There was another occasion when he gave me the opportunity to convert an opinion he'd written for the Court into a dissenting opinion, when he had lost his majority. I started from scratch. He got his court back so what was initially a dissent became a Court opinion. It is a totally insignificant case, but it was very unusual experience for a Douglas clerk.

Another noteworthy event that stands out—one of the stories I tell about Douglas—is that he never complimented you. He never said you did a good job. One time he gave me a job on Thursday that required that I tabulate the results of about 30,000 certiorari petitions by Monday. I said that it was impossible. He replied, 'See what you can do'. So, I didn't go home, but stayed there that whole weekend and was working away on Sunday morning when he came walking in with his dog and said: 'Duke, what are you doing here?' I told him that I was working on that table. He said 'Oh'. To my amazement, about a half hour before he came in on Monday, I finished it and put it on his desk. He then put it in his opinion, and never said a word about it. The one compliment he did pay me, where I turned in the dissenting opinion, that became a majority opinion was, 'Well, it's a little discursive, but I guess it'll do.'

How could you evaluate your own job performance?

You felt you were doing a good job if he didn't fire you, or at least go through the motions of firing you. I was told before I went that I would be fired early in the term but to just ignore it. The story was that he would tell his clerk he was fired (clerks were all male in those days) and that was the way he put you in your place. He didn't really mean you were fired, he just wanted to remind you he was the boss so that you wouldn't get uppity with him. He did say some nice things about me to other people, who relayed them to me, as he probably intended.

Was he a loner?

Yes, he ate lunch in his chambers. The other Justices ate together in a room, but he ate in his chambers. He was a nonstop worker, strictly business on the job. On the other hand, he invited me to several social occasions. I used to go to Redskins football games with him, I went on hikes with him, to his house for dinner several times; he was utterly charming. Away from the Court, he was a totally different person.

What were his outside activities?

He was a hiker, and a naturalist. Those were his major recreational interests. In those days, he also went to a lot of formal parties and quasi-political functions, embassy functions and things of that sort. He also wrote a couple of books a year and about twenty speeches.

Did you see Justice Douglas after you finished your clerkship?

I saw him on an irregular basis. Back in the late 50's, Douglas heard they were going to turn the C & O Canal into a superhighway, and he led a bunch of people in a

protest hike. The C & O Canal begins in Washington and ends up in Maryland, or *vice versa*. It's about 200 miles of old canal, like the Erie, with locks. Boats would come down, and they would close up a lock to allow it to pass through to the next lock. It was a transportation canal. He led this protest walk and succeeded in getting it declared a national wilderness area, so every year this same group of people would have a commemorative, overnight hike and walk about 20 miles. I went down for that for five or six years. And then he came up to Yale a couple of times, so I saw him there. I also saw him at reunions with his ex-law clerks every five years.

Tell us something about your experience arguing before the U. S. Supreme Court. Having seen what went on behind the scenes and then getting ready to appear before them, what were your feelings?

I've argued two cases before them. The first appellate argument that I ever made was in the Supreme Court of the United States, so it was not only my first argument for that Court, it was my first argument to any court. I was apprehensive about that, but the great advantage an ex-clerk has, is that you aren't burdened by awe and reverence for the Court. You've been inside and seen how they operate. You feel as if you know them. You have also seen a lot of arguments.

Whom did you argue against?

Ralph Spritzer, who visited here a year or so ago. He was an old pro, compared to me, had been with the Solicitor General several years and argued before the Court many times. He scared me more than the Court did. It was a very heady experience, exciting and fun. I argued again before the Court in 1984. The only Justice I knew was Brennan who had been there when I clerked. Justice Rehnquist startled me when he quizzed me about how they appointed counsel in Arizona in the late 50's. I have no idea how he knew that I knew anything about Arizona.

It is a great experience to have nine very bright people pecking away at you while you are trying to get your point across in thirty minutes. It is far more intense than an argument to a Court of Appeals, even if they give you only ten minutes to argue. The only experience I have had that rivals it for emotional intensity is trying a murder case.

At Yale you are the Law of Science and Technology Professor at the Law School. What does this actually mean?

It is a "chair", which means that a donor has endowed the Law School with funds with which to pay my salary, hopefully to encourage that type of work. In my case, there is much science and technology that I know little about and I am not particularly interested or expert in the law "of" much of science and technology. My major interests are in how science and technology impact on criminal and procedural issues.

How do you bring science and technology into your area of interest—criminal law and criminal procedure?

The technology of information systems is very important in law enforcement and in intruding on privacy.

Seemingly every month or so a new method or device is invented to capture what was previously practically immune from scrutiny. I am also particularly interested in the use and misuse of science in litigation—in determining disputed issues of fact. Social science is also important in formulating rules of procedure. You can't intelligently evaluate legal doctrine without reference to what is passing for the facts underlying the doctrine.

Are you doing any research for publication?

I'm working on forensic hypnosis, and I'm also working on a couple of issues on search and seizure. I've been working on hypnosis for 15 years, and I'm very heavily involved in trying to get a manuscript finished. I've got a very rough draft of it, but I've laid it aside tem-



B. Leigh Price, Jr. is currently the Agency Indian Coordinator of the U. S. Environmental Protection Agency in Washington, D.C. Mr. Price is a 1972 graduate of Yale University Law School and is a member of the New Mexico State Bar. He has been with the EPA since 1975 in various positions. Prior to that time, he served as Director for the Indian Legal Information Development Service with the Institute for the Development of Indian Law in Washington, D.C. He has also been a consultant and advisor to the Council of Energy Resource Tribes (a consortium of 29 American Indian Tribes owning a significant portion of the nation's energy resources) on the issue of the environmental and social impacts of rapid energy development. Mr. Price is a Visiting Professor at the College of Law during the 1985-86 academic year, teaching classes on Indian Law and Environmental Law.

How did you get interested in Indian Law and Environmental Issues?

One summer, I did volunteer work for Taos Pueblo in New Mexico. Through contact with the Taos Tribal Government, I learned some of the problems that arise from the special jurisdictional status of Indian tribes. Tribes

porarily because of a short piece on search and seizure, where I am responding to some statistical arguments.

Do you think you'll stay in New Haven and retire there or might you return to Arizona?

I don't know. I'm far enough from retirement that I haven't thought about it. If I were to leave New Haven, this would be a likely place because I think it is important when people retire that they don't abandon their roots. It can be very traumatic. I have many Arizona roots. Both sets of my grandparents came to Mesa around the turn of the century. I spent the first twenty-five years of my life here. The place is littered with my relatives. Some of my best friends are here. The most fun I ever had was as a student at ASU. ■

are, in law, "domestic, dependent Nations," but the Supreme Court has yet to define this concept in any significant detail. As tribal governments evolve into more complex, "modern" forms of government with responsibility for commercial and environmental regulation, the need for a more precise definition of their place in the American body politic becomes increasingly critical.

