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# university of san diego

SCHOOL OF LAW

# advocate



HAPPY 50<sup>TH</sup> ANNIVERSARY!



Celebrating  
50 Years of  
Excellence in  
Legal Education



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### We Stand Corrected

On page 35 of the Spring/Summer 2003 issue of the *Advocate*, we omitted the name of Richard J. Doren '86 in the list of editors-in-chief of the *San Diego Law Review*. Mr. Doren served as editor-in-chief of Volume 23. The *Advocate* regrets the omission.

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Graduation 2003  
*The class of 2003 celebrates with family and friends during spring commencement festivities.*

# message from the dean



**The following is an abridged version of the address Dean Daniel B. Rodriguez gave at the University of San Diego School of Law's 50th Anniversary Inaugural Celebration, titled "Entering a New Millenium: The Dream Continues."**

On the wall of the law school at UC Berkeley, there is a quotation from the former Chief Justice of the California Supreme Court, Roger Traynor, which reads: "The law is not finished; and with any luck, it never will be." One can also say that about the University of San Diego School of Law.

Although accomplished, we are still an emerging professional school—one deeply rooted in the tradition and mission of three key institutions: our university, our profession, and our nation. And what to me is especially exciting about the anniversary is the promise of glorious times ahead.

What will the future bring? Our law school will continue to face the dilemma of being a relatively young school at a small, and also young university. Our faculty, students, and alumni, however, are naturally impatient, coveting the external recognition that is due to an institution that has made so many magnificent strides

of excellence. But we are getting there. We have the capacity, the expertise, and the vision to undertake the large and very expensive task of creating and maintaining a leading center of legal education, top research, innovative teaching, and cutting-edge programs and initiatives. Not every law school can and ought to undertake that ambitious task, but we can and should. The benchmark should be set by the great private law schools in the state and the great private law schools in the United States. The decisions we make as an institution will continue to be informed by this goal.

The law school is a place for creative innovation. We need to be responsive to changes in the legal profession with a refined, redesigned and up-to-date curriculum. We need to hire and nurture faculty who are at the cutting edge and are prepared to educate students not only in what the law "is," but also what it will "become." At one

time law schools simply trained students how to think like a lawyer. Those days are long gone. Today's demands on practicing lawyers are substantial, and it is the responsibility of law schools to train law students to hit the ground running with the skills of excellent legal analysis, persuasive legal writing, zealous advocacy, and sound knowledge of our legal and political institutions, and the values that go to the heart of the profession and of our civil society.

We are not an adjunct to the legal profession, but a part of it. We must continue to ask the hard questions: What should the legal profession be in this new century? What should our legal institutions look like? How should ethical lawyers behave? USD in the future will be a place in which these important and fascinating questions will be raised and, though not ever settled, will be engaged by our students and faculty through the grand dialectic that forms the rhetorical tradition of the legal profession throughout history.

The law school should and will be a place where we teach and preach the rule of law, democratic constitutionalism, and how to best create, maintain, and improve the institutions of a free society. We do not just inherit the institutional framework within which we function as lawyers; rather, we help design and shape that framework through our practice, law reform efforts, and scholarship. This law school

has been a fertile home of teachers and scholars who have been deeply involved in the business of nation-building; they have promoted, in their work, the values of our country and its constitutional tradition, while also offering constructive criticism where appropriate. This work has helped to refine our democratic institutions, our economy, and our legal system. In the future, the law school will continue to build actively upon this heritage.

Finally we must continue to be a place where students and faculty are engaged in social work; that is, engaged in the hard work that improves the lives and prospects of real people. The law school is proud of its work in the community on behalf of consumers, children, students with special needs, small business persons and others who live and work in our community and who need the help that a dynamic law school should provide. We will redouble our efforts as teachers and you all will redouble your efforts as friends and alumni of the law school to nurture in our students a commitment to social justice and doing good works. This is what it means to be a law school in a Catholic university and, indeed, that is what it means to be a first-rate law school anywhere.



A stylized, handwritten signature in black ink, appearing to read 'Daniel B. Rodriguez'.

Daniel B. Rodriguez  
Dean and Professor of Law



## Prof. Shaun Martin Successfully Challenges Recall Law

**F**or two weeks this past summer, USD law Professor Shaun Martin shared the spotlight with Arnold Schwarzenegger and Gray Davis in the 2003 California gubernatorial recall election.

On July 23, Martin, who teaches and writes in the areas of civil procedure, criminal law, and professional responsibility, filed a lawsuit in federal court on behalf of a group of individual voters in San Diego and Los Angeles counties to have California Elections Code Section 11382 declared unconstitutional. This section provides that unless a voter casts a vote on the recall, they cannot vote for a successor candidate.

In ruling that this section violated the U.S. Constitution, U.S. District Court Judge Barry Moskowitz on August 4 declared that "Section 11382 substantially burdens the right of citizens of California to vote on a successor governor in the event of a recall by conditioning the counting of that vote on whether the voter cast a ballot on the question of recall."

"(The change in the law) allowed a lot of votes to be counted that would otherwise have been discarded," says Martin.

Martin's quest was widely covered by the national and international news media. Stories about his recall effort appeared not only in major newspapers such as *The New York Times*, *Los Angeles*



*Times*, and *Boston Globe*, but was also reported extensively in smaller papers throughout the country, such as the *Allentown (PA) Morning Call*, *Traverse City (MI) Record-Eagle*, and *(Little Rock) Arkansas Democrat Gazette*. There was also extensive coverage of the constitutional challenge in the broadcast media and on news websites such as MSNBC.

*Selected Top Magazine in Two Major Competitions*

## 2003: A First-Place Year for the *Advocate*

**T**he publication you are now reading is the number one magazine in the San Diego metropolitan area, according to the San Diego County Bar Association and the Public Relations Society of America, San Diego Chapter.

On May 2, 2003, the *Advocate* was presented with the first-place San Diego County Bar Association Media Award in the magazine/newsletter category. These awards recognize excellence in communicating legal information to the public.

Although the *Advocate* had taken first place in the SDCBA Media Awards in previous years, this year marked the first time the law school's alumni magazine had ever won top

honors in the Edward L. Bernays Mark of Excellence Awards, given by the Public Relations Society of America, San Diego Chapter.

"The Bernays Awards recognize the expertise and dedication of professionals within the San Diego public relations industry," says Joice Truban Curry, president of the PRSA San Diego Chapter and c3 Communications Inc. "This year's winning entries capture some of the finest work in our profession. We had a record turnout of submissions and attendance, showing that the San Diego



PR industry is not only doing incredible work but growing strong."

Other winners in the 2003 PRSA competition included Sea World San Diego, the San Diego Convention Center, the Port of San Diego, ScrippsHealth, UCSD, and several of the area's top public relations agencies.

