

University of San Diego

Digital USD

The Advocate

Legal Research Center Archives

10-1-1989

Advocate 1989 volume 8 number 2

Office of Development and Alumni Affairs, USD School of Law

Follow this and additional works at: https://digital.sandiego.edu/law_advocate

Digital USD Citation

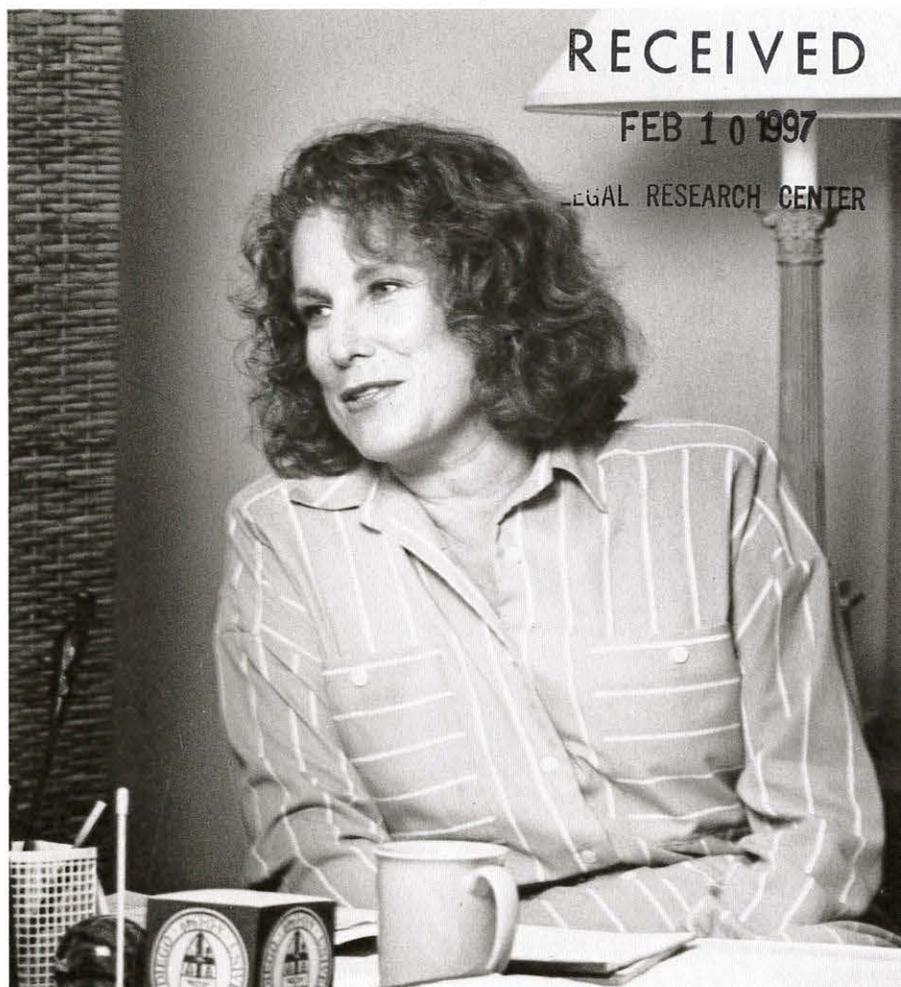
Office of Development and Alumni Affairs, USD School of Law, "Advocate 1989 volume 8 number 2" (1989). *The Advocate*. 17.

https://digital.sandiego.edu/law_advocate/17

This Book is brought to you for free and open access by the Legal Research Center Archives at Digital USD. It has been accepted for inclusion in The Advocate by an authorized administrator of Digital USD. For more information, please contact digital@sandiego.edu.

Strachan attains new peak

New School of Law dean will strive to make a good school better



Kristine Strachan

By David Hall

A framed certificate proclaiming that Kristine Strachan climbed Mt. Kilimanjaro in the summer of 1987 had yet to find its way onto the wall of the dean's office.

But it was, after all, only her second week at USD and Strachan's big adventure was already well repre-

sented by snapshots and a mounted chunk of Kilimanjaro rock on her desk.

The new Law School dean is proud of the accomplishment, which she shared with her teen-age daughter, Lauren.

"It's something I'll always know I did," Strachan says.

While it is apparent that the 46-year-old California native loves a challenge, she says she would not have accepted the dean's post at an institution that presented her with the academic equivalent of scaling the 19,000-foot African peak.

"I would not have been interested in coming to a place that was a disaster," says Strachan, one of just 11 women serving as deans of accredited U.S. law schools. "What's fun is when you have really talented people and you can help them get better."

"The faculty is inclined to strive for excellence themselves. What a dean can do is remove some of the impediments to that."

USD, says Strachan, is already a good school on an upward push.

"They do well in terms of teaching and scholarship," she notes. "In general, I think the quality of teaching is good to excellent. (The faculty's) scholarship levels and resumés are quite good for the most part. There's a lot of publishing going on. And the foreign and international programs are recognized nationally and regionally."

"We're starting out very well. And now we want to make it better."

"We're starting out very well. And now we want to make it better."

Strachan (pronounced strawn) has a history of promoting change. At the University of Utah College of Law, where she began in 1973 as an associate professor and made full professor in 1979, she was a central figure in a comprehensive curriculum reform effort.

(please see page 2)



But, Strachan stresses, she comes to USD with an open mind.

“Academic policy is rightfully in the hands of the faculty. I come from the faculty ranks and I know the worst thing a dean can do is to come in and say, ‘Here’s what we’re all going to do.’ That’s not going to work.”

“At the faculty retreat, I’m going to insist that they decide what they’re going to do. What are the projects that are high in priority for the next two or three years? What areas do they think are important to emphasize? What should be de-emphasized?”

“We’re talking about trade-offs. Law schools are just now beginning to realize that resources of money, time and effort are not ever-expanding.”

Strachan knows about trade-offs. Her 24 years of marriage to another attorney, Gordon Strachan, has required each to adapt to the twists and turns of the other’s law career.

In fact, it was Gordon’s plan to attend law school after both graduated from the University of Southern California in 1965 — the same year they were married — that began Kristine’s journey to the dean’s office.

As a senior at USC in international relations, “I didn’t have any choices. There were not that many choices for women back then. I was not a science

or math type. MBAs for women were not terribly appealing. Neither was the business world.

“So, I was going to get a Ph.D. at Johns Hopkins or NYU in some exquisitely narrow subject that I would be the only expert in. I just loved college. I didn’t want it to end.”

Instead, she got married and, when Gordon applied to law schools, so did Kristine.

“I decided, ‘Why not me?’ But I had no burning desire,” she remembers. “I was lucky because this was at a time when the good schools in California were pushing to get women.”

Strachan was more than lucky. She was also a Phi Beta Kappa graduate of USC, and she was accepted to Stanford Law and Boalt Hall at the University of California, Berkeley. She chose Boalt.

“It was so much more exciting. It was in the middle of the free speech movement,” Strachan says. “And once I was there, I became fascinated with the law. At that point, I became driven.”

Not surprisingly, her drive translated into membership in the California Law Review and Order of the Coif.

But upon her graduation in 1968, the lifelong Southern California resident discovered how difficult it was for a woman to get a law job on the West Coast.

“Firms wanted to hire me, but weren’t sure their clients would accept a woman lawyer,” she says. “It sounds strange today, but what was even stranger is that we weren’t upset by it. We accepted it and went somewhere else where we were wanted. Now it would be actionable.”

For Kristine that meant New York, and Gordon Strachan made the first compromise.