I think the next decade should see the Supreme Court take significant steps towards settling the political status of tribal governments in the Federal System. Of course, these decisions will have far reaching political implications for the tribes. They could well determine whether tribal governments will be affirmed in a legal and political status sufficient to control their future economic and cultural development. Conversely, they may confine the tribes to some advisory or strictly intramural function with the real control in the hands of outsiders.

In the 1970's, I worked on a project for the Institute for the Development of Indian Law in Washington, D.C. I discovered that EPA was making decisions affecting reservation environments without considering or consulting tribal governments. This was in situations where if off-reservation lands had been concerned, the appropriate state governments would have been consulted. I went to talk to some of the people at the Agency to discuss the legal and institutional changes that were needed to make the environmental statutes work on Indian lands, and eventually, I found myself at EPA working on these problems from the inside.

The Agency has now adopted an Indian Policy that looks to tribal governments to make key environmental policy decisions and run regulatory programs for the reservations. The Agency is also funding pilot tribal programs, seeking legislative amendments to its basic statutory charter, and revamping its regulations to allow tribes to enter the regulatory process.

I should add that, throughout all this, we have worked closely with the Indian community. The Navajo Nation has been very active legislatively through their Washington, D.C. office, and the National Congress of American Indians, in particular, has been very watchful and supportive of tribal needs.

As a consultant and advisor to the Council of Energy Resource Tribes (CERT), how did you find the Indian energy policy different from that of the Federal or State Government?

In the early days of CERT's existence, I worked with the CERT tribes, advising on various regulatory strategies for tribes to preserve their environments in the process of developing their natural resources. From the beginning, the CERT tribes have been concerned with the need to control the side effects of major economic and natural resource development projects. These include impacts on the environment, demography, transportation, police and water needs, all impacts associated with the "boom town effect."

The Federal Government has been of very little help as an advisor, perhaps because it is organized into pro-development and pro-environment institutions with divergent policies and interests. The CERT tribes, in an effort to control the development of their resources with respect for the long term value of reservation lands, began to hire independent experts rather than rely on the Federal Government. This was part of the original rationale behind the formation of CERT.

Describe the article you are now writing.

My article looks at the legal problems that arise as Indian tribes begin to exercise modern regulatory authority over reservation affairs. Although I focus on the environmental statutes, my larger purpose is to propose a conceptual framework for viewing the tribal assumption of regulatory control over their reservations in the broadest sense. Since the end of the Indian wars at the turn of the century, tribal governmental power has, for the most part, been limited to control over the behavior of tribal members only. Today, however, if tribes are going to regulate their environment properly, they must control all reservation pollution sources, whether those sources are Indian or non-Indian. The jurisdiction needed to do this must be territorial in nature rather than racial. This means regulation of non-Indians who, although they may be permanent residents of the reservation, do not vote in tribal elections. Such problems have been addressed elsewhere and can be resolved sensibly in the reservation context, but there has been very little analysis or discussion of these problems in the literature. I want to provide that analysis.

While you are visiting at the college you will be assisting

the Admissions Office in its outreach to the Indian community. What are your ideas on Indian student recruitment?

I have been working with Mike Berch, Chairman of the faculty's Admissions Committee, and with Brian Murphy, the new and very able Director of Admissions, to look at the law school's approach to recruitment of Indian students and to build an information network in the Indian community. This year, because of Brian Murphy's presence, we have had the time and staff to undertake a more active recruitment program, identifying and making personal contacts with Indian pre-law students from Dartmouth to UCLA, with a concentration of effort on Arizona tribes and universities.

I believe that the College of Law has an important public service role to play. Not only does ASU have a responsibility to provide legal education to Arizona's Indian community, it has an opportunity to make an intellectual contribution to the solution of the many legal and political problems that confront the Tribes, the State of Arizona and the nation as a whole.

These two goals are mutually supportive. By making a serious commitment to scholarship in the critically important areas of commercial and regulatory activity on reservation lands, ASU will create an intellectual climate that will attract the best young Indian students from the entire country.

What, briefly, can the college do to become a more attractive alternative to Indian students?

The College of Law should provide an expanded curriculum with seminars and independent study into the more advanced problem areas of Indian law. Because of its proximity to several active tribes, ASU can also develop clinical programs and externships in the area of Indian law that will be very attractive to Indian students who want practical experience with reservation problems.

ASU is ideally situated to become a true national center for advanced study in Indian law, with an established community of Indian students. It will take commitment, perseverance, and an active recruitment and financial aid program, but it can be done. Dean Bender has the commitment, and the faculty has the talent to make it work. I am convinced that the end result will be of great benefit to the Indian community and, for that matter, to the university and the state. ■



Vincent Chiappetta is the first Visiting Professor to the Center for the Study of Law, Science and Technology at the College of Law. He is a member of the Phoenix firm of Meyer, Hendricks, Victor, Osborn & Maledon, practicing in the area of business planning, securities, tax and intellectual property. Mr. Chiappetta received his J.D. *magna cum laude* in 1977 from the University of Michigan where he was the Note Editor for the *Michigan Law Review* and a member of Order of the Coif. His undergraduate degree, B.S.E.E., was received from the Massachusetts Institute of Technology in Computer Science. He was a Visiting Professor at Indiana University School of Law during the 1981-82 school year. Mr. Chiappetta will be teaching a seminar on Law and Technology and a class on Planning for the Business Client during the spring semester.

As the first Visiting Professor to the Center for the Study of Law, Science and Technology and as a local practicing attorney, how do you think the Center will aid attorneys in the Valley and business in general?

I see the Center as part of a larger effort by the University and the community to demonstrate their interest in and the availability of scientific and technological expertise and understanding here in the Phoenix Metropolitan area. I think just that expression of commitment alone is an important feature of the Center. As far as business is concerned, the Center should help provide a base of people who are sensitive to and expert in the various legal areas related to science and technology. A business, or a law firm for that matter, seeking assistance from someone who has an understanding of law and technology or law and science issues and solutions would find such assistance more readily available as a result of the Center's existence. I believe it is particularly important to startup and relocating businesses to know such help is readily available. Consequently, the infrastructure contributions the Center provides should be extremely beneficial to continued business growth in these areas in the Valley. As far as practitioners are concerned, I think that

in addition to being a research assistance and expertise resource, the kinds of seminars and symposiums that have been presented over the last couple of years are good examples of the sort of "hands on" contact with specialized areas of law the Center can provide. It gives experts and neophytes (business folks, practitioners and academics) a place to congregate, exchange ideas and explore these areas of the law as well as develop their own expertise in the field. I believe the forum the Center provides will not only help to create a legal and legislative environment sensitive to the issues, which is required to permit business, including the legal field, to grow in proper directions and prosper, but can help to enhance the community's appreciation and understanding of and input on these issues as well.