## Dedication of the Darrell D. Bratton Classroom

**O**n October 15, 2003, the School of Law named and dedicated the Darrell D. Bratton Classroom in honor of the respected scholar and beloved friend. Dean Daniel Rodriguez told Professor Bratton during the unprecedented dedication, "It is certainly appropriate to note that it is just a symbol of a much more significant permanent connection you have with all of us who have worked with you, learned from you."

The room full of loving friends and colleagues more than substantiated the dean's statement. During the reception, Bratton was hardly visible for the hugs and handshakes from well-wishers.

"This is an acknowledgement for 37 years of law teaching at the University of San Diego," said Dean Rodriguez, "and we're absolutely proud that we're able to commemorate this in this way and absolutely delighted that you've been able to join us this afternoon."

Bratton, who taught at the School of Law since 1967, served the university and the law school in a variety of roles. He was a member of the original committee which drafted the University of San Diego Senate's constitution and by-laws. He subsequently served six terms as chair of the senate.

Bratton represented the law school on a number of university-wide committees and taught in the areas of contracts, trusts, federal jurisdiction, civil procedure, federal courts, international civil litigation, conflict of laws and Native American law. He was the director of the Law Graduate Program as well as director of the law programs in Oxford, England and Guadalajara, Mexico for USD's Institute on International and Comparative Law. In 1997, Professor Bratton received the Sally M. Furay Service Award in recognition of his work with the Kairos Prison Ministry, for which he served as state chairman

and prison minister at the R.J. Donovan Correctional Facility.

Msgr. Daniel J. Dillabough began the dedication with a prayer expressing the desire that the classroom be a place where teachers and students can strive with the same dedication as Professor Bratton. The prayer was followed by remarks from Dean Rodriguez and Professor Bratton.

Bratton said modestly, "I do accept this honor with tremendous gratitude, but I also want to accept it in the name of all you other teachers who are so dedicated and work so hard. I hope that when you teach in or go into the Darrell D. Bratton classroom that you will see this plaque as honoring you as well and your efforts . . . I honor you all, and I share this honor with you. And I thank you for your friendship over the years, for all you have taught me and shared with me."

The plaque in the Darrell D. Bratton Classroom reads:

*Darrell's love of life and service to others are commemorated here by his colleagues and friends. May all who enter the Darrell D. Bratton classroom be touched by the indomitable spirit, consummate integrity and unfailing good humor of this gentle and caring man. Dedicated on 15 October 2003.*

Professor Darrell Bratton passed away Saturday, November 15, 2003 from cancer.



**Professor Darrell Bratton speaking at a dinner on May 7, 2003, in honor of his 36 years of teaching law.**



*The Father of Administrative Law*

### Remembering Kenneth Culp Davis



**T**he University of San Diego School of Law mourns the loss of Professor Kenneth Culp Davis, who on August 30, 2003 died at the age of 94. Generally recognized as the father of administrative law, Davis was an important addition to the law school where he tenured from 1976 to 1994. He provided invaluable expertise and attracted many other prestigious law faculty members to the university.

A prolific author and respected legal scholar, Davis shaped the field of administrative law with his text, *Administrative Law*, in 1951 and his six-volume treatise, *Administrative Law Treatise*, in 1958. As Carl Auerbach, Davis' longtime friend and colleague at USD puts it, "Some lawyers practicing before government agencies doubted that there was a unified body of law that could be described as administrative law. Ken's treatise created the field."

Richard Pierce, a law professor at George Washington University and the current author of Davis' administrative law treatise, echoes Auerbach and says that Davis' 1951 text, "brought

the field together, integrating its parts into a coherent whole and explaining the central role of administrative law in modern government."

To this day, Davis' treatise is the bible for the many thousands of lawyers who practice before administrative agencies and judges who review agency decisions. Bill Funk, chair of the Administrative Law Section of the American Bar Association, points out, "Davis' shadow falls over virtually all that administrative lawyers do . . . To say he was a giant in his field is like saying Mt. Everest is a big mountain."

Beyond establishing and organizing the field of administrative law, Davis made many other notable contributions. Davis was one of the founders of the Administrative Procedure Act, the federal statute that is the foundational law governing the relationship between the federal administrative agencies and those individuals and businesses they affect.

He strongly influenced the law providing when government must hold trials or trial-like hearings to establish the existence of certain facts, and when government may assume a fact to exist and act on the basis of that assumption without proving its existence in a trial or trial-like hearing. He coined the terms "adjudicative facts" and "legislative facts" to refer respectively to those two types of facts.

Yet another topic that captured Davis' attention was the vast amount of policy discretion in the hands of administrative officials. In his influential monograph, *Discretionary Justice*, published in 1969, he brought an en-

lightened perspective to the judgments that are administered outside of the courtroom by government officials. He argued passionately for controlling officials through highly constraining legal rules rather than through vague standards that permitted them to make policy choices.

Over his lifetime, Davis received several honors for his work. Most notably, in 1976, he received the American Bar Association award for outstanding research contributions in law and government and, in 1979, he was voted into the prestigious American Academy of Arts and Sciences.

"Davis was an indefatigable worker who well into his eighties was writing and keeping abreast of the numerous developments in his vast field. He was also fiercely competitive and physically fit, frequently challenging and defeating much younger men at squash and racquetball," says USD law Professor Larry Alexander. Davis kept in shape well into his later years, saying he needed it to stay in condition for writing, "When I don't get strenuous physical exercise regularly, my writing declines."

Born in 1908 in Leeton, Mo., Davis graduated from Whitman College in 1931 and received his law degree from Harvard in 1934. After practicing for a few years in both private practice and with the federal government, he became a law professor. Before joining the USD faculty, he taught at the University of West Virginia, the University of Texas, the University of Minnesota, Harvard University and the University of Chicago.

*Stephanie Rahlfs and David Uyar's Brief Selected as the Best of the Best*

## Two Students Receive Scribes National Best Brief Award

**S**tephanie Rahlfs and David Uyar, class of 2003, were selected by Scribes—The American Society of Writers of Legal Subjects—as the winners of their 2003 National Brief-Writing competition. Every year, a committee from Scribes reviews the best briefs from national moot court competitions and selects the best of the best.

Rahlfs and Uyar's winning brief, *The Republic of Sandia v. The United Commonwealth*, originally won Best Memorial at the 2002 International Environmental Law Moot Court Competition organized by Stetson University in St. Petersburg, Fla.

Uyar says of his involvement with Moot Court, "Moot Court has really helped my researching and writing abilities as well as my confidence when speaking to the court. Some of the feedback that you get from the competition judges is truly invaluable."