As an associate at Sullivan & Cromwell, Strachan did banking, corporate, commercial and real estate law. “I loved Sullivan & Cromwell every moment I was there,” she says. “It reeked class.”

But two years later, it was Kristine’s turn to adapt. Gordon took a job in the Nixon Administration in 1970 and Kristine headed with him to Washington, D.C.

“My husband decided to take a job at the White House and he had been so good about going to New York, so I just went,” Strachan recalls. Then she smiles wistfully: “If we hadn’t

gone, I’m sure I’d still be at Sullivan & Cromwell. I’d probably be a partner and very happy . . . and very wealthy.”

Instead, the Strachans entered a difficult time. Kristine joined the State Department’s Office of the Legal Advisor, handling international law, constitutional law and legislative matters relating to Southeast Asia. She was responsible for the area from Burma to the South China Sea during the thick of the Vietnam War, working on such volatile issues as the War Powers Act, the first SALT agreement and treatment of prisoners of war.

“Here I was, finally at the place I had been aiming for all those years, and I didn’t like it,” Strachan says. “I couldn’t stand the bureaucracy. Fifteen people would have to sign off any letter I wrote.

“By then I was such a devotee of the law, I really loved the practice and the study of the law. But this had no resemblance to law. It was more like political science, diplomacy, national security.”

In 1973, the Strachans moved to Salt Lake City, Utah. Gordon later became a partner in a law firm specializing in complex litigation and ski resort law. And Kristine began working at the law school, where she taught and did research in civil procedure, injunctions, evidence, litigation, federal courts, conflicts, remedies and comparative law.

She also took a sabbatical leave from 1980-82 to work as a prosecutor in the Salt Lake County Attorney’s Office. “I was teaching courses in civil procedure, evidence and litigation, and I had not done regular law practice in eight years,” she recalls. “I was very rusty. It’s not too essential for law professors to engage in practical lawyering in some fields, but in mine it is.”

Strachan, however, received no special treatment or high profile cases when she started out.

“They put me in traffic court, where I was trying unsafe lane changes, and in arraignments, where you’re with the unwashed and the unkempt,” Strachan says. “I think they decided to test this law professor, who came down from her ivory tower. After about a month, they decided I was OK.”

She says she handled 20 major jury trials in the next eight months. "And I only lost one — the one I most deserved to win," Strachan says. "But I learned a lesson from that: no matter how strong your case is, you never know what the jury will do.

"It was my fault. I got complacent. It was arrogance."

During the last two years, Kristine and Gordon Strachan have supplemented their skiing time — if not their incomes — by serving as the pro bono "town prosecutors" of Alta, Utah, population 400. In exchange for prosecuting scofflaws for picking wild flowers, parking in the mayor's space and skiing out of bounds — Alta's answer to an unsafe lane change — the Strachans get lift tickets and a license for their pet golden retriever.

"They limit dog licenses there," she says. "It was either work as town prosecutor or wait for 10 dogs to die."

Kristine Strachan's call to the University of San Diego not only made life easier for Alta's litterers — who were usually fined \$10 and sentenced to hard labor cleaning up the city parking lot with a big plastic trash bag — but it meant another difficult transition for the Strachans, who now face a commuter marriage for at least the 1989-90 school year.

"It's hard having a two-career marriage," says Strachan, who adds that her husband will probably eventually join a firm in San Diego. "But we're lucky because we're not that far apart. I know people who have a bicoastal commute."

Strachan thinks that the increase of women entering law "is one of the great success stories of the 1970s and '80s." Instead of bemoaning the fact that only an approximate 6 percent of the country's accredited law schools have female deans, Strachan looks at the statistic from another perspective.

"The statistics are actually pretty good compared to . . . other sectors," she points out. "Look at the CEOs of Fortune 500 companies. We just started graduating large numbers of women from law schools in 1974 and now 40 percent of all students are women. And if you look at the pipeline to dean — the faculty — the number of women on law faculties has been increasing steadily.

"I'm thinking things are moving along quite nicely. But what concerns me more than the situation confronting women is minorities. The numbers of minorities in law school have actually decreased since the 1970s."

When it comes to discussing law school, there's one area that particularly intrigues the new dean. It's the curriculum.



While at the University of Utah, Strachan was a central figure in the school's "Cornerstone-Capstone Program for Reform of Legal Education" — an experimental effort that Strachan described in a 1988 law journal article as seeking "to provide each year of legal education with a distinctive purpose and character, logical progression of knowledge and skills, different levels of exposure to subjects, and diverse teaching and evaluation methods."

In short, she says, the program began with a traditional first year of Socratic-method, case analysis teaching, followed by a second year of compressed semester-long introductory courses into the major areas of the law (administrative law, criminal procedure, trusts and estates, etc.). In the third year, students could elect

year-long senior seminars that would go into great depth in more specific areas of law (natural resources management, economic regulation, law and the arts, federalism) with heavy emphasis on writing and research.

"We had to turn (the students) away from the (second-year) courses," Strachan says. "I think it reminded them of bar review courses. It was the overview they all were feeling in need of."

But, she adds, they had a "horrible time" selling the students on the third-year seminars. "They didn't want to commit the time to take a course they were not sure had practical use," she analyzes. "That was our miscalculation. The faculty thought we could convince students that it didn't matter what the subject was, as long as it was something you could study in depth. But they didn't buy into depth in and of itself. They still may though; the experiment is still under way at Utah.

"If we offer a year-long course in tax policy and planning, we won't be able to keep them away."

A modified version of the Capstone-Cornerstone plan is now in use at the University of Texas, Strachan says. There, the senior seminars deal with more mainstream areas of the law and Texas has not adopted the second year introductory course concept yet.

Is USD next?

"I don't know," she says. "I'm going to ask (the faculty) at the retreat if they are really serious about curriculum reform. If they are, I know how to do it. They have a resource person."

Strachan says it would require two years of preparation, both by the faculty and the administration, to implement some form of comprehensive curricular reform, such as the Capstone-Cornerstone system.

The woman who climbed Kilimanjaro laughs at the thought. "If I had known how difficult it would be (to implement the program at Utah), I don't know if I would have done it," she says.

"Of course, most great adventures would have never happened if the people had known what was ahead."



Legal Research Center shapes up with phase one completion

By John Sutherland

It may not be library nirvana quite yet, but the tremendous improvement it represents is plain to see. And an imaginative visitor to the recently completed 29,000-square-foot addition to the back of the Law Library, or Legal Research Center, as the facility is to be renamed, can see the potential of the place.

The addition, which was finished in June, represents phase one of a two-phase, \$6 million project that not only will more than double the library's square footage, but also furnish it with some of the most up-to-date equipment and technology available today.

Phase two of the project — which is under way now — involves the complete renovation of the old wing of the library. That work is projected to be done by next spring.

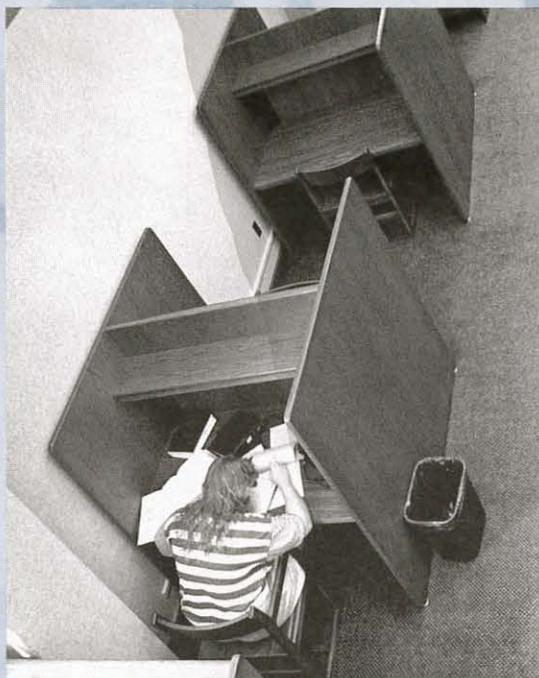
It is phase two that is keeping some of the attributes of phase one somewhat under wraps. The hang-up? During the current academic year, all of the books, equipment and furniture from the old wing have to be temporarily situated in the library addition while renovations are completed on the old wing.