In what way does your present law practice emphasize law and technology, and why do you think your class in law and technology is an important curricular offering?

That is really two separate questions. My particular practice in law and technology is really two-pronged. Most directly, it concerns development, protection and licensing of intellectual property, for example patentable inventions, trade secrets and related products. Basically I help businesses understand and protect the legal rights they have with respect to their technologies and to maximize the benefit of those rights. The other aspects of my practice are more indirectly related to technology itself, but at least as important. I do a lot of financial work: lending, raising capital and related securities law matters. One of the great interests that a technology-based company, as any other business has, is how and where to get its funding. I particularly enjoy the opportunity this work gives me to assist emerging or growing technology-based companies in realizing their potential.

The second question has to do with the seminar that I'm teaching this semester at the law school in law, science and technology. The class is aimed at exploring the relationship between law on the one hand and science and technology on the other. I try to get the participants to explore the potential and proper roles of the law and its institutions in connection with the kinds of issues that are raised by contemporary science and technology. I think this "how the law works (or doesn't)" perspective is of fundamental importance to understanding what it means to be a lawyer. Hopefully, the class provides some of the same benefits as the Center. People have the opportunity to come in contact with, and develop awareness, understanding and expertise concerning how to address and resolve the legal and policy issues raised by science and technology.

It is obvious that the experience of practice may be beneficial to teaching. How does teaching benefit your practice?

I don't think there's any question that when you have the opportunity to teach in an area that is directly applicable to your practice, as I've done in my business planning classes, it permits you to more fully develop your expertise in the area. Teaching after you have practiced

for a few years forces and permits you to reflect on your practice experiences and the related legal areas in an organized way. Preparing to teach a subject in your area of practice is very useful to developing a broader, fuller understanding of the law and your practice. On the other hand, teaching in new areas helps expand my perspective on the law and its operation.

How is your life different as an academic rather than as a practitioner, and which do you prefer?

That is a complicated question. There are significant differences. As an academic, I am more in control of my own program. That is, I get to select the areas that I want to explore, the depth of that exploration, the kinds of connections and interrelationships that I want to pursue. It is, however, a little more solitary. I spend more time with my own ideas and thoughts. Of course, that is in part a reflection of the lack of client demands (and consequently control) I have in my practice. A client's needs and desires largely control my practice life, i.e., the telephone calls tell me what I'm going to be doing that day. On the other hand the absence of those calls means I don't have the same outside interest and perhaps urgency in what I am doing. My experience in academics is that it's unusual, although certainly not impossible, to find someone that has the same research interests you do. Particularly if you pursue topics that are fairly technical or involved, you've got to find somebody that's been doing that same kind of work in order to have a really full ongoing exchange. It's just too much of a time commitment to expect of someone with unrelated interests. These statements are obviously colored by the short period of time I've been teaching. I don't have the same kinds of contacts with other academics that someone that's been teaching here for a long time does, so I'm really not in a good position to make a valid judgment.

The teaching and student contact also provides an important application for some of the information gathering and analysis. A course or particular class that works for me and the students can be easily as fulfilling as a job well done for a client, which brings me to a related point. I think that in terms of the time commitment there's a real misunderstanding about the differences. I probably spend more time at my job when I'm teaching than when I'm practicing. That is partly because the depth of daily background work and preparation that I feel is necessary for teaching and academic research. When I get up to teach, to really explain the law in a classroom situation I want to have as full a range of information and understanding as possible. Also, it needs to be organized in a way that has pedagogical value. Teaching is far more than war stories and anecdotes. Practice, by contrast, is more focused. It requires, of course, a complete grasp of and facility with the applicable law so you know the appropriate and proper response for the particular issues. However, the client

would rightfully object if you went off pursuing tangents. In teaching and academic research the job is never really done. I spend a lot of time chasing down those tangents and side topics, interconnections with related areas, policy and jurisprudential issues. This difference may also be simply a reflection of my personal predilections and preferences. Certainly long hours can be spent in practice. My point is simply that similar diligence in teaching or research can be equally if not more demanding.

So, what are you saying you prefer?

I don't know. They're so different. If there were some way to find an appropriate combination of the two—it would be nice having some of the direct applications to people's particular problems that practice provides and on other days to be able to say to myself—"Today, I'm going to do some in depth research on copyright law or follow up on some other area of particular personal interest." For me it is difficult to just do one or the other for an extended period. It is hard to say whether I would prefer one or the other over the long haul. Over the short haul, if I have a particularly intense practice experience over a six month period, teaching sounds just wonderful. But, I think that if I were totally committed over a long period to a particular academic area then I would want to have some application for my expertise. I would want to deal with people that are actually and directly affected and therefore have a special interest in the area. I don't know if such a combination is really workable, or, if so, which works best as the primary commitment. It certainly bears investigation. ■

New Faculty Members



Jane Harris Aiken has joined the faculty as an Associate Professor of Law and is teaching clinical courses, Evidence and Remedies. Professor Aiken graduated with a Master of Law (Advocacy) degree in 1985 from Georgetown University Law Center, where she was an Advocacy Fellow at the Center for Applied Legal Studies. During the summer of 1984, she received a Research and Writing Grant from the National Institute for Dispute Resolution. Ms. Aiken received her J. D. degree from New York University, where she was a Root-Tilden Scholar, a member of the *Review of Law and Social Change*, and Order of the Coif. Professor Aiken graduated from Hollins College with Honors in 1977, where she was a member of Psi Chi, National Honor Society of Psychology, the Administrator of the Student Emergency Relief Fund, and participated in other organizations on and off campus, including serving as Director of Volunteers of the Offender Aid and Restoration Program in Roanoke, Virginia.

Since relocating to Tempe, Professor Aiken has become active in organizing a local chapter of Amnesty International, is on the steering committee for the Mobilization Against AIDS organization, is a member of the Tempe Chapter of the ACLU, and is currently writing an article to be published this fall on the use of public health powers in dealing with AIDS. Professor Aiken is the Faculty Conference Coordinator for "Responding to the AIDS Epidemic," a conference sponsored by the Center for the Study of Law & Science and Technology, to be held at the College of Law on April 7 and 8, 1986.