While at USD School of Law, Uyar also received the Michael Moore

Memorial Scholarship in 2002.

He is currently clerking for a medical malpractice defense firm in Los Angeles.

Rahlfs was shocked when she found out that she and Uyar won the award: "It's an amazing honor. Knowing the great students we were up against, it was such a shock knowing we came up on top."

Rahlfs, winner of two national moot court competitions, found her experience in Moot Court invaluable. "Best thing I could have done for myself in law school. I learned so much about research and how to construct an argument."

The award was presented in August to Dean Rodriguez on behalf of Uyar and Rahlfs at a Scribes conference in San Francisco. Scribes is an organization of judges, lawyers, legal editors, writers and law teachers who seek to improve legal writing. For the last fifty years, Scribes has sponsored writing competitions, workshops, and institutes, and published legal periodicals.



David Uyar '03 and Stephanie Rahlfs '03 with their Scribes award plaques.

*USD Adjunct Labor Law Professor*

## Jerry J. Williams—Teacher, Author, Humanitarian

**T**he School of Law mourns the passing of Jerry J. Williams, a former adjunct professor, who died on August 10, 2003 at the age of 72. Mr. Williams taught jurisprudence and labor law at USD for 14 years during the 1960's and 1970's. He also headed the Labor-Management Relations Center.

Williams was a senior partner at Brundage, Hackler, Williams and Zellmann, where he practiced labor law and worked as an arbitrator. Some of his clients included the Teamsters Union, Carpenters Union, Butchers Union, San Diego Police Officers Association, Iron Workers Union, Musicians Union, Plumbers Union and the American Federation of Television and Radio Artists (AFTRA).

An avid writer in a variety of subjects, he published *Contemporary Astrology*—a book describing the evolution of astrology—and wrote dozens of short stories and three unpublished novels. He was also a great reader and book collector, donating over 10,000 volumes to National University. He received his J.D. at UCLA and almost completed a Ph.D. in psychology while in retirement.

A great humanitarian, he volunteered at crisis hotlines, provided free legal advice to veterans and volunteered at an AIDS clinic.

*To Help USD Law Students Pursuing Careers in the Public Sector*

## Tim C. Rothans Scholarship Fund to Memorialize Alumnus

**T**im Rothans '97 was tragically killed in an auto accident over the July 4, 2003 week-end. His friends and family have begun a fundraising effort to create the Tim C. Rothans Public Service Scholarship in recognition of his life and work as a public servant. Tim was deputy director of the Real Estate Assets Department of the City of San Diego, where he managed all city-owned property. He had worked in city government for almost 20 years.

"My brother Tim was an incredible human being," says Steven J. Rothans, Esq., a partner in the Los Angeles law firm Carpenter, Rothans & Dumont. "His moral compass was always due north. He knew right from wrong and believed it was simply black and white. Tim worked tirelessly for the

city in an effort to obtain the best lease rates from the city's various tenants. He truly felt that every dollar he could negotiate from a lessee meant that many more hours that the city's pools could remain open. His efforts as a public servant will be truly missed. His impact as a son, brother, father and husband will be and are also deeply missed."

The purpose of the scholarship will be to provide scholarship assistance to USD law students pursuing careers in the public sector or in public interest law. To make a gift to this scholarship fund, please contact Catherine Smith '97 at [Catherine@collaborativeservices.biz](mailto:Catherine@collaborativeservices.biz) or at 619-232-2212, or Trevin Hartwell, director of development and alumni relations, at [thartwell@sandiego.edu](mailto:thartwell@sandiego.edu), or at 619-260-4692.



## USD Law Grads Achieve Superior Pass Rate in July 2003 California Bar Exam

**A**mong first-time takers of the July 2003 California Bar Examination, graduates of the University of San Diego School of Law had one of the highest passing rates of all law schools in California.

USD's passing rate for first-time takers was **83 percent**. The passing rates for the 5,364 first-time applicants who took the exam in July were 63.5 percent overall and 71.5 percent for applicants who attended California law schools approved by the American Bar Association.

Of the 19 public and private ABA-approved law schools in the state, only three—Stanford Law School, University of California at Berkeley (Boalt Hall) School of Law, and the University of California at Los Angeles School of Law—had higher passing rates. The USD School of Law had the highest passing rate of all law schools in the San Diego Metropolitan Area.

"We are obviously ecstatic about these results," says Dean Daniel

Rodriguez. "We have evidence from several years of excellent bar passage rates that our law school program prepares our students very well for the rigors of the difficult California bar exam."





*50*  
years

*Time to  
Celebrate*



## Happy 50th Anniversary, USD School of Law!

*Story by George Decker  
Photos by Carol Sonstein*

On September 30, 2003—a beautiful autumn evening—almost 300 alumni and friends gathered in the Joan B. Kroc Institute for Peace and Justice to inaugurate the celebration of the University of San Diego School of Law's golden anniversary, marking 50 years of excellence in legal education.

After a 50th anniversary prayer by Msgr. Daniel J. Dillabough, USD's vice president for mission and ministry, Dean Daniel B. Rodriguez welcomed the assemblage and then introduced Dr. Mary E. Lyons, president of the University of San Diego. Dr. Lyons spoke of the law school's many achievements: a faculty ranked 22nd in the nation; an excellent law library containing more than 500,000 volumes; outstanding areas of specialization; and live-client legal clinics rendering valuable service to the community.

To the delight of all and the surprise of many, Thomas J. Fanning—the law school's first dean, who served from 1954 to 1955—made his return as special guest of honor. After Student Bar Association President Laurie Gormican read a biographical sketch of Dean Fanning, 96, President Lyons and Dean Rodriguez escorted him up onto the stage and presented him with a commemorative 50th anniversary medallion. After receiving several standing ovations, Dean Fanning thanked everyone and remarked on how far the law school has progressed during the past 50 years.

As an array of historical images—some from nearly 50 years ago—appeared on a dual-screen backdrop, Professor Grant Morris introduced Professor C. Hugh Friedman to begin the historical program. Professor Friedman, who began teaching here in 1958, gave the audience highlights of the law school's earliest years, many from his own vivid memories. Back then, he recalled, “students had to wear coats and ties, even in the library, and each class began with a prayer.”



**Thomas J. Fanning, the School of Law's first dean, looking dapper at the 50th anniversary inaugural celebration. Sadly, Dean Fanning passed away less than two months later on November 22, 2003.**





Then Sister Sally Furay took the stage to cover “the merger years”—1967 to 1972—during which the School of Law, the College for Women and the College for Men negotiated and then concluded their merger into what became the University of San Diego. Sister Furay is an alumna of the law school (Class of 1972) and was an adjunct law professor here, as well as vice president and provost of the University of San Diego.