That means the library's holdings, personnel and equipment are temporarily situated in about half the space they will have available by next summer.

Despite what she acknowledges will be a difficult year for students, faculty and visitors who have to learn anew the organization of the library this year and then chuck that for a different set-up next year, Law Library Director and Professor Nancy Carter isn't shedding any tears.

"It won't be easy this year," she says, "but the completed building will be well worth the short-term inconvenience."

Considered from that perspective, perhaps this year's visits to the library should be considered an adventure. After that, according to Carter, USD will be able to boast of having one of the most modern and efficient law libraries in the nation.



Far left: The atrium provides a dramatic focal point to the five-level addition. Left: Compact shelves on wheels will aid the search for that elusive reference book.

Above: Patrons will discover more than 200 computer-ready study carrels. Above right: Additional study and seating areas have been designed in the addition.

Carter ticks off some of the pluses of the new building:

- All new service areas designed for visibility and the convenience of legal researchers.
- Complete climate control. The system not only will preserve the collection from mildew and heat, but also provide library users with a comfortable place to work.
- Computer cabling. The entire facility will be completely cabled to meet future computer needs.
- New shelving and storage space to accommodate hardbound and microfilm holdings.
- Additional study and seating

areas where students, faculty and visitors may pursue scholarly work and research.

- Administrative and faculty offices and facilities for the Law School Centers and two new classrooms.

The three-story, five-level addition contains several other features library patrons will enjoy. Wall-to-wall carpeting and soundproofing wall material will muffle distracting noise. A total of five copy machines will decrease the length of lines waiting to use copiers. Part of the library's book collection will be stored on compact shelves with wheels that roll on a track. The turn of a wheel will move entire bookcases.

New furniture will make studying

more comfortable. More than 200 computer-ready study carrels with electrical outlets and individual study lights will be installed.

And the addition's atrium, with its blue-tiled staircase leading from the bottom floor to the skylight five levels above, provides a dramatic focal point to the building's interior.

Meanwhile, the university's fundraising team for the library, headed by Gray, Cary, Ames and Frye chairman Josiah Neeper, is still searching for additional funds for the project. Nearly \$3.5 million has been committed to date by law alumni, parents, law firms and friends of the Law School, leaving some \$2.5 million still to raise.



Jay Kruer

More than 300 join ranks of law graduates

An estimated 365 students celebrated their passage from student to law school graduate during School of Law commencement ceremonies May 20.

The school granted 303 juris doctor, 39 master of laws in taxation, six master of laws and 16 master of comparative law degrees.

Honorary degrees were awarded

to Archibald Cox, the former Watergate special prosecutor and a leading authority on constitutional and labor law; and Colin Wied, president of the California State Bar.

Cox was unable to attend the ceremony because of illness, but in his remarks Wied reminded the students of the twin goals of practicing law: service to the client and the attain-

ment of justice. "The very essence of being a good lawyer," he said, "is respect."

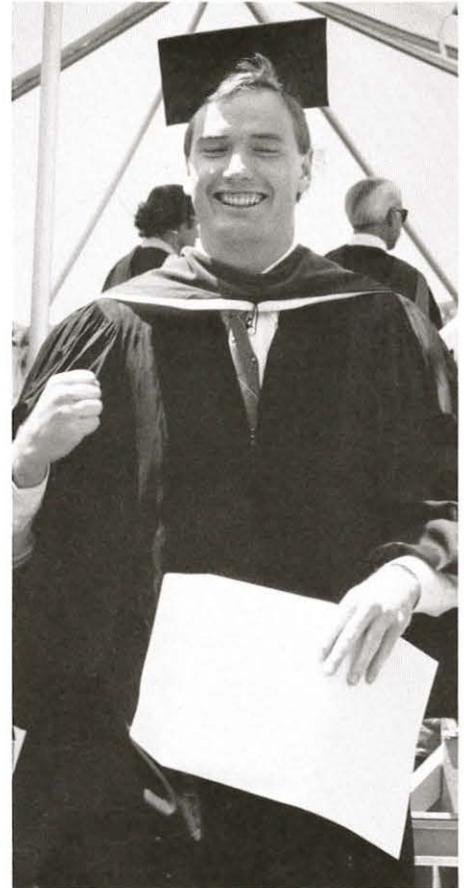
Susan Tumay was the class valedictorian. She compiled an 88.87 grade point average on a scale where 93 is perfect. Tumay accepted a position with Luce, Forward, Hamilton and Scripps, a major San Diego law firm, after graduation.



Patty Garcia and Kelly Brown



Susan Lawrence Bookout



Justice Claibourn McPberson

Grads challenged to embrace a trio of values

"I would like to speak to you today about Dorothy and her friends, the Scarecrow, the Tin Man and the Cowardly Lion. For you, as they, have traveled a yellow brick road and you, as they, now stand before the altar of the great and powerful Wizard of Oz.

"But do you remember what happened to our friends at that climactic moment when they discovered that the wizard lacked the power to provide a brain for the Scarecrow, a heart for the Tin Man, courage for the Lion and a way home for Dorothy?

"You lied to us," exclaimed Dorothy. "You are a very bad man."

"No," responded the wizard, "I'm a good man. It's just that I'm a bad wizard."

"The law degree you will receive today is a good degree but it, too, is a bad wizard. It cannot provide you with a brain. God has given you the only brain you will ever have, but will you use your intelligence wisely?

"Will you be willing to refuse a lucrative fee from a prospective client simply because you know that the

client's cause is not meritorious? Will you demonstrate by your decision that the practice of law is a noble profession and that you are not a hired gun whose services are for sale to the highest bidder? Will you refuse to utilize expressive but unwarranted tactics to delay the adjudication of your opponent's meritorious claim?

"The law degree that you will receive today is a good degree but it cannot provide you with a heart. God has given you the only heart that you will ever have, but will you use your heart to practice law with a sense of compassion?

"Will you devote a significant portion of your practice to pro bono work representing clients that simply cannot afford a lawyer's services? Will you undertake representation of the public's interests without concern as to whether you will be compensated financially?

"The law degree that you receive today is a good degree but it cannot provide you with courage. God has given you the only courage that you

will ever have, but will you demonstrate your courage by representing unpopular clients — clients whose views are entitled to consideration even though they are diametrically opposed to views that you may have about the question?

"My hope, my prayer for you today is that in your professional lives you embrace these values of intelligence, compassion and courage. For only if you do will you find the fullest measure of satisfaction from your profession. And let me be so bold as to suggest that only if you embrace these virtues within your personal lives as well will you find true happiness as human beings. For only then will you be able to find your own way home."

Grant Morris, acting dean of the Law School, addressed the graduating class at commencement. His remarks were edited for publication.

'63 Robert F. Adelizzi, president of Home Federal Savings, has been appointed to a two-year term on the Federal National Mortgage Association (Fannie Mae) advisory council. The advisory council meets twice a year to discuss Fannie Mae's role as the nation's secondary mortgage market maker.