Mark A. Hall, former associate with Bondurant, Miller, Hishon & Stephenson in Atlanta, Georgia, is a new Associate Professor of Law. While with the Atlanta firm, Professor Hall's practice included health care, local administrative law and general business litigation; he was lead counsel in an ACLU civil rights suit against the Atlanta Police Department. He also served as Research Director of the Hemophilia Foundation in Atlanta.

Professor Hall graduated second in his class from the University of Chicago Law School in 1981 and was a member of the Order of the Coif. While serving as an Associate Editor of the *University of Chicago Law Review*, he was awarded the Jerome N. Frank Prize for student law review writing. After graduation he accepted a clerkship position with the Honorable John C. Godbold, Chief Judge of the Eleventh and former Fifth Circuit Court of Appeals. Mr. Hall received a B.A. in Philosophy and English, *summa cum laude*, in 1977 from Middle Tennessee State University, where he was a Teaching Assistant in the English Department, and the recipient of numerous awards in intercollegiate debate competition, music and academic achievement.

Health Care, Administrative Law and Contracts courses will be taught by Professor Hall.



Alumni News

Faculty/Alumni Luncheons, Fall 1985

During the fall of 1985, the College of Law Alumni Association sponsored two faculty/alumni luncheons. These luncheons serve the purpose of introducing new faculty members to the alumni, providing the alumni an opportunity to socialize, and educating the alumni on recent developments in various areas of the law.

In September, Professor John Lesly gave a presentation on the "New Federalism in State Constitutions." Professor Lesly outlined the activism found in many states that either limits or extends the rights and protections afforded its citizens above and beyond protection afforded by the federal constitution. Professor Lesly emphasized that a state litigant is not precluded from arguing for an expanded view of state protection even though federal courts have interpreted the U. S. Constitution in a more limited way.

Professor Ann Stanton gave a presentation on the "New Status of Child Support Guidelines" in November. Professor Stanton's talk covered the existing avenues for pursuing the nonsupportive parent as well as an overview of proposed legislation from various jurisdictions other than Arizona. Professor Stanton surprised some of the practitioners present with her suggestions for the use of federal governmental authorities to insure the recovery of child support arrearages. One of the potential sources given for collection assistance was that most efficient collection agent, the Internal Revenue Service.

1985-86 Annual Fund Drive Update

The 1986 Annual Fund Drive has received a total of over \$104,000 in private contributions since the beginning of the drive July 1, 1985. The purpose of the Annual Fund Drive is to encourage unrestricted gifts to meet the various needs of the law school. These needs include

funds for scholarships, loans for students with financial need; research assistance for faculty, summer stipends to support faculty research; funds to bring distinguished visitors, scholars and speakers to the campus; funds to enhance the library; support for student activities (such as moot court and the law journal) and support for continuing legal education and other public programs.

Alumni

As of January 13, 1986, alumni cash gifts totaled \$26,118, an increase of nearly 41% compared to last year at the same time. The goal for alumni gifts this fiscal year is \$46,000. Alumni wishing to contribute may contact their appropriate class agent listed below or send their contribution in the attached envelope. A telethon will be conducted in the spring to encourage alumni who have not yet contributed this fiscal year. The 1986 Annual Fund ends June 30, 1986.

1985-86 Class Agents

- 1970 - Duane Schultz
ASU Legal Counsel
965-4550
- 1971 - Guy Knoller
Burns and Burns
264-3227
- 1972 - Greg Robinson
Farley, Robinson & Lee
265-0191
- 1973 - Ted Jarvi
Jacoby and Meyers
267-8111
- 1974 - Franzula "Dolly" Bacher
O'Connor, Cavanagh, Anderson, Westover, Killingsworth & Beshears
263-2400
- 1975 - Michael Carnahan
O'Connor, Cavanagh, Anderson, Westover, Killingsworth & Beshears
263-2400
- 1976 - Martha Kaplan
Horne, Silver, Kaplan & Bistrow
253-9700
- 1977 - Michael Brophy
Riley, Carlock & Applewhite
258-7701

- 1978 - Joyce Geyser
Sacks, Tierney & Kasen
279-4900
- 1979 - Rebecca White Berch
ASU College of Law
965-6181
- 1980 - Jack MacIntyre
Martin and MacIntyre
949-0075
- 1981 - Ann Dumenil
Jennings, Strouss & Salmon
262-5911
- 1982 - Judy Miller
Law Offices of Judy Miller
253-3622
- 1983 - Lenni Benson
Sacks, Tierney & Kasen
279-4900
- 1984 - David Damore
Vogel & Wulfers
994-9945
- 1985 - Vicki Riccardo
Feller & Cohen
265-1791

1985 Alumni Association Luncheon

Arizona State University College of Law Alumni Association hosted the Annual Alumni Luncheon on December 6, 1985 at Oscar Taylors. The Honorable Renz Jennings ('75), Chairman, Arizona Corporation Commission, was the featured speaker.



The Honorable Renz Jennings

Professor John Lesly received the outstanding faculty award for 1985. He has been a professor at the College of Law since 1980 and is currently teaching Constitutional Law I and Arizona Constitutional Law. Professor Lesly is preparing materials for a treatise on the Arizona Constitution.

Election of Board of Directors

The College of Law Alumni Association elected eight new officers to the Board of Directors. A complete list of board members is given below. Board members are responsible for planning and sponsoring C.L.E. programs, presenting an employment seminar to law students and other activities which benefit the law school.

- *Claire Abel ('81)
- Andy Abraham ('82) - (Vice President)
- Judy Bailey ('75)
- *Barbara Caldwell ('73)
- *Robert Duber II ('76)
- Ellie Finn ('72)
- *Stuart Gerrich ('83)
- Ted Jarvi ('73) - (Secretary)
- Richard Lorenzen ('80) - (President)
- Jack MacIntyre ('80)
- *Randy Nussbaum ('80)
- *Patricia Nolan ('83)
- *Larry Pringle ('76)
- Michael Scott ('71)
- George Sterling, Jr. ('72)
- Susan Van Slyck ('81) - (Treasurer)
- *Mauri White ('83)

*Indicates newly elected board members.

Law Society

The Law Society consists of all non-alumni who contribute to the College of Law, including individuals, law firms, law faculty and corporations. Total gifts from the Law Society (as of 1/13/86) are \$59,911, an increase of 6% from last year at this time. If you would like to make a gift to the law school, please contact the Development Office or enclose your gift in the envelope provided.

The annual dinner of the College of Law Alumni Association and the Law Society will be held April 4th at the Hilton Pavilion in Mesa. The evening speakers will include former

Deans Willard Pedrick and Alan Matheson, the Honorable William C. Canby, Jr., Professor Emeritus Edward Cleary, Professor Emeritus

Richard Dahl, Professor Emeritus Richard W. Effland, and Professor John Morris who will present "Pioneering the ASU Law School."