Taking the baton from Sister Furay, Professor Larry Alexander and Professor Bert Lazerow brought the audience from 1972 to the present. With humor and illuminating detail, the duo tracked the law school's boom years, when its size, quality and reputation grew by leaps and bounds.

With Dean Rodriguez taking the podium for the last time, the focus shifted from the law school's past to its future.

In his address, titled “Entering a New Millenium: The Dream Continues,” Dean Rodriguez first touched upon the great strides the law school has made over the past 50 years, and then laid out a “wish list” for the promise of glorious times ahead. He underscored the need for the law school to continue to be a center for creative innovation—hiring and nurturing faculty at the cutting edge of their profession. The law school must teach and preach the rule of law, and be a leader in legal reform, he went on to say. The law school should continue to be a place where students and faculty engage in social work—on behalf of children, consumers and those with special needs.

The events and festivities celebrating the law school's 50th anniversary—including the visits of Justice Antonin Scalia on February 16, 2004 and Justice John Paul Stevens on April 7, 2004 (see related story on page 23)—will culminate with the all-alumni weekend of April 23-25, 2004. Plans include a gala dinner dance featuring Judge Alex Kozinski of the Ninth Circuit Court of Appeals as keynote speaker, continuing legal education, a faculty/alumni golf tournament, and a Sunday champagne brunch. Concurrent with the gala weekend will be reunion receptions for the classes of 1963, 1964, 1968, 1969, 1973, 1974, 1978, 1979, 1983, 1984, 1988, 1989, 1993, 1994, 1998, 1999 and 2003.

**Lower left:** Professor Larry Alexander and Professor Bert Lazerow at the inaugural celebration.

**Below, left:** Professor Larry Alexander, circa 1979.

**Below, right:** Sister Sally Furay at the inaugural celebration.

**Far right:** Sister Sally Furay, circa 1977.





**Above, left:** USD President Dr. Mary E. Lyons presents Dean Fanning with a commemorative 50th anniversary medallion.

**Above, right:** Professor C. Hugh Friedman, at the inaugural celebration, and in the late 1950s.

**Below:** Dean Daniel Rodriguez, right, is presented with the Governor's Proclamation by Gary Rotto of Governor Davis' San Diego regional office.



### Proclamation by the Governor of the State of California

WHEREAS, the University of San Diego School of Law was founded in 1954, under the leadership of the Most Reverend Charles Francis Buddy, Ph.D., D.D., USD founder and first Bishop of San Diego, and regent Father James T. Booth; and

WHEREAS, in April 1954, the first classes of the USD School of Law were initiated under the direction of Dean *Pro Tempore* Thomas J. Fanning and Father Booth; and

WHEREAS, the USD School of Law graduated its first class of eight men in 1958, and its first female law graduate the following year; and

WHEREAS, the USD School of Law obtained accreditation from the California State Committee of Bar Examiners in 1959 and from the American Bar Association in 1961, and was admitted to the Association of American Law Schools in 1966; and

WHEREAS, in 1996, the USD School of Law became an official chapter of the Order of the Coif, joining an elite group of American law schools in a national legal honor society that recognizes law schools for excellence; and

WHEREAS, with an outstanding faculty, a talented student body, and a dedication to innovation, the USD School of Law has grown to become one of the most distinguished law schools in the United States; and

WHEREAS, the USD School of Law has provided an outstanding legal education to more than 11,000 women and men, including many distinguished federal and state judges, private practice and public sector attorneys, preeminent law teachers and scholars, government officials, business leaders, and public interest advocates; and

WHEREAS, on September 30, 2003, the University of San Diego School of Law will inaugurate the celebration of its 50th anniversary;

NOW, THEREFORE, I, GRAY DAVIS, Governor of the State of California, do hereby proclaim September 30, 2003 as "University of San Diego School of Law Day."

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 23rd day of September 2003.

*Gray Davis*

*Governor of California*



## A Time to Look Back—1954 to 1971

Feature by Angie Jensen

"The members of the law school, especially early members, sacrificed an easier path, more accolades and perhaps more personal reward in order to establish this law school . . . This is an anniversary, a time to look back and thank those who have gotten us here."

Dean Daniel B. Rodriguez  
University of San Diego School of Law

celebrating

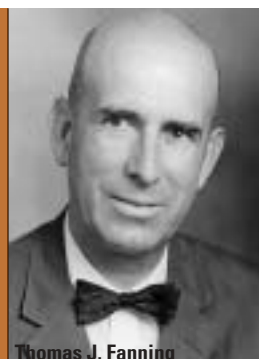
50  
years

of excellence  
in legal education



### 1955

**Howard S. Dattan** becomes the first dean. Many of the early students are older, more experienced, and have jobs and families. Several of the professors are younger than the students.



Thomas J. Fanning

### 1954

The University of San Diego School of Law is born of the Most Rev. Charles F. Buddy's dream of a Notre Dame of the West. The law school opens as a part-time evening school under the direction of Dean *Pro Tempore* Thomas J. Fanning and Father James T. Booth, Regent. The first classes meet in April at the University High School with 55 evening students. Bishop Buddy tells Dean Fanning that he wants to turn out first-rate lawyers; Dean Fanning says that he knows how to do that—grade hard. Only five students finish the first year.

# 1957

In December, the law school moves to the newly constructed St. Thomas More Hall, now Warren Hall. Faculty members and students literally carry over all 10,000 volumes of its library to the law school's new location.



# 1958

The law school's first commencement is held June 1st in conjunction with the College for Men. Earl C. Burton, the vice president in charge of development at the University of Southern California, is the commencement speaker, addressing the topic "Wisdom in an Age of Materialism." Only eight men make up the law school's first graduating class.



## Howard S. Dattan

*First Dean, 1955-1960*

Howard S. Dattan had been a member of the law school faculty since its inception in 1954, and his effective leadership as dean helped pave the way for the law school's accreditation by the American Bar Association. Dattan ran the four-year program by pulling together a staff of part-time evening instructors from local lawyers and judges.

Prior to his work at USD, he worked with the law firm Higgs, Fletcher and Mack and was a law partner of Judge Martin of Encinitas. Dattan received his bachelor's degree from the University of Southern California and his law degree from the University of Santa Clara. During World War II, he served as an Air Force Major in the African and Italian theatres and was awarded the Legion of Merit.

## Thomas J. Fanning

*Dean Pro Tempore, 1954-55*

In 1954, Thomas J. Fanning was asked to serve as the first dean of the newly founded University of San Diego School of Law. Although characterized as dean "*pro tempore*" because the new law school had only a part-time evening program, Fanning's dedication and commitment were anything but limited. After serving as dean, Fanning remained on the faculty for the next three years.