'64 Robert Baxley was elected to the County Bar Association's board of directors in January and will serve a three-year term of office.

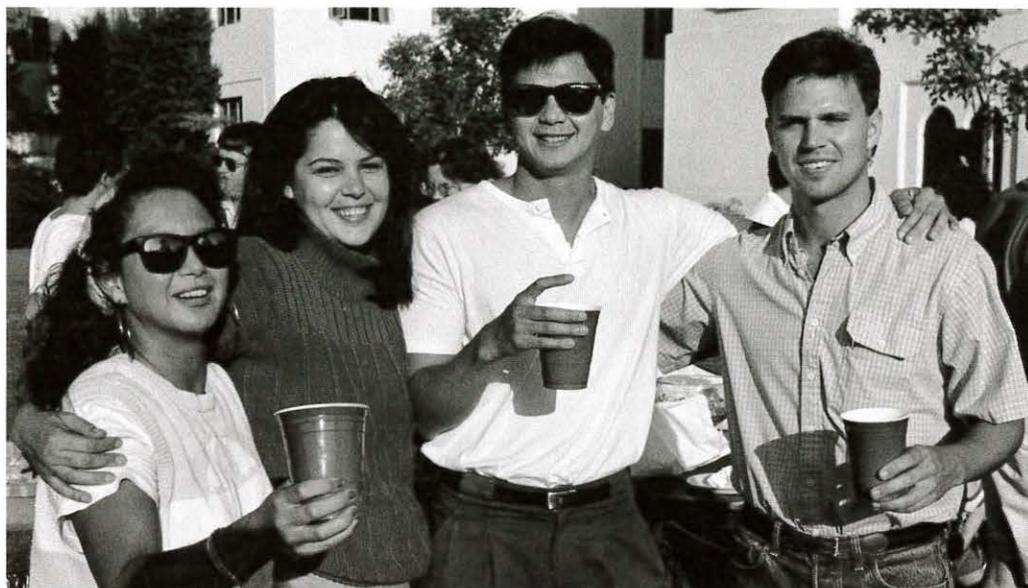
'65 Col. Rufus Young is a senior deputy city attorney for the City of San Jose specializing in environmental law. Rufus and his wife, Carole, continue to reside in Rancho Santa Fe.

'68 Robb Royse closed his private practice in Escondido, Calif., in 1981 and moved to Tempe, Arizona. His message to his classmates: "There is life after law. Different and generally better."

'69 Craig Higgs has been selected as the 1989 Legal Professional of the Year as part of the America's Finest City Week celebration. He was recognized at the annual Dinner On The Green on Thursday, August 24, at the San Diego Hilton Hotel. Higgs was selected for his outstanding service and dedication to the legal profession for the past 19 years. He is a partner with Higgs, Fletcher & Mack.

'69 Frank Rockwell was elected to the board of directors for the San Diego Trial Lawyers Association for 1989.

'71 J. Douglas Jennings, Jr., a tax and estate planning attorney, was a speaker at a seminar on



Some 100 graduates turned out to celebrate completion of the state Bar exam at a campus barbecue July 27.

"Trusts and Wills: How to Avoid Probate and Taxes" in March. He also is the author of "Estate Planning from A to Z" and "Techniques for Financial Survival."

'72 Robert L. Grimes was elected president of the board of directors for the San Diego Trial Lawyers Association for 1989.

Robert Mautino received a certificate of commendation for distinguished pro bono service from the San Diego Volunteer Lawyer Program.

Thomas Warwick was elected to the board of directors for the San Diego Trial Lawyers Association for 1989.

'73 Robert D. Woods sends the following update to his friends: "My last years in San Diego were as a partner in Schall, Boudreau & Gore, Inc. While there, I received an "Outstanding Trial Lawyer" award from San Diego Trial Lawyers Association (1980), served as chair, State Bar Standing Committee on Lawyer Referral Services, and on the State Bar Legal Services Section

Executive Committee, in the mid-1980s. September 1985, I was presented with the State Bar President's Pro Bono Service Award. I also served on a number of local committees with San Diego County Bar Association and San Diego Trial Lawyers Association.

"In 1986 I graduated from the Episcopal seminary at Claremont College (attended evenings), and am presently a priest, the assistant at St. Luke's, Bakersfield. Also in 1986, I accepted the position of chief deputy-litigation with Kern County counsel, and have since then developed and managed the county's in-house litigation program. I also sit on the Kern Medical Center Bio-ethics Committee, and am a Fellow of the Kegley Institute of Ethics, Cal. State Bakersfield. Last, I teach civil procedure and ethics (alternating quarters) here, at Thomas Jefferson College of Law. Through it all, there seems to be more, and better quality time with my wife, Alexis, and son, David, than private practice ever afforded."

'74 Daniel Bamberg has been elected to the board of directors for the San Diego Trial Lawyers Association for 1989.

Steve P. Daitch, founding partner and executive director of The Rutter Group, recently participated in the "Arden House III" conference hosted by the American Law Institute in New York. The three-day conference brought together over 200 judges, lawyers and educators active in continuing legal education. Daitch was appointed to the American Law Institute-American Bar Association "Continuing Legal Education Quality Evaluation Methods and Standards Project" and serves as co-chair of the Los Angeles County Bar Association's CLE advisory board.

'75 Josephine Kiernan is a chief in the major violators unit for the San Diego County district attorney's office.

Steve Parsons invited a number of classmates and friends, including Professor Lou Kerig, to a party which, if the mood was right, was to include a wedding. The guests arrived,

including the chief justice of the Nevada Supreme Court, and a good time was had by all. As the evening progressed, Steve called the group to attention and announced that "the mood is right," after which a wedding did take place. Steve's bride is a deputy sheriff in Las Vegas and those of you who know Steve will appreciate this: she is 5 feet, 2 inches tall.

T. Michael Reid has been elected to the board of directors of the San Diego Trial Lawyers Association for 1989.

'76 **James Dawe** of Seltzer, Caplan, Wilkins & McMahon has been named to the committee on Creative Growth Management Techniques of the American Bar Association's Urban, State and Local Government Law Section. The newly formed committee will review current trends and issues on how the legal system is responding to population growth and growth management in the U.S.

Jim Heller has been appointed director of the law library and associate professor of law at the Marshall-Wythe School of Law of the College of William and Mary in Williamsburg, Va.

Thomas Howe is senior tax counsel for Unisys Corporation in Blue Bell, Pa.

John R. Lindsay received a certificate of commendation for distinguished pro bono service from the San Diego Volunteer Lawyer Program.

'77 **Donald Starks** has been elected to the board of directors for the San Diego Trial Lawyers Association for 1989.

'78 **Celia Ballesteros** is of counsel to the law offices of Richard Castillo and Daniel Guevara.

Michael Brown, formerly trial attorney of the Division of Enforcement of the U.S. Securities and Exchange Commission and general counsel, senior vice president of First Affiliated Securities, Inc., has opened his own practice specializing in securities and related fields.

Lt. Col. Jan Fladeboe, USMC, his wife, Michelle (Georgia '76, '77), and their three children: Hans, 6, Andrew, 5 and Hayley, 2, are presently at Marine Corps Air Station Iwakuni. He is the station judge advocate at the station in the western part of Honshu, the main island of Japan. Michelle has interrupted her law practice to care for the children in Japan.

Frederick Schenk recently was elected to the board of directors of the San Diego Trial Lawyers Association for 1989.