Sharon Storrs ('75) and Susan K. Smith ('75) at the barbeque.

Michael Monson ('75), Professor Willard Pedrick, Judge Canby and Herb Schlanger ('75) reminisce about law school days.



Class of '75 Reunion

Michael Carnahan ('75)

After 10 years of time to forget the rigors of law school, the Class of ('75) decided to have a reunion to

see if they would recognize one another. And sure enough they did. Sharon Storrs provided much of the initiative to get us together and Chuck Case and his lovely wife volunteered their house.

On Saturday, October 19th, about 30 not-so-old, nevertheless prosperous, attorneys consumed barbeque and beer. Out-of-town returnees included **Cliff Coleman**, **Maurice Ellsworth**, **Herb Schlanger** and **Doug Slotten**. Cliff still plays a mean piano but nobody remembered all the words to "Third-Year Charley's Got the Blues."

More illustrations of our numbers included her honor, **Rebecca Albrecht**, and **Morris Ellsworth**. Morris was on James Watt's staff and is currently serving as U. S. attorney for Idaho.

Alumnae Donates Typewriter For Student Use

Martha McConnell Bush ('81) has recently given the College of Law a memory typewriter which has been designated for law student use. It will provide students access to a letter quality typewriter to be used when preparing their resumes, letters of application, research papers, etc. The typewriter will be housed in the Lexis computer room within the College's law library and will be available during library hours.

Establishing Endowed Scholarships

Less than one-fourth of ASU law students received scholarships last year. The College of Law is in need of additional funds to provide more of its student body with necessary financial assistance. Although many options are available to assist the College with its needs, one such way is to fund a scholarship.

An endowed scholarship is established in perpetuity. Monies received are invested and only the income is distributed each year. This insures the continuity of the scholarship and provides ongoing support for law students. A minimum of \$10,000 is required to establish a permanently endowed fund. A scholarship may be given in the name of any individual or organization. If you or your firm are interested in learning more about this opportunity, please contact the law school's Development Office, 965-6181 for additional information. ■

Class Notes

Class Editors Note: Alumni should use the enclosed information card to provide address changes and news. We welcome personal notes, clippings, photographs and other forms

'70

Duane Schultz
Arizona State University
Legal Counsel
Tempe, Arizona 85287
965-4550

Robert A. McConnell, Vice President of CBS, Inc. is currently on the Board of the National Association of Broadcasters. Before leaving the Department of Justice in December, 1984, he argued *U. S. v. Dann* in the U. S. Supreme Court asking to reverse a Ninth Circuit opinion by Judge William Canby. The Supreme Court reversed 9-0. Bob comments that unfortunately the statute of limitations had run on the Constitutional Law grade that Professor Canby had given him in 1968! On the family front, Bob and his wife Nadia recently celebrated the arrival of a new baby boy!

Stuart Susser joined the New York law firm of Barst & Mukamal in July 1985.

Bob Weber has left the Public Defender's Office and is a partner in the Mesa firm Burger, Gibson, Matheson, Whitney, Weber and Moak.

John Herrick has renamed his firm and moved into new offices in Mesa. The new name of his firm is Brown & Herrick.

'71

Guy Knoller
Burns and Burns
3550 North Central, Suite 1600
Phoenix, Arizona 85012
264-3227

Roslyn Olson Moore Silver is now with the Department of Justice in Phoenix.

of communications about events of interest in the lives of the College of Law alumni. Photographs will be credited and returned after publication if so requested. Please send your news to Class Notes Editor, *Law Forum*, College of Law, Arizona State University, Tempe, AZ 85287.

Michael Scott is a member of the Law Alumni Board of Directors.

Steven B. Yarbrough has been active in the ABA Family Law Section and the Arizona Family Law Section. He specializes in family law and personal injury in Tempe.

'72

Greg Robinson
Farley, Robinson and Larsen
100 West Clarendon, Suite 200
Phoenix, Arizona 85013
265-0191

Andrew J. Britton has been active in his community of Venice, Florida, serving as Director and Vice-President of the United Way agency, an officer in the Venice Sertoma Club, and as Director/Past President of the little league. He also served as chairman of the Chamber of Commerce Economic Development Committee and is a member of the Sarasota County Bar.

Ellie Finn and **George Sterling, Jr.** are members of the Law Alumni Board of Directors.

Michael Kelley now serves as Vice-President and general counsel of the New Mexico and Arizona Land Company. His practice involves work in real estate and minerals cases. However, his newest source of pride is a son born in October. His wife, Sandy is the Assistant Attorney General in the Tax Division. They have two other children ages 4 and 6.

'73

Ted Jarvi
Jacoby and Meyers
3666 North Miller, Suite 101
Scottsdale, Arizona 85251
267-8111

John Burger, who had had a partnership in Mesa for several years, has joined with **Robert J. Weber** ('70) as partners in the new Mesa firm of Burger, Gibson, Matheson, Whitney, Weber and Moak. We're not sure but we believe this gives John and Bob the title of longest law firm name in Mesa. John has also been active in the East Valley Big Brothers organization and will be serving as Board President for 1986. His extracurricular activities have also included being the past president of the Desert Samaritan Advisory Board.

David L. Case of Ryley, Carlock & Applewhite in Phoenix, is serving as Treasurer on the Board of the Central Arizona Estate Planning Council.

Craig R. O'Connor, Tampa, Florida, is currently with the U. S. Department of Commerce, National Oceanic & Atmospheric Administration. Craig specialized in administrative law dealing with natural resources.

Ed Richardson is with the firm of Robbins & Green, P.A. He has recently authored a chapter on the Uniform Commercial Code for use in the State Bar practice manual.

Barbara Caldwell has been elected to the Law Alumni Board of Directors.

Ted Jarvi has been re-elected to serve as Secretary for the Law Alumni Board of Directors.

'74

Franzula "Dolly" Bacher
O'Connor, Cavanagh, Anderson, Westover, Killingsworth & Beshears
One East Camelback, Suite 1100
Phoenix, Arizona 84012-1656
263-2400

William J. Curosh of Schulman, Klock & Co., P.C. in Phoenix, will be serving as President of the Valley Estate Planners for the 1985-86 term.

Wendy Bay Lewis has left her private practice with a concentration

Zanotti Named President and Publisher of The Cincinnati Enquirer

John P. Zanotti ('74) has been named president and publisher of *The Cincinnati Enquirer*, a Gannett newspaper with a daily and Sunday circulation of 189,925 and 304,421, respectively. He has been assistant to President of the Gannett Newspaper Division William J. Keating (also Enquirer chairman) since October, 1984. The announcement was recently made by Gannett Chairman Allen H. Neuharth and President John J. Curley at the annual meeting of Gannett executives held in Washington, D.C., Dec. 9-11.