Fanning graduated from St. Mary's College in Moraga, California and then went on to receive his law degree at Hastings Law School in San Francisco. After practicing law in San Francisco and Yreka, Fanning returned to San Diego, where he was an assistant district attorney before becoming a deputy city attorney. Fanning later represented the San Diego Catholic Diocese on a pro bono basis during Bishop Buddy's administration.



# 1959

The first full-time day classes begin. The first woman student, Mary E. Harvey, graduates. The law school is accredited by the State Bar of California.

# 1960

**The Very Rev. Martin McManus** replaces Howard S. Dattan and is appointed the first full-time dean. Eighty-eight students are enrolled. Tuition is only ten dollars per credit, students are required to wear coats and ties, and classes begin with a prayer.





# 1961

The law school receives provisional accreditation by the American Bar Association (ABA). As a condition of receiving ABA approval, the law library must reside in a separate and unique location from the university's general library. Therefore, the law library is moved from USD's Knights of Columbus Library to the top floor of the law school building.

## General George Hickman

*Acting Dean, 1963-64*

A professor of law at USD since 1961, General George Hickman taught constitutional law, personal property, legal ethics, and torts. Prior to working at the law school, Hickman served as an army judge advocate general and as a legal advisor in the Armistice Delegation in Korea.

McManus received his B.S. in 1926 from the U.S. Military Academy, attended Infantry School at Ft. Benning, Ga. from 1931 to 1932 and completed Command and General Staff School at Ft. Leavenworth, Kan. in 1940. He went on to receive an LL.B. from Harvard Law School in 1948 and an AMP degree from Harvard School of Business in 1956.

# 1963

**General George Hickman** serves as acting dean after the Very Rev. Martin McManus returns to Rome. The law school is fully approved by the ABA. Since the founding, one hundred men and one woman have earned their degrees. The dress code requiring coats and ties in the library is relaxed.



General George Hickman



Joseph A. Sinclitico

# 1962

The Law Wives Club is organized as an auxiliary to the Student Bar Association. They assist with orientation, senior lunches and other law school social functions.



## Very Rev. Martin McManus

*Dean, 1961-63*

The Very Rev. Martin McManus was hired by the law school as a professor in 1959. He taught constitutional law, jurisprudence, torts and personal property. As dean, he started the dollar-a-year club—a group of practicing attorneys and judges who were paid a dollar a year to teach part-time. He left the law school to return to Rome in 1963.

McManus was a retired naval officer and chaplain of the San Diego Chargers. He received his B.A. from John Carroll University in 1939, his LL.B. from Georgetown University School of Law in 1942, his LL.M. from the University of Southern California School of Law in 1946 and his J.D. from New York University School of Law in 1961.

# 1964

**Joseph A. Sinclitico** begins his deanship and leads the school through continued growth and curriculum revision. The *San Diego Law Review* publishes its first issue. The issue contains only 143 pages and includes an address by Secretary of Labor W. Willard Wirtz to the American Association of Law Schools at their annual meeting on December 29, 1963, in which he spoke of the impact of the assassination of President Kennedy just five weeks earlier. Following issues will attract a wide array of famous names, ranging from U.S. Supreme Court Justices John Paul Stevens, Sandra Day O'Connor and Tom C. Clark to Leon Wildes, John Lennon's attorney.

## Joseph A. Sinclitico

*Dean, 1964-72*

Hired as a law professor in 1960, Joseph A. Sinclitico taught contracts, jurisprudence, civil procedure, corporations, taxation, sales, equity, trusts and wills and administration. While dean, Sinclitico represented the law school in the USD merger proceedings. It was under his leadership that the law school was admitted to the Association of American Law Schools, began the Appellate Moot Court program and instituted programs to attract disadvantaged students. He was also one of the faculty advisors for the first issue of the *San Diego Law Review*.

Prior to working at the law school, Sinclitico was an assistant professor at St. Louis Law School and an associate professor at Duquesne University School of Law. He received his A.B. from Holy Cross College in 1936 and his LL.B. from Harvard Law School in 1939.

## 1970

The Institute on International and Comparative Law is created and eventually conducts summer law study programs in France, England, Ireland, Italy, Russia, Spain and Mexico. The institute was the first U.S. law school program on the European continent.

## 1971

**Joseph S. Brock** serves as acting dean.



Joseph S. Brock



## 1967

Dean Sinclitico worries that the draft is significantly hurting law school enrollment all over the country. He commissions Professor Herbert Lazerow to recruit those who would not be drafted; women. Six women and approximately 165 men are admitted this year.

## Joseph S. Brock

*Acting Dean, 1971-72*

Joseph S. Brock joined the law school in 1960 when Father McManus hired a group of professors to meet the American Bar Association accreditation requirement of employing full-time faculty. He taught trusts and estates, insurance, administrative law, equity, real property, family law, criminal law and constitutional law.

Brock served as the assistant trust officer for the Bank of America; the attorney and acting sec. chief of the Department of Justice in Washington, D.C.; chief assistant commissioner of corporations for the State of California, and the associate general secretary at Stanford.

Brock received his B.A. from the College of St. Thomas in 1926 and his LL.B. from Stanford Law School in 1931.

## 1966


The law school gains admission to the prestigious Association of American Law Schools.



## 1965

Two hundred ninety students are enrolled; 14 percent are women.

*The timeline covering historical highlights of the University of San Diego School of Law from 1972 to the present will appear in the Spring/Summer 2004 issue of the Advocate.*



# History of Outstanding Teachers and Scholars

*The Foundation Upon Which  
We Continue To Build*

*Story by Angie Jensen*

With the law school's start as an evening school in 1954, its students generally spent all day working before entering the classroom at the end of the day. This sort of schedule, however, wasn't limited to only the students; almost everybody involved with the law school had a day job. Even the dean was part-time.

The faculty was made up of nine practicing attorneys and judges who volunteered to teach classes at night. A full-time dean wasn't hired until 1960, and full-time faculty members weren't hired until the early 1960's when three full-time professors were recruited to meet American Bar Association requirements. Even then, the faculty was mostly made up of members of the dollar-a-year club—a group of attorneys and judges who were paid a dollar a year to teach part-time.

It did not take long for the law school to outgrow those pioneering years; by the 1970s the school was attracting distinguished and nationally renowned professors like Kenneth Culp Davis (University of Chicago), Nathaniel Nathanson (Northwestern University), and Herbert Peterfreund and Homer Kripke (New York University). Recently, our law faculty was ranked among the highest-rated law school faculties in the nation, with a ranking of 22nd in a survey conducted by Educational Quality Rankings (one of the most thorough evaluations of American law faculty quality).