Donald Weber presently is special assistant to the U.S. Attorney in Alexandria, Va., working as a prosecutor in the investigation of defense procurement fraud.

'79 **David Dunbar** of the law firm of Hyatt & Rhoades has been elected secretary of the San Diego chapter of the Community Associations Institute for 1989.

Elizabeth M. Leonard received a certificate of commendation for distinguished pro bono service from the San Diego Volunteer Program.

'80 **Celeste Stahl Brady**, her husband, Bob, and their two children, Bobby, 3, and Christia, 1, live in Huntington Beach, Calif. Celeste specializes in rede-

velopment and local government law as special legal counsel to several cities with the firm of Stradling, Yocca, Carlson & Rauth.

Kevin R. Graham is a partner with the law firm of McCormick, Royce, Grimm, Deane & Vranjes specializing in civil litigation.

Ernest M. Gross has been elected to the board of directors for the San Diego Trial Lawyers Association for 1989.

Lynne Lasry received a certificate of commendation for distinguished pro bono service from the San Diego Volunteer Lawyer Program.

Sana Loue received a certificate of commendation for distinguished pro bono service from the San Diego Volunteer Lawyer Program.

Kathleen McCormick is a partner with the law firm of McCormick, Royce, Grimm, Deane & Vranjes specializing in civil litigation.

In 1988 **Monty A. McIntyre** settled a case involving federal Indian law before the U.S. Supreme Court for \$2.68 million.

'81 **Jeffrey Gertler** recently joined the Office of Legal Affairs of the GATT Secretariat in Geneva, Switzerland, where he is involved in the Uruguay round trade negotiations and GATT dispute settlement panels.

Janice Mulligan was elected to the board of directors for the San Diego Trial Lawyers Association for 1989.

Charles Hunt was reassigned in August 1989 from his position as executive officer, Naval Legal Service Office, Yososuka, Japan, to

the Naval War College in Newport, R.I., as a student for one year.

'82 **Debra Braga** has been practicing in Alaska since participating in an internship there in her last semester of law school. She left private practice in 1987 to marry Gary Berger, and has been an assistant borough attorney with the Fairbanks North Star Borough since January 1988.

Jonathon P. Foerstel received a certificate of commendation for distinguished pro bono service from the San Diego Volunteer Lawyer Program.

William Poe recently left the Sacramento firm of Greve, Clifford, Diepenbrock & Paras to establish his own practice emphasizing civil litigation in the areas of wrongful termination, computer law, toxic torts and military law.

Janice Ranson recently assumed the presidency of the Lawyers Club for the 1989-90 term. She also will leave Thorsnes, Bartolotta, McGuire & Padilla to open her own office with Judy Hamilton, to be called Hamilton & Ranson, specializing in business transactional and tax law.

Vickie Elaine Turner is a new partner at Luce, Forward, Hamilton & Scripps.

'83 **Jan J. Bejar** received a certificate of commendation from the San Diego Volunteer Lawyer Program for his distinguished pro bono service in 1988.

Teresa (Stewart) Dixon of the law firm of Pope & Dixon has been appointed to the California State Central Committee for the Republican party.

New Bar president sees post as opportunity; chance "to give back"

By Frann Bart



Virginia Nelson '79

When people are introduced to the next president of the San Diego County Bar Association, they tend to do a double take. That's because Virginia Nelson is 35 years old and female.

The 1979 USD Law School graduate is the youngest ever and only the second woman in the Bar's 90-year history to hold the coveted and prestigious post.

"There is certainly surprise when people meet me because they don't expect me to president of the Bar," says Nelson with a chuckle. "The stereotype still tends to be a graying male attorney in this position. I'm happy to assist in changing that image."

According to Nelson, who will be 36 when she succeeds Marc Adelman in December, results of a recent membership survey indicate the bar to be following "baby boom" demographics. "We found that approximately 70 percent are under 40, 50 percent have joined in the last 10 years and 30 percent are solo practitioners, which puts me right in the middle of those statistics," she says.

A Minnesota native, Nelson grew up there and in Colorado where she attended Colorado State University, intending to be a teacher. Jobs in that field were tight, however, so she moved to San Diego after graduation to follow a new career path at USD.

Now a solo plaintiff's attorney and certified as a specialist in medical malpractice, Nelson worked as a clerk for Wesley H. Harris, a personal injury and malpractice firm, while in law school. She became an associate there in 1979 and partner in 1982. She went out on her own in 1986.

Hands folded on her desk, quiet gray suit and hair in a neat bun, Nelson's appearance and quite demeanor contrast sharply with her trendy high tech surroundings where she leases office space from the downtown law firm of Monaghan & Metz.

But as she discusses her past and still-budding future, youthful enthusiasm takes over in the form of animated green eyes and an easy laugh.

With about 40 active cases in a tough field of law, Nelson, married since 1980, explains her willingness to share yet more of her precious time at the helm of the Bar.

"I've received a lot of support from the legal community in my career and want to give back of my time to that community.

"Although women have moved into the legal profession in big ways in the last decade, I still think it's difficult to gain leadership roles. Since there haven't been many women Bar presidents, this is a tremendous opportunity for me to build friendships and develop other aspects of my personality."

Using her skills in other directions has meant serving as a driving force behind the Bar's recent purchase of the three-story University Club building downtown, a move Nelson proudly describes as "one of the most progressive things the Bar has done. No other bar association as far as I know owns a building of that magnitude."

Other issues to be passed on to her include implementing new continuing legal education programs and keeping Bar membership up.

Her own aspirations for the presidency also include expanding Adelman's efforts at closer communication with the state Bar and the American Bar Association, as well as creating a more expansive litigation training program for young attorneys.

Meanwhile, she juggles her workload and her personal life with apparent ease. And when it's time to relax, Nelson and husband Mark Andrews, a vice president in corporate banking for Bank of America, go to the theater and films, and exercise.

Shaking her head slightly at the enormity of it all, Nelson puts it into perspective.

"It's funny, I've always just taken things a day at a time; never been a big planner. I just put one foot in front of the other and kept going, and look what happened!"

Paul Seidel is a deputy district attorney in Santa Clara County, where he is on the felony trial team.

'84 Erick Klein is an attorney for Newport National Corporation.

Cheryl Carlson Ontiveros gave birth to a son, Sam, on January 4. Cheryl still works at Grunsky, Pybrum, Ebey & Farrar in Watsonville, Santa Cruz County.

Nicholas Strozza and Mary Ann Emrich '84 were married in September 1988. Both are attorneys in Los Angeles. Nicholas is with Wyman, Bantz, Kuchel & Silbert. Mary Ann is with Graham & James.

'85 Gregory S. Cilli received a certificate of commendation from the San Diego Volunteer Lawyer Program for his distinguished pro bono service in 1988.

Michelle Merrill works as a contract specialist at General Dynamics/Convair.

Kendall Paulson ('87) is an associate member of Ball, Hunt, Hart, Brown & Baerwitz, where he continues to practice in the transactional taxation area in the firm's Long Beach office.

Lynn Rossi Semata now is a partner in the law offices of William Sauls and the firm will now be known as Sauls & Semata. The firm practices tax, real estate and business planning.

'86 Meredith Alcock's second child, Maureen, was born August 17, 1988. She is back at work at Latham & Watkins, doing mainly tax and estate planning work.

William M. Bothamley received a certificate of commendation from the San Diego Volunteer Lawyer Program for his distinguished pro bono service in 1988.

Gary Moyer has joined Ferris & Britton after formerly practicing with James Schneider.

Reno Testolin received a certificate of commendation for pro bono service from the San Diego Volunteer Lawyer Program.