Zanotti, 37, was previously affiliated with Harte-Hanks Communications, Inc., where he held numerous positions at the company's corporate headquarters in San Antonio, Texas. He joined Harte-Hanks in 1978 as its corporate legal director. In 1979, he was named senior corporate director of its legal department and assistant secretary of the corporation. In 1979, he was named vice president/legal and secretary. He was promoted to Cincinnati in 1983 as president of Harte-Hanks' Direct-Marketing Group/Central, headquartered in Cincinnati.

Before joining Harte-Hanks, Zanotti was an attorney for the firm of O'Melveny & Myers in Los Angeles. A native of Los Angeles, Zanotti is a graduate of the University of Southern California and the Arizona State University College of Law.

Zanotti and his wife, Claudia, have four children: Jeffrey, 8; Laura, 6; Mark, 4; and Christina, 2.

Headquartered in Arlington, Va., Gannett Co. Inc. is the nationwide diversified news and information company operating newspapers, television and radio stations, outdoor advertising, research, marketing, news and broadcast program production subsidiaries with facilities in 36 states, Canada, Guam and the U. S. Virgin Islands. Gannett is the nation's largest newspaper group with 85 dailies and 35 non-dailies, with total paid daily circulation of approximately 4.7 million.

in immigration law to develop programming in law-related education and international visitor exchange.

'75

Michael Carnahan
O'Connor, Cavanagh, Anderson, Westover, Killingsworth, & Beshears
One East Camelback, Suite 1100
Phoenix, Arizona 85012-1656
263-2400

Maurice Ellsworth was appointed U.S. Attorney for the state of Idaho. He was formerly an Associate Solicitor for the Division of Audit and Investigation at the U. S. Department of the Interior.

Renz Jennings took over as Chairman of the Arizona Corporation Commission in September 1985. He is expected to hold that position until the expiration of his term in 1986.

Judy Bailey is a member of the Law

Alumni Board of Directors.

Michael Sillyman and his wife Amy Gittler are the new parents of a baby girl—Adele Watkin Sillyman. "Addie" was born last October.

'76

Martha Kaplan
Horne, Kaplan & Bistrow
201 North Central, Suite 2480
Phoenix, Arizona 85073
253-9700

Michael L. Cantor is a member of the Greater Paradise Valley Community Council and is the Treasurer of the Jewish Family and Children Services.

Cecilia Esquer is currently serving on the Bar Association's standing committee on legal services. She recently served as Director of the Arizona Statewide Legal Services while on sabbatical from her position as Assistant Professor at the ASU College of Business.

David Harowitz is active in the Christian Businessmen's Committee, Christian Layman's Association, Grace Community Church, and the Christian Legal Society. He resides in Tempe.

Larry Pringle and **Robert Duber II** have been elected to the Law Alumni Board of Directors.

Cynthia L. Hathaway is with Communication's Satellite Corporation (COMSAT) in Washington, D.C. She is the General Attorney for Corporate Matters practicing corporate finance and SEC/FCC regulatory law.

'77

Michael Brophy

Ryley, Carlock and Applewhite
101 North First Avenue, 26th Floor
Phoenix, Arizona 85003

Robert N. Bass, Arizona Department of Real Estate Hearing Officer, is serving on the Committee on Legal Specialization—Real Estate. He is also a member of the National Association of Administrative Law Judges.

Melinda L. Garrahan is the Assistant Chief Counsel on Natural Resources in the Arizona Attorney General's office in Phoenix.

Susan D. Goodwin of Martinez and Curtis, P.C., recently returned from a trip to Borneo where she lived for a time with an Iban tribe. Susan says this was not a tour, "just 200 Ibans and me on the Rejang River." She plans to revisit the Tribe later this year.

Patricia Norris Halstead of the Phoenix firm Lewis & Roca, is currently serving as President of the ASU Alumni Association Board of Directors. She has been active in alumni affairs at the University since 1977.

Glenda Ulfers has relocated to Immaculate Heart Community in Los Angeles, California, where she is their Vice-President.

Daniel Ortega, Jr. has been elected attorney for the Town of Guadalupe by its town council.

'78

Joyce Geyser

Sacks, Tierney & Kasen
3300 North Central, 20th Floor
Phoenix, Arizona 85012
279-4900

Barbara McConnell Barrett was appointed to the Trade Advisory Board in the fall 1985. Barbara is a partner with the Phoenix firm of Evans, Kitchel & Jenckes, P.C. She is involved with the International Law Section of the Arizona State Bar. She serves on the U. S. Advisory Committee on Trade Negotiations, the Ronald Reagan Scholarship Board, the Arizona District Export Council, the Samaritan Medical Foundation and the Valley Leadership Advisory Board.

Mark Ross Caldwell of Friedman & Caldwell in Phoenix, is serving on the Board of Directors of the Very Special Arts Arizona.

A. Frederick Schaffer, Jr. is serving as an arbitrator for the National Association of Securities Dealers and the American Stock Exchange. Recently he formed a company for publication of securities law materials, intending to author/edit various programs. He is active in venture capital and new enterprise matters.

Lynn K. Whyte, U. S. Air Force Staff Judge Advocate, is currently working in Ankara, Turkey on international agreements and foreign criminal jurisdiction matters. Some international taxation matters are also in progress with the U. S. Embassy.

Elliot Wolfe of Langerman, Begam, Lewis & Marks, is serving on the boards of the Arizona Trial Lawyer's Association and the Rightway Children, Inc. He is also Chairman of the Medical Malpractice Legislative Committee.

'79

Rebecca White Berch

Arizona State University
College of Law
Tempe, Arizona 85287
965-6181

Carol N. Campbell: the last edition of the Law Forum incorrectly stated that **Carol N. Campbell** had joined the firm of Campana & Horne, P.C. Ms. Campbell is a partner with the Phoenix law firm of O'Connor, Cavanagh, Anderson, Westover, Killingsworth & Beshears. She has been associated with the firm since 1979.

Mary Verdier formerly of the Attorney General's Office, has been appointed Juvenile Court Commissioner. She was sworn in February 18. Congratulations, Mary.

Donna Killoughey, of the Phoenix firm Lancy, Scult & Ryan, was appointed a board member of the Products Media Committee of the American Bar Association Section of Economics of Law Practice in July, 1985. She also holds an elected position on the Council, the governing body of the section. We hope Donna's book on the economics of law practice for solo practitioners is selling well.

Glenn Hallman of Garrett Corporation has accepted an in-house counsel position coordinating defense of aircraft accident cases.