Our faculty now consists of outstanding teachers and scholars in virtually every major field of law. They enjoy national reputations in many areas, including administrative law, children's advocacy, civil



rights, commercial law, constitutional law, criminal law, international and comparative law, professional ethics, public interest law, tax law, and interdisciplinary studies, including law and economics, and law and philosophy. Faculty members author leading casebooks and treatises, scholarly monographs published by the finest university presses, and influential articles in the nation's leading law reviews. Ten faculty members belong to the prestigious law reform group, the American Law Institute.

In addition, our faculty's strong commitment to public service is evidenced by the wide variety of clinics, institutes and advocacy centers founded and supported by faculty members. For instance, the Children's Advocacy Institute (CAI), founded in 1989 by Professor Robert C. Fellmeth, works to improve the status and well-being of children in our society by representing their interests and right to a safe, healthy childhood.

USD's Clinical Education Program is also recognized as one of the most extensive and successful in the nation. The law school has received the Emil Gumpert Award from the American College of Trial Lawyers for excellence in trial advocacy training. The clinical programs cover the areas of consumer, housing, family, administrative, mental health, environmental, immigration, criminal, juvenile, special education and tax law.

As the University of San Diego School of Law celebrates its 50th anniversary, we take great pride in our faculty's exceptional teaching, scholarship and commitment to public service. The following are just a few of the law school's many faculty members whose commitment to excellent teaching and scholarship over the past 50 years has given us the foundation upon which we continue to build.



**Carl Auerbach**

*Distinguished Professor of Law  
(1985 to present)*

*B.A. 1935, Long Island University;  
LL.B. 1938, Harvard University*

The 1994 recipient of the prestigious American Bar Foundation

Award for research in law and government, Carl Auerbach has been teaching administrative and constitutional law at the USD School of Law since 1985.

Earlier in his career, Auerbach was a member of the legal staff of the Labor Department's Wage and Hour Division, served on the National Defense Commission and was general counsel for the Office of Price Administration (OPA).

He later taught at the University of Wisconsin Law School and was a Fulbright Scholar at the London School of Economics and Political Science, a fellow with Stanford University's Center for Advanced Study in the Behavioral Sciences and dean of the University of Minnesota Law School.

**Kenneth Culp Davis**

*Distinguished Professor of Law (1976-1994)*

*A.B. 1931, Whitman College, LL.B. 1934, Harvard University*

A prolific author and respected legal scholar, Kenneth Culp Davis shaped the field of administrative law with his numerous publications. His six-volume *Administrative Law Treatise*, the first comprehensive source of administrative law, and *Administrative Law* left an invaluable legacy by unifying the field of administrative law and explaining its central role in modern government. He was also one of the founding fathers of the Administrative Procedure Act, the federal statute that is the foundational law governing the relationship between the federal administrative agencies and those individuals and businesses they affect.

In 1976, Davis received the American Bar Foundation award for research in law and government. Later, in 1979, he was voted into the prestigious American Academy of Arts and Sciences. Before joining the USD faculty, he taught at the University of West Virginia, the University of Texas, the University of Minnesota, Harvard University and the University of Chicago.



### Sister Sally Furay

*Adjunct Professor of Law and School of Law Legal Clinic Supervisor  
(1973-1993)*

*Vice President and Provost of the University of San Diego (1972-1996)  
B.A. 1949, Duchesne College; M.A. 1952, San Francisco College for Women,  
Ph.D. 1955, Stanford University; J.D. 1972, University of San Diego*

While vice president and provost of the University of San Diego, Sister Sally Furay proposed and taught a course on sex discrimination and the law for the School of Law. Remembering the process of putting together the curriculum back in 1974, she says that the law was "ripe with blatant sex discrimination," and that "USD was on the cutting edge. No textbook existed at the time."

Sister Furay started teaching literature and drama at USD's College for Women prior to its merger with the College for Men and the School of Law. While serving as the academic dean of the College for Women, she became interested in the legal aspects of college administration and decided to attend USD's School of Law. She passed the California Bar Examination in 1972 and went on to serve as USD's vice president and provost for 25 years.



Sister Furay has served on numerous professional, civic and legal committees, including as a member of the Board of Directors of the San Diego County Bar Association, vice president of the San Diego County Bar Association, chair of Senator Boxer's Judicial Appointments Advisory Committee for the Southern District of California, the first woman president of the Western College Association and board chair of the National Association of Catholic Colleges and Universities.

### Yale Kamisar

*Distinguished Professor of Law (2002-Present)*

*Visiting Professor of Law (2000-2002)*

*A.B. 1950, New York University; LL.B. 1954, Columbia University*

Widely known as the "Father of Miranda," Yale Kamisar is one of the nation's foremost authorities on criminal procedure. He teaches and writes extensively in the areas of criminal law, the administration of criminal justice and the "politics of crime." Kamisar has written more than 35 law review articles and essays on criminal law and procedure, many of which have been quoted or

cited by the U.S. Supreme Court. Although Kamisar's special interest is in police interrogation and confessions, he has written numerous articles on search and seizure, wiretapping and elec-



tronic eavesdropping, the right to counsel, and the "politics of crime." He is a vigorous defender of the "exclusionary rule" and a noted expert on issues related to euthanasia and physician-assisted suicide.

Kamisar taught at the University of Minnesota Law School from 1957 to 1964 and joined the University of Michigan law faculty in 1965, where he is currently the Clarence Darrow Distinguished University Professor of Law.

### Homer Kripke

*Distinguished Professor of Law (1982-1994)*

*A.B. 1931, J.D. 1933, University of Michigan*

A pioneer in the development of consumer credit law, Homer Kripke came to teach at USD in 1982. Kripke was also a leader in the fields of commercial law, securities law and legal accounting.

Kripke spent five years in private practice until he became the assistant solicitor of the United States Securities Exchange Commission. He also served as in-house counsel for several major U.S. financing companies developing the new field of consumer credit and participated in drafting Article 9 of the Uniform Commercial Code, a radical departure from previous American chattel security law.





He served on important boards and committees, including the Permanent Editorial Board of the Uniform Commercial Code, the SEC's Advisory Committee on Corporate Disclosure and the American Bar Association's Committee on Federal Regulation of Securities.

Kripke was formerly the Chester Rohrlach Professor of Corporate Law, Finance and Taxation and Director of the Securities Institute at New York University School of Law.

### **Ronald H. Maudsley**

*Visiting Professor of Law (1966, 1970, 1976)*

*Distinguished Professor of Law (1977-1981)*

*B.C.L., M.A. 1947, Brasenose College, Oxford; S.J.D. 1959,*

*Harvard University; LL.D. 1976, Birmingham University; LL.D. 1978, University of San Diego*



In 1977, Ron Maudsley immigrated to the United States to become a professor of law at USD and NYU. By that time, Maudsley had become one of England's outstanding legal scholars. He taught trusts, estates, property and equity; and was a well-known expert on the rule against perpetuities. While at USD, he returned to England annually to direct the USD Summer Institute on International and Comparative Law at Oxford, which he was instrumental in establishing.