'87 Brian Barnhorst now is an associate with Lorenz, Alhadeff, Lundin & Oggel.

Joyce Baron joined the firm of Barrack, Rodos & Bacine in San Diego.

Craig Clark joined the law firm of McClellan & Associates as a trial lawyer. McClellan & Associates specializes in plaintiff litigation, primarily in the areas of personal injury, products liability and insurance bad faith.

David Ignell is an attorney with Schall, Boudreau and Gore.

Kay Lynn Kell has written a handbook entitled *Law Clerking* which is available through GEM Publishing Co. Kay recently joined the San Diego office of Liebman, Reiner & McNeil.

Ralph Picardi and his wife, Diane, have relocated to Boston where Ralph has joined the law firm of Burns & Levinson, specializing in business litigation and environmental law.

Kathleen M. Prlich (formerly Rapaport), is an instructor of law at Dickenson School of Law. She also will be presenting a paper entitled "Roe v. Wade: In Re A.C. — The Rights of Ter-

minally Ill Pregnant Women" at the American Academy of Religion Conference, fall 1989. She also will be obtaining her master's in religion and culture at Catholic University of America in March 1990.

Kneave Riggall published an article in *Los Angeles Lawyer* entitled "30-Day and 90-Day Letters: Options for Taxpayers Who Receive Them From the IRS" in March 1989.

Christopher Yuhl recently joined the Chula Vista law firm of Jacob, David & Moses. He will specialize in non-secular, First Amendment law and personal injury.

'88 Janet Cross has been appointed deputy public defender with the law offices of the Los Angeles County Public Defender.

Holley Hoffman is a new associate at Lorber, Grady, Farley & Volk.

Mary Nuesca is a deputy city attorney in the San Diego office. Her husband, Rob Rochelle, is a judge advocate general with the U.S. Air Force.

Gary Saunders accepted a position with Harcourt, Brace, Jovanovich law firm as the Southern California director of Bar Bri Bar review.

In Memoriam:

Peter J. Lehman '63 died recently after suffering a heart attack. Peter was the chief of the district attorney's appellate division in San Diego. He was active in the legislative and ethics committees of the California District Attorneys Association and also a member of the San Diego County Bar Association and the San Diego County Deputy District Attorneys Association. He is survived by his wife, Inge, of La Jolla. His family has set up a memorial fund in his memory. For information, please contact the Law Alumni Office at (619) 260-4692.

About the Advocate

Advocate is published by the Office of Development and Alumni Relations, School of Law.

Editor:
John Sutherland

Assistant Editor:
Jacqueline Genovese

Contributors to this issue include:

David Hall
Frann Bart
Tammy Muir

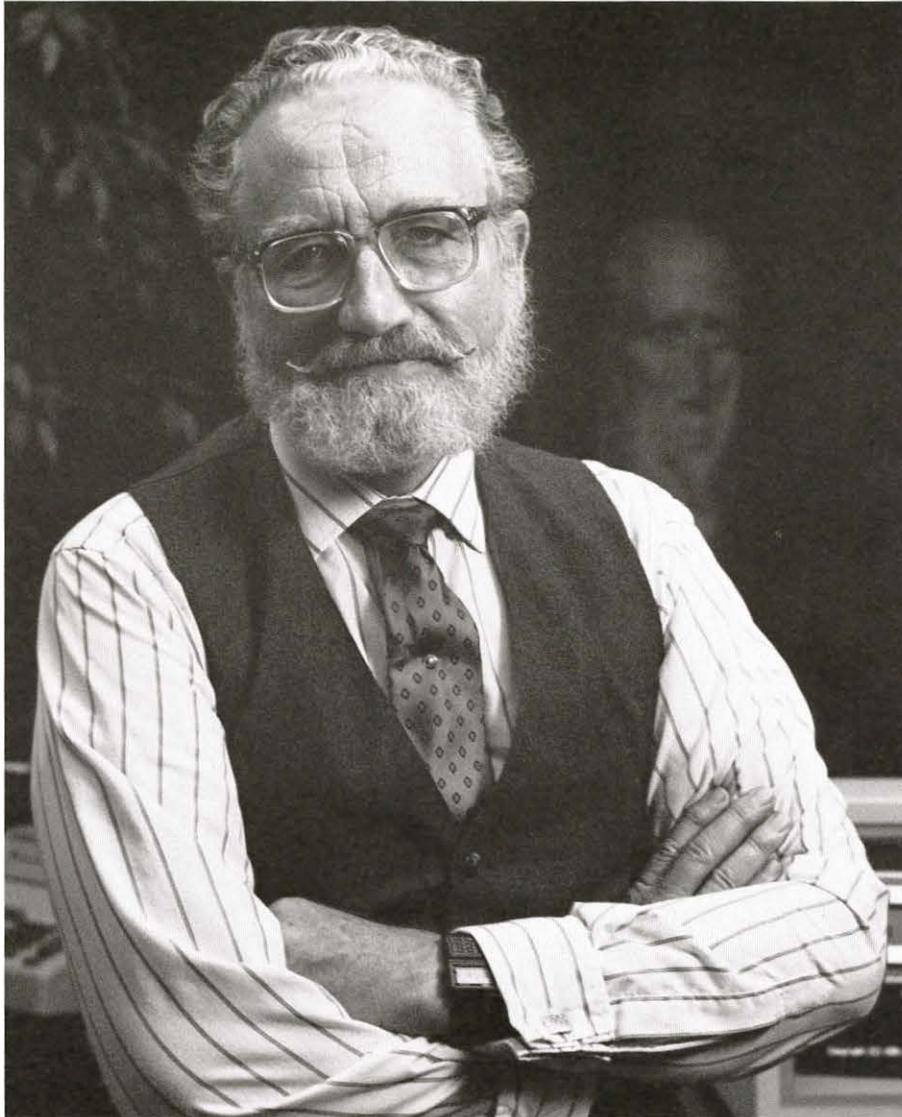
Photography:
James Dickens
Ken Jacques

Design:
Norm Johnson

News and photographs for possible use in future issues may be submitted by readers. Please address correspondence to *Advocate*, USD School of Law, Alcalá Park, San Diego, CA 92110.

30 years later Miller hasn't lost zest for law

By Frann Bart



Ralph Gano Miller '58

In 1958, Ralph Gano Miller and four of his classmates emerged from the USD Law School's very first graduating class — ready, willing and able to succeed in the field of law. Since then, the nationally-known tax attorney, CPA and author has been having a lot of fun.

Miller has managed to incorporate imagination and a forward looking nature into his distinguished 30-year career. Now he is chairman of the board and an estate-planning specialist at his Miller, Ewald & Monson law firm in downtown San Diego.

"There were 55 of us when we

started under Dean Thomas Fanning," recalls the soft-spoken, distinguished-looking San Diego native with a whimsical smile. "The dean was told by the bishop that he wanted a high-class school, so they did that by being very tough on grading. By the end of the first year there were five of us. The bishop said, 'That really wasn't what I had in mind!'"

Miller discovered other obstacles to overcome as well. A graduate of Stanford University with a degree in accounting, he decided to become a tax attorney, but found that in San Diego one could not be a CPA with a

law degree; you also had to have a CPA certificate. So he worked by day as a CPA to support his family and attended USD at night. "It was a tough road to hoe," he says. "The ones who survived had patient wives who put up with us."

Esconced in a suite of offices in the San Diego Trust and Savings Building, one of downtown's oldest and most elegant structures, Miller surveys with some regret the marble floors, lush draperies and wood paneling that have served as his home away from home for his entire post-college working life. For the busy tax-oriented firm — which now employs 12 attorneys — will move to a larger, new office in January.