Teri S. O'Brien is senior attorney of Homart Development Co. in Chicago. She ran the America's Marathon in Chicago last October, completing her fifth marathon run.

Paul D. Cruikshank, the "Res Ipsa" author from law school days, has moved from assistant vice president at Valley National Bank to assistant vice president at Great Western Bank. Does humor have a place in banking?

Cheri McCracken and husband **Larry Pringle** ('76) have a baby girl—Andrea Leigh, born January 12, 1985. Cheri is a sole practitioner specializing in real estate, employment and juvenile work.

Rebecca White Berch is now directing Academic Support Services for the College of Law. Michael and I authored a law school casebook entitled *Introduction to Legal Method and Process*, published by West Publishing Company.

'80

Jack MacIntyre

Martin & MacIntyre
6900 East Camelback, Suite 920
Scottsdale, Arizona 85251
949-0075

Richard Mahoney, son of former Ambassador (during the Kennedy Administration) William P. Mahoney, Jr. is currently serving as Chairman for the Arizona Civil Rights Commission. In 1984-85 Dick's first publication which studied the Kennedy Administration's political dealing with the nations of Africa was nominated for a Pulitzer Prize. He is currently a professor at the Thunderbird School, American Graduate School of International Management and is married to television personality, Mary Jo West. (See his feature article on page 10, ed. note).

Jeri L. Kishiyama has left the Attorney General's office and is in private practice with the law firm of Tower, Byrne and Beaugureau. She has been involved with several State Bar Committees and is on the Maricopa County Bar Medical Legal Committee. Jeri and her husband, **Dave Auther**, also a member of the Class of ('80) are expecting their first child in March or April of this year.

Naida Axford is with the firm of Hocker and Axford in Tempe. She has authored several articles on the EEOC and litigation and negotiation.

Mark Dioguardi has announced his candidacy in the Republican Primary for the Fourth Congressional District to replace the retiring incumbent, Eldon Rudd.

Thomas Irvine has left the firm of Sacks, Tierney and Kasen and has joined Dushoff and Associates. Tom is primarily engaged in litigation practice.

Diane Lindstrom has been active in the State Bar Committees regarding administrative law and public relations. Diane is also active in the Arizona Workmens Compensation Defense Counsel Association and

the Arizona Women Lawyers Association.

Marcy Monson has joined the Arizona Attorney General's Office and will concentrate in the area of child welfare affairs.

Richard Lorenzen has been elected as President of the ASU Law Alumni Association. In addition to his duties as Alumni President, Richard was married in February.

Robin Morris has left the firm of Reed, Goldstein and Ayers and has accepted a position on the faculty of the law school of Tulane University.

Karen Mullins, after five years with the Attorney General's Office, has left government practice and will join the firm of Streich, Lang, Weeks, & Cardon.

Greg Ramos has moved to Nashville, Tennessee and is practicing in the area of personal injury and general civil litigation. He plans to develop an entertainment law practice in conjunction with his wife, Sandy, who is continuing her song writing and performing career in the country music field.

Lee Titterington has left Lewis & Roca and has accepted an appointment as a Federal Public Defender in Phoenix.

Randy Nussbaum has been elected to the Law Alumni Board of Directors.

Paul Taylor will be leaving the Air Force in July 1986. He will be a litigation attorney for the firm of Bannister, Bruhn and Clark in Mount Vernon, Washington.

'81

Ann Dumenil

Jennings Strouss & Salmon
111 West Monroe, 18th Floor
Phoenix Arizona 85003
262-5911

Sandra Fromm has gone into partnership with fellow class member **Bruce Cohen** and comments that their partnership is thriving. She married Gary A. Fadell, Assistant Attorney General in

1984. Her children are all teenagers and doing great! She comments that she survived her 40th birthday.

Susan Little was recently married, and has changed her name to Susan Leon.

Claire Abel has been elected to the Law Alumni Board of Directors.

Susan VanSlyck was re-elected to serve as Treasurer for the Law Alumni Board of Directors.

Michelle O'Hair is now with the City Prosecutor's Office in Mesa.

Sheila Carmody and her husband Joseph Vielandi recently adopted a son, Devin Carmody Vielandi last July.

Michael P. Shiaras, is now an association with Langerman, Begam, Lewis and Marks in Phoenix.

Maritza Munich has joined the firm of Rivera, Tulla & Ferrer in San Juan, Puerto Rico.

Deanna Delmar formerly with O'Connor, Cavanagh is now with the Attorney General's Office.

Alison Lewis and husband **Craig Krumwiede** ('80) are expecting a child.

Joyce Wright is expecting her second child in Spring. She is with Snell and Wilmer in Phoenix.

I (Ann Dumenil) have become a partner with Jennings, Strouss & Salmon in Phoenix.

'82

Judy Miller

Law Offices of Judy Miller
111 West Monroe
Phoenix, Arizona 85003
253-3622

John Edward Coonley is a general practitioner in Hampton Iowa. He is the Secretary/Treasurer on the Franklin County Bar Association in Iowa.

Andy Abraham has been elected Vice President of the Law Alumni Board of Directors.

'83

Lenni Benson

Sacks, Tierney & Kasen
3300 North Central, 20th Floor
Phoenix, Arizona 85012
279-2900

Several members of our class have left the general practice of law for the ever-growing field of real estate development: **J. Phil Glasscock** is with the Balmer Architectural Group; **Jeff Clyman** is with the Ellis Corporation; and **Dan Rye** has joined Broadmoore Enterprises, Inc.

Others have recently entered public service: **Hope McGowan** works as counsel to the Colorado State Legislature; **Jeanne Benda** is now working with the Pinal County Attorney's Office; **Gregory Harris**, has joined the Civil Division of the State Attorney General's Office in Phoenix; **LaDonna Crane Saria** is working with the Maricopa County Attorney's Office and has recently married **Randy Saria**, class of ('83). **Mary Ellen Simonson** is working in Governor Babbitt's office as a Special Assistant and serves on the executive committee to elect Tony Mason for Governor. She will join the law firm of Lewis & Roca in the fall of 1986. Mary Ellen and her husband Bruce Meyerson and their daughter Julia, age three, welcomed a new addition—Meghan Alexandria, born June 29, 1985.

Stuart Gerrich, **Patricia Nolan** and **Maurie White** have been elected to the Law Alumni Board of Directors.

Philip Ruprecht has joined the firm of Beus, Gilbert, Wake & Morrill. Also at Beus, Gilbert, **Shawn Aiken** and his wife Lynn welcomed a baby daughter in August. Shawn is also a member of the Tempe Board of the Arizona Civil Liberties Union. **Rick Cole** has joined the Phoenix law firm of Martinez & Curtis, P.C.