Maudsley taught at Oxford's Brasenose College for almost

twenty years before accepting an appointment to a chair in English Law at Kings College, London. He also served as the Justice of Peace for Oxford City, was a member of the Ministry of Agriculture Consumer Protection Committee, chaired the Associated Television Educational Advisory Committee and was an underwriting member of Lloyds of London.

In 1992, the USD School of Law founded the Maudsley Fellows Society, a distinguished group of the law school's most generous donors.

**Recently, our law faculty was ranked among the highest-rated law school faculties in the nation, with a ranking of 22nd in a survey conducted by Educational Quality Rankings**

### **Nathaniel L. Nathanson**

*Distinguished Professor of Law (1977-1983)*

*B.A. 1929, LL.B. 1932, Yale University;*

*S.J.D. 1933, Harvard University*



Nathaniel L. Nathanson served as a law clerk to the Honorable Julian Mack of the Second Circuit Court of Appeals and the Honorable Louis D. Brandeis of the U.S. Supreme Court. He taught law at Northwestern University School of Law from 1936 to 1977, where he was named professor emeritus. That same year, he was named a distinguished professor of law at the University of San Diego and spent alternate semesters at the two institutions until his death in 1983.

Nathanson was best known for his work in the areas of administrative law, constitutional law, civil liberties and human rights. He pursued these interests through service to the government, the American Society of International Law, the Indian Law Institute, the Japanese American Society of Legal Studies, the American Academy of Arts and Sciences, the Constitutional Convention of Palau, the American Civil Liberties Union and the Anti-Defamation League of B'nai B'rith.

One of Nathanson's early students was John Paul Stevens, now a Justice of the Supreme Court of the United States. As the first Nathaniel Nathanson Lecture Series speaker, Justice Stevens emphasized his indebtedness to Nathanson for the instruction that led him, as a law student, to think for himself about legal problems.

**As the University of San Diego School of Law celebrates its 50th anniversary, we take great pride in our faculty's exceptional teaching, scholarship and commitment to public service.**

**Herbert Peterfreund**

*Distinguished Professor of Law (1978-1995)*

*A.B. 1933, Penn State University; LL.B. 1936,*

*Harvard University; LL.M. 1942, Columbia University*

Herbert Peterfreund was the Frederick I. and Grace A. Stokes Professor at New York University School of Law, where he taught for 32 years, before retiring and coming to the University of San Diego School of Law in 1978.

Peterfreund specialized in civil procedure, contracts, evidence and federal jurisdiction. He was a noted expert on New York civil procedure and wrote numerous books on New York practice, including *New York Practice—Cases and Other Materials* (McLaughlin), *Manual of New York Practice* (1st & 2nd eds.) and *Appleton's New York Practice* (5th & 6th ed.). He also served as the U.S. Commissioner of Jurors for the Southern District of New York from 1954 to 1968.

Peterfreund was a popular teacher and enjoyed interacting with students. At NYU he won the university's Great Teacher Award in 1968. Stephen Gillers, a former student, once commented, "There is a certain kind of teacher, few in number, who can dare and support you at the same time. Students will accept things from Peterfreund they wouldn't tolerate from another teacher. Why? I



think it goes back to how Justice Holmes described the perception of motive and intent. Even a dog, he said, knows the difference between when it's been kicked and when it's been tripped over. Herb never kicked a student. He would just go merrily along tripping over them until they learned not to be in the wrong way."

**W. Willard Wirtz**

*Distinguished Professor of Law (1985-1999)*

*B.A. 1933, Beloit College; LL.B. 1937, Harvard University;*

*LL.D. 1990, University of San Diego*

One of the most renowned practitioners and leaders in the field of labor law, W. Willard Wirtz came to USD in 1985 to teach contemporary problems in labor law.

Wirtz taught at Northwestern University School of Law from 1939 to 1954, except for a brief interval when he served with the Board of Economic Warfare in 1941, the National War Labor Board from 1943 to 1945 and as the chairman of the National Wage Stabilization Board in 1946.

In 1961, he succeeded Arthur Goldberg as secretary of labor, a post he held during the Kennedy and Johnson administrations. As secretary of labor, he successfully handled several of the major strikes of the 1960s, encouraged research to identify labor shortages, led the "War on Poverty," and contributed to the passage of the landmark 1964 Civil Rights Act and the enactment of the Occupational Safety and Health Act.



U.S. Supreme Court Justices John Paul Stevens and  
Antonin Scalia Will Visit USD in Early 2004

Story by George Decker

# two happy returns

It has been more than nine years since Justice Antonin Scalia visited the University of San Diego School of Law. For Justice John Paul Stevens, it has been more than 19 years. During the spring 2004 semester, the law school community will warmly welcome the distinguished jurists back to the USD campus for two very special events.

A black and white photograph of Justice Antonin Scalia standing at a wooden podium, speaking into a microphone. He is wearing a dark suit, a white shirt, and a dark tie. He has glasses and is looking slightly to his right. In the background, several students are seated at desks, some looking towards the speaker. The room has a drop ceiling with square tiles. The word "Scalia" is written in large, orange, sans-serif font on the right side of the image, partially overlapping the background.

# Scalia

On Monday, February 16, 2004, Justice Scalia will serve as Chief Justice for the final round of the second annual Paul A. McLennon, Sr. Honors Moot Court Competition, which will be held at the Joan B. Kroc Institute for Peace and Justice on the USD campus.

More than 150 USD Law students are taking part in the 2004 McLennon Competition. In its final round, two students will argue before Justice Scalia and two other judges a case that is both highly topical and provocative: [ACLA v. Planned Parenthood of Columbia/Willamette, Inc.](#) The case, which had been argued before the Ninth Circuit Court of Appeals, seeks to determine whether a pro-life/anti-abortion organi-

zation's posters and website materials constitute a true threat or protected speech under the First Amendment of the United States Constitution.

The last time Justice Scalia visited here was October 19, 1994, when he gave that year's Sharon Siegan Memorial Lecture before an audience of 750 in USD's Shiley Theater. His hour-long extemporaneous speech probed national controversies about abortion rights, capital punishment and the Supreme Court's caseload. Earlier that day, Justice Scalia had wowed students in Professor Bernard Siegan's constitutional law class with his brilliance, charm and wit.

In October 1984, Justice Stevens came to the School of Law to inaugurate the annual

Nathaniel L. Nathanson Memorial Lecture Series. Justice Stevens had been a distinguished former student and colleague of Prof. Nathanson at Northwestern University School of Law, and much of Justice Stevens' lecture was a warm, affectionate tribute to his law school mentor, who had died the year before. The next day, Justice Stevens held an impromptu open forum with students, in which he gave his views on a wide range of issues.