But Miller, 63, still has much to look forward to wherever he hangs his hat. With engaging warmth and barely-suppressed glee, he discusses his wide range of activities.

For the past six years, he has been deeply involved in development and distribution of the "Estate Forecast Model" (EFM) software, the first and only software for estate planning that has been approved by the American Bar Association's Legal Technology Advisory Council.

The EFM software is a presentation/decision assistance tool that displays on a computer screen simple to understand flowcharts and comparison tables that illustrate estate planning concepts. The program provides important dollar information and built-in growth projections, allowing the professional to work interactively with clients. EFM users can revise and modify the estate data at any time and print hard copies of the screens for the client to take home.

Says Miller: "I found out after practicing for 10 years or so that in the area of estate planning, you can't really plan for today's assets. You have to plan what the assets will be when the client dies and be able to show growth."

Miller, who claims not to be a "high tech buff," attributes his creation to a simple visual approach to dealing with his clients, helping them to understand this complex aspect of law.

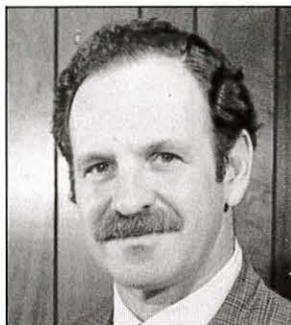
"It was simple practicality," he says. "I'm not a computer genius. It started when I used to sit at my desk with a yellow legal pad and draw diagrams like flowcharts for clients to show them the different trusts and savings."

continued on page 13

Full-time Faculty

Professor **ROBERT SIMMONS** was one of 15 individuals named to the California Judicial Council Advisory Committee on Court Facilities Design Standards. The committee was created by the state Supreme Court and is charged with making recommendations on what technology California's courtrooms of the future should be equipped with and their design. The committee also has the responsibility of recommending how the new courts should be financed. Its recommendations will go to the high court and the state legislature.

Professor **LAURA BEREND** has been involved in several activities since the end of spring semester, including the completion of preparation of evidence advocacy materials and teaching notes, to be published by The Michic Company in August in the 1989 cumulative supplement to *Materials for the Study of Evidence, Second Edition*, by Carlson, Imwinkler and Kionka. She also attended the AALS workshop on clinical legal education in Washington, D.C., in May; served as a faculty member for the 1989 Pacific Regional NITA Program held at USD in May and June; organized with the San Diego Juvenile Court a half-day cultural competency seminary held at USD on June 10; served periodically as a judge pro tem in the juvenile division of the Superior Court; and coordinated and attended a clinical retreat in June.



Don Weckstein

Professor **DONALD WECKSTEIN** taught a short course in "Arbitration Law & Practice" at Pepperdine University's Dispute Resolution Institute from June 27-July 8. He also moderated a program on "Alternative Dispute Resolution in Government Contracting" at the American Bar Association annual meeting August 7 in Honolulu; moderated a workshop at USD on mediation and other processes for resolving labor and employment grievances; co-chaired (with Professor Charles Rehms) a program on "Workplace Health and Safety Issues in the 1990s;" and presented a paper on retiree health benefits August 31 at USD. On August 17, Professor Weckstein presented a talk on "Non-Lawyers at the Switchboard: Ethical Considerations," at the state Bar Lawyer Referral Service annual workshop in Santa Barbara.



Larry Alexander

Articles authored by Professor **LARRY ALEXANDER** recently were published in *Constitutional Commentary*, the *Harvard Journal of Law & Public Policy*, the *University of Florida Law Review* and the *Northwestern Law Review*. Professor Alexander also moderated a panel at the March meeting of the Pacific division of the American Philosophical Association. He will lead a workshop at the University of Toronto Law School in October. Professor Alexander has completed work on an article on negligence and strict liability, which will appear as a chapter in a forthcoming book from Basil Blackwell; an article on unconstitutional conditions, which will appear in the *San Diego Law Review*; and an article on precedent, which will appear in the *Southern California Law Review*. And he has begun work on an article entitled "What Makes Wrongful Discrimination Wrong?"

Miller

continued from page 12

Realizing a change in strategy was in order, Miller attended a computer course six years ago with a paralegal who surprised everyone by writing all the early programs and working directly with Miller on development.

"It's made me more efficient because I do the same job more effectively in less time," he says, adding that "talking to an estate tax lawyer is like going to a doctor and he tells you half in Latin what's wrong with you." To assist other professionals utilizing the EFM with their clients, Miller also has written a primer to go along with the software which further explains the concepts of estate planning.

Miller has seen many changes in his field of expertise over the past 30 years and not much of it is good, he notes.

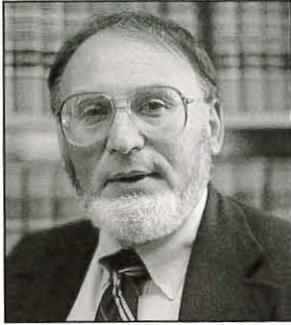
"When I started it was much nicer and much easier. They had just changed the tax code from 1939 to 1954. Now they issue a new code every two to three years. These are big and rapid changes and everybody suffers from it because you can't really do good long range planning when you don't know what the law is going to be two years down the road."

Nevertheless, he's managed to keep up with his practice while "I usually have some sort of fun thing going on the side," he explains with a

twinkle in his eye. Miller has operated a sportfishing fleet and traveled the Far East importing magnificent carved jade and ivory figurines for wholesale in the U.S. The objects are distributed discreetly around his firm's reception room and his own office.

A resident of Mt. Helix, Miller and his "patient" wife of 40 years have five grown children. And in his characteristic down-to-earth manner, he indicates he doesn't intend to stop having a good time with his work.

"We're having lots of fun all the time, and this software package was also a fun project for me. It's much better than sitting around and drawing on yellow pads."

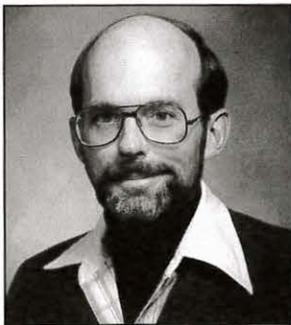


Lester Snyder

Professor **LESTER SNYDER** was invited to participate in a Peat Marwick Foundation conference on "Motivational Problems in Taxpayer Compliance: Alternatives for Improving the System." The conference was held on August 1 and 2 in Washington, D.C., and included former IRS commissioners, tax scholars and sociologists. Professor Snyder presented several methods for consideration by the IRS in providing additional incentives for compliance.

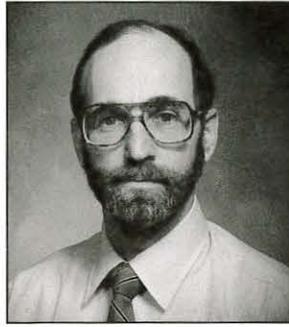
Professor Snyder and Acting Director of the Graduate Tax Program **P. GARTH GARTRELL** have been appointed co-chairs of the American Bar Association Tax Force on Section 83 Issues (a study to be published on the broadened scope of this section by IRS litigation positions and the need to re-focus the section's purpose. Section 83 deals with compensation of services with restricted type property such as stock.

Professor Snyder also has been appointed to the education subcommittee of the Taxation Section, Executive Committee of the state Bar of California, and will participate in a seminar on corporate tax issues at this fall's state Bar meeting in San Diego.