Jessica Youle and her husband, Sherman Crawley had a baby boy, Graham, born this fall; Jessica works at Lewis & Roca.

Mary Ellen, Shawn and Jessica have started a trend. Also expecting children this year are: **Sharon**

Shively and Janet Sieviewright.

As for your class agent, I am working at Sacks, Tierney & Kasen and serving on the Central and State Boards of the Arizona Civil Liberties Union.

A special thank you to **Gregory Harris** for helping me compile these notes. Please send me news for the next edition.

'84

David Damore

Vogel & Wulfers
6902 East First Street
Scottsdale, Arizona 85251
994-9945

The Class Notes Editor for the Class of ('84) says, "It's not a bad job. I take long coffee breaks with the Maytag repairman and we watch Dick Van Dyke every day. But I do meditate for mail. The alumni mentioned below have nobly attempted to fill the gap between coffee breaks."

Steven G. Lisa and his wife, Laurie, have a new son named Anthony Steven. Steven has accepted a trial associate position with the Intellectual Property Group of the law firm of Kirkland and Ellis in Chicago. His primary focus of work will be Patent, Trade Secret and Antitrust Litigation.

Lynn Thomas Ziolk was married to Barbara Jean Rupley of Phoenix last May.

Jennifer Smith Flangas married classmate **Alex Flangas** in September.

'85

Vicki Riccard

Feller & Cohen
727 East Bethany Home, #D-150
Phoenix, Arizona 85014
265-1791

Micki Walker married **Joel Ruechel** ('84) in January 1986. She is working in Flagstaff and he in Holbrook. They live in between and are commuting to work.

Corina Almeida is working for the Justice Department in Houston as a

Prosecutor for Immigration and Naturalization Services.

Gina Huerta is in Houston as a law clerk for an immigration judge.

Tracey Westerhausen is working as a clerk for Court of Appeals Judge Sarah Grant.

Cynthia Weigend has joined the Phoenix law firm of Jennings, Kepner & Haug.

Debbie Williams is an associate with Murray Miller, Esquire. She is engaged to **Rick Cole** ('83).

Help Us Find These Missing Alumni

The College of Law is presently compiling a new Alumni Directory. If you have any information on the location of any of these alumni, please contact the Development Office.

Class of 1970

Peter S. Fairman
Richard Anthony Johnson
Monny L. Weatherly

Class of 1971

Lawrence J. Evans
Clair W. Lane
Nils R. Olmstead
Paul S. Truesdell

Class of 1972

Judis R. Andrews
Gordon W. Campbell

Class of 1973

William K. Culbertson
Shirley H. Frondorf

Class of 1974

Emily Jenckes Reed
Kathleen A. Rihl

Class of 1975

David M. Thomas
Herbert Yazzie

Class of 1976

David F. Conley
Robert J. Hartman

Class of 1977

Judith M. Hedgpeth
F. Harvey Whittemore

(Continued on back cover)

Change of Address/Alumni News

Return to:

College of Law
Diane Schwan,
Development Coordinator
Arizona State University
Tempe AZ 85287

Name _____ Class Year _____

Home Address _____

City _____ State _____ Zip _____

Firm/Organization _____

Office Address _____

City _____ State _____ Zip _____

Home telephone () _____ Office telephone () _____

Please use other side for news or comments

Placement

Name _____ Telephone () _____

Expected openings for third- ☐, second- ☐, and/or first- ☐ year law students.

Date position(s) available _____

Firm/Organization _____

Address _____

City _____ State _____ Zip _____

Please use other side to describe position(s) and indicate requirements.

☐ I am willing to talk to students about job opportunities.

☐ Please send the alumni placement newsletter to the above address (enclose \$10.00 for postage and handling)

The Law Forum welcomes comments, news, and photos. Please let us know about a new job or a promotion, honors or awards, publications, professional travels, etc.

Description of position(s)

Requirements

Navajo rug
Weaver: Mattee Sampson



(Continued from inside front cover)

cluding some at Dean Witter, the Arizona Bank Building, the Valley National Bank Building and Motorola Corporate Headquarters in Phoenix.

"West Fork of Oak Creek," an acrylic painting by **Jerry Gunning** of Phoenix. Gunning is a native New Yorker whose paintings have captured several dimensions of the Arizona landscape.

"Study for Moran Point," an oil painting by **Bob Howard** of Sonoita, Arizona. Howard has attended Arizona State University. He won the "Best of the Show" award at the World Federation Space Art Competition in Hilo, Hawaii. His art can also be viewed at Mobil Land Corporation in Scottsdale, La Paloma Country Club in Tucson and the Coordinated Consulting Services in Phoenix.

"Cloud Feathers I and II," a woodblock print by **Daryl Howard** of Austin, Texas. She employs an ancient Japanese method of woodblock printing: using handmade mulberry tree fiber Kizuki paper found in a small village on the Sea of Japan.

"White Horse," a serigraph by **Howard Post** of Tempe. Post has designed the 1985-86 Commemorative Poster for the Arizona Opera Company. He lives and works in Tempe and has previously taught at Arizona State University.

"Stick Writing," an oil painting by **Velo Vigil** of Taos, New Mexico. He was one of the first established Southwestern artists to work in monotypes. His work includes semi-abstract Indian images.

In addition, the College of Law received a Navajo rug as a gift from William Douglas Back ('76) during the fall semester. The rug is from the Western part of the Navajo reservation, north of Tuba City and south of Page. The weaver was **Mattee Sampson**.

"West Fork of Oak Creek"
Jerry Gunning

(Continued from page 34)

Class of 1978

Lebeebah Ahmad
Bruce James Dunn

Class of 1979

Julie Doherty
Lawrence Koslow
Michael Scott Martin

Class of 1980

Maria Graciela Alfaro
Philip R. Byrnes
Mark David Dioguardi
Lawrence W. Kelly

Class of 1981

G. Douglas Johnson
Steven L. Reed
Gaylen G. Whatcott
George McCaskey

Class of 1982

Patricia Jean Boland
Joni Shill Wilson

Class of 1983

Richard Donald Hine

Class of 1984

Karen Sinodis Gaylord
Kent Anthony Lang
Christopher Cavallar Mason
Charles F. Meyer

Class of 1985

Edward Joseph Humphries
Barbara L. Maxwell
Dennis L. McGuire
Kaye D. Woodward

Upcoming Events

May 16 College of Law Graduation and
Reception

May 25-June 1 Trial Advocacy Intercession

June 2 Summer School Begins
August 8 ASU Summer Graduation

For more information, call the College of Law (602) 965-6181.

100863

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College of Law
Tempe, Arizona 85287

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