Ralph Folsom

Professor **RALPH FOLSOM** recently published a two-volume treatise with Prentice-Hall Law and Business, *State Antitrust Law and Practice*.



Grant Morris

Professor and former Acting Dean **GRANT MORRIS** was the guest speaker March 10 at the forensic in-service training program of the San Diego County Forensic Mental Health Services. Professor Morris spoke on the topic "The Role of Psychiatrists and Psychologists in the Criminal Process."

A *Landlord Tenant Handbook* prepared by associate Professor **STEVEN HARTWELL** was recently published for local distribution by the San Diego County Human Relations Commission. Professor Hartwell also led a workshop on negotiating for the Southern California Association of Law Librarians in February at the U.S. Grant Hotel. In March, he and a colleague, Dr. Roger Pace of USD's communication studies department, jointly presented a paper entitled "Group Decision-Making in a Technological Society" at the conference on Communication and the Culture of Technology sponsored by Texas A & M University.

Professor **PAUL WOHLMUTH** authored a paper on the significance of the critical legal studies movement to Western culture. The paper, "Nested Realities and Human Consciousness: the Paradoxical Expression of Evolutionary Process," was published in *World Futures: The Journal of General Evolution*.

Professor Wohlmuth also appeared on three panels at the March meeting of the North American conference on "Peacemaking and Conflict Resolution" in Montreal. The panels were "Cooperation and Struggle: Penetrating the Relentless Ambiguity of Human Conflict;" "Involving the City and the Neighborhood: New Approaches by Community Conflict Resolution Programs;" and "Beyond the Courthouse Door: ADR as a System for Consumers."

Professor **HOME KRIPKE** published a critical article on "The Conceptual Framework of the Financial Accounting Standards Board" in a special issue of New York University's *Journal of Accounting, Auditing and Finance*, with comments by four leading professors of accounting.

Adjunct Faculty

Adjunct Professor and USD alum **ALEX LANDON '71** was named "Member of the Year" by the local chapter of the National Lawyers Guild. Landon "was chosen for this honor in recognition both of the entire body of his outstanding legal work and his consistent practice of progressive politics in his legal work." Professor Landon also was the recipient of the Reginald Heber Smith Award for dedicated service and outstanding achievement while employed by a program providing defense services to the poor.

Professor **RICHARD HUFFMAN** was selected as moderator of the CEB program on new developments in criminal law which was presented in February in San Diego and Palm Springs. In addition, he has been asked to review the report of a research project on sentencing for the National Institute of Justice.

During the summer Professor Huffman served as a member of a peer review panel for the national Institute of Justice examining proposals for research grants dealing with the subject of enforcement of drug and narcotic laws. He also served as a reviewer of a research project for the National Institute of Justice in the field of search and seizure. In August, Professor Huffman served as a faculty member for the Continuing Judicial Study program in Lake Tahoe teaching a course in Superior Court criminal trials.

On April 3, the Bank Administration Institute published a handbook/guide to *Computerized Payment Operations Law* authored by Professor **JAMES VERGARI**. On April 10-11, Professor Vergari was a part of a panel with Professor Ed Rubin (U.C. Berkeley) on the topic that addressed "Commercial Paper, Checks and Automated Payments" at the California Bankers Association's 22nd annual bank counsel seminars.

Professor **RICHARD A. SHAW** of Shenas, Shaw and Spievak in San Diego recently was elected to the governing council of the American Bar Association Section of Taxation for 1988-1991. The 30,000-member national tax organization annually elects four members to three-year terms for its governing council.

Professor **JOHN ADLER** spoke on May 2 at the personnel law update 1989 seminar given by the Council on Education in Management. His topic: "Secrets of a Plaintiff's Attorney." The presentation will be re-

peated at a personnel law update on October 18 at the Omni San Diego Hotel. In March 1988, Professor Adler formed Professional Excellence In Sports, Inc. with David S. Morway '85 to represent professional athletes. In June 1989, he had four clients drafted by NBA teams. In July, 1989, he took to trial in San Diego Superior Court the wrongful termination case of *Espinola v. Fluid Systems Division* and received a jury verdict of \$410,000.

Law Board Visitors

SHARP WHITMORE, a member of the Law Board of Visitors, was hon-

ored last month at the 1989 annual meeting of the American Bar Association. He was the recipient of the Robert J. Kutak Award for "Outstanding Contribution to the Improvement of Legal Education and the Legal Profession." Whitmore currently is an advisory partner in the San Diego office of Gibson, Dunn and Crutcher. Whitmore was lauded as one of the very few practitioners who has committed time for more than two decades for the improvement and support of legal education.



Kathleen Quinn

Quinn to focus on Law School/alumni ties

The Law School's new director of development and alumni relations is excited about being the link between alumni and the school.

"A strong relationship between alumni and the school is beneficial to both," says Kathleen Quinn, who joined the Law School in mid-June. "I see a strong foundation in place al-

ready, with potential for growth."

Quinn joined USD after serving as regional vice president in San Francisco for IDC, a fund-raising consulting firm. She replaces Barbara Mendelson, who has relocated to her hometown of Chicago.

Quinn views alumni as a valuable resource to the Law School because

of the time and financial support they provide. "For example, alumni provide a valuable service to students through participation in the Law Alumni Association's Alumni Advisor Program and Law Clerk Training Programs."

She is impressed, too, with alumni financial commitment to the Law Library expansion and renovation project. She hopes to build on that commitment and increase alumni support of the Law Alumni Annual Fund, which supports both academic and student programs.

"Some alumni give their time and contributions because they see it as a way to give something back to their school," Quinn says. "Others enjoy seeing their classmates and professors, while still others want to provide the alumni leadership that they witnessed as students."

Quinn sees this year as a good time for alumni to renew contact with the Law School if they've been out of touch. "This is an exciting time," she says, "with Dean Strachan's arrival this fall and completion of the Legal Research Center less than a year away."

A graduate of the University of Wisconsin at Oshkosh with a bachelor's degree in business administration, Quinn worked in alumni relations at her alma mater before joining IDC for four years of consulting work that included clients in higher education, health care and the arts.

The Law School's Office of Development and Alumni Relations is open 8:30 a.m. to 5 p.m. in More Hall, room 203. Phone 619-260-4692.

It's history.

*The names. The dates. The places. It's all here in **The First 40 Years**, the first complete history of USD ever published.*

Authored by USD history Professor Iris Engstrand and USD alumna Clare White, this special book chronicles in words and photos the 1949 birth of the campus on a barren hilltop and traces the next four decades of its flourishing.

To order a copy of this treasure trove of memories, send \$13.95 to:

The First 40 Years

Bookstore

University of San Diego

Alcalá Park

San Diego, CA 92110

Please add \$2.50 for postage and handling.

CA residents add 7% sales tax. Checks should be made payable to USD.

Copies are limited. Order before November 1 to ensure delivery. Call (619) 260-4692 for more information.

Attention, alumni! Help us help you.

Moving? If you are moving, just tell us where and we'll make sure your USD mail continues to reach you.

Name _____ Telephone (_____) _____

Class _____ Firm _____

New Address _____ State _____ Zip _____

Keep in Touch If you'd like your fellow alumni to know what you're doing, please write a brief (and legible) statement for the Class Action section of the next Advocate. If you have a recent photo of yourself, send that along too.

Name _____ Telephone (_____) _____

Class _____ Firm _____

New Address _____ State _____ Zip _____



School of Law
Alcalá Park
San Diego, California 92110

Non-Profit Org.
U.S. Postage
PAID
San Diego, CA
Permit No. 365

ADDRESS CORRECTION REQUESTED