On April 7, 2004, Justice Stevens will reprise his role as Nathanson speaker when he gives the 20th lecture in the series, which has also featured Justice Harry A. Blackmun in 1993 and Justice Sandra Day O'Connor in 1992 as guest lecturers.

#### **ABOUT JUSTICE ANTONIN SCALIA**

Justice Scalia was seated as an Associate Justice of the United States Supreme Court on September 26, 1986, after having been nominated by President Reagan. Born March 11, 1936 in Trenton, New Jersey, Justice Scalia received his A.B. from Georgetown University and the University of Fribourg, Switzerland, and his LL.B. from Harvard Law School. He was in private practice in Cleveland, Ohio from 1961 to 1967, a professor of law at the University of Virginia from 1967 to 1971, and a professor of law at the University of Chicago from 1977 to 1982. He was appointed Judge of

the United States Court of Appeals for the District of Columbia Circuit in 1982. Justice Scalia is the first American of Italian heritage appointed to the U.S. Supreme Court.

#### **ABOUT JUSTICE JOHN PAUL STEVENS**

Justice Stevens took his seat as an Associate Justice of the United States Supreme Court on December 19, 1975, after having been nominated by President Ford. Born in Chicago, Illinois, April 20, 1920, Justice Stevens received an A.B. from the University of Chicago and a J.D. from Northwestern University School of Law. He served in the U.S. Navy from 1942 to 1945 and was a law clerk to Justice Wiley Rutledge of the United States Supreme Court during the 1947 term. He was admitted to law practice in Illinois in 1949. Justice Stevens was associate counsel to the Subcommittee on the Study of Monopoly Power of the Judiciary Committee of the U.S. House of Representatives, 1951 to 1952, and a member of the Attorney General's National Committee to Study Antitrust Law, 1953 to 1955. From 1970 to 1975, Justice Stevens served as a judge of the United States Court of Appeals for the Seventh Circuit. His article, "Judicial Restraint," was published in Volume 22 of the *San Diego Law Review* at page 437 (1985).





Theo Epstein '00 looks back at his thrilling first season as general manager of the Boston Red Sox and his years at the USD School of Law



## That (Almost) Championship Season

In November 2002, at the age of 28 years and 11 months, Theo Epstein '00 became the youngest general manager in the history of Major League Baseball when he took the helm at the Boston Red Sox. Originally from the Boston area, Epstein did his undergraduate work at Yale and, after graduating in 1992, was hired as an intern with the Baltimore Orioles by its then public relations director, Dr. Charles Steinberg. Steinberg, in turn, brought Epstein to the attention of Orioles CEO Larry Lucchino, who brought Epstein with him when he and Steinberg left for San Diego in 1995. After Epstein enrolled at the USD School of Law in 1997, he continued to scout for the San Diego Padres.

Epstein's first year as Bosox GM was exhilarating, to say the least. His team barely missed a trip to the World Series, being edged by the New York Yankees 6 to 5 in the 11th inning of Game 7 of the American League Championship Series.

## Interview by George Decker and Kimball Denton '06

**What were your first thoughts when Dr. Steinberg told you that you would have to enter law school if you wanted a job with the Padres?**

I actually worked at the Padres for two years before I started law school. The Padres were very supportive of my decision to go back to school, but by no means did they push me to go. Because I didn't play pro ball and I wasn't from an old-school baseball family, I thought a law degree would help get me where I wanted to go in baseball.

**What led you to apply to and attend the University of San Diego School of Law in particular?**

I wanted to keep working for the Padres while I attended a great law school, so USD was a natural fit both in terms of proximity and quality.

**How were you able to manage to hold a full-time job with the Padres and attend law school at the same time?**

Both the Padres and USD were very flexible and allowed me to bounce back-and-forth from work to school as much as I needed. The baseball season is a grind, so I really had to make the most out of what little study time I could find. I had to focus on the big picture and try to get a grasp on the major themes

of each class. That minimalist approach allowed me to think clearly about legal issues rather than get bogged down by the details of the case law. Plus, I was able to trade Padres tickets for class outlines, which always came in handy.

**Did you have any favorite law professors or law courses at USD?**

I wouldn't feel right singling out any one professor; they were all very engaging. Sports law and negotiations were the most helpful classes for my work in baseball.

**At USD, did you get involved in any student organizations—the Sports and Entertainment Law Society, for example—or any other extracurricular activities?**

Nope.

**Who were some of your classmates that you hung out with while you were a law student at USD?**

Jon Rosser... Chris Lester... Shannon Kelley

**Are there any other memories from your time at USD that really stand out?**

Not for print. . .

**Although you have been quoted as saying that you never wanted to be a lawyer, how has your legal**

**education helped you in your baseball career?**

In order to survive, law students must develop solid analytical instincts and critical thinking ability. I think these skills are helpful in any career and especially in baseball.

**You had a remarkable first season as general manager of the Boston Red Sox. Is the job what you had expected it to be? What did you enjoy most about this past season? What was the biggest challenge?**

The extremes of this job have surprised me. I expected to have fun, but I never expected this much fun, working with such great people to achieve a common goal. I expected scrutiny, but I never expected to be examined under a microscope every day. I expected stress, but I never expected to have gray hair already.

The best part of the job is working hard to win, and then watching the people I care about the most—my friends and family—enjoy the team's success. It doesn't get much better than that.

The most challenging part of the job—besides keeping up with the Yankees—is balancing the short-term and long-term interests of the club. We all want to win now, but to have a chance to win every year sometimes we have to make some short-term sacrifices.







# GRADUATION

On Saturday, May 24, 2003, diplomas were awarded to 350 graduates of the University of San Diego School of Law, with thousands of friends and relatives joining them in the Jenny Craig Pavilion to celebrate their achievements.

Alec L. Cory, Esq., founding partner of the San Diego law firm Procopio, Cory, Hargreaves & Savitch, LLP, was awarded an honorary Doctor of Laws degree and served as the featured speaker at the commencement ceremonies. In his remarks, Mr. Cory talked about the major role lawyers have played in bringing about important societal progress over the course of American history. Professor Roy Brooks was awarded the 2002-2003 Thorsnes Prize for Excellence in Teaching; Professor Michael D. Ramsey received the Thorsnes Prize for Outstanding Legal Scholarship; and Professor Michael R. Devitt received the 2002-2003 Award to a Visitor for Excellence in Teaching.

PHOTOS BY PABLO MASON





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"While those of us up here would like to take full credit for this training, for this incredible experience you have had, the truth is that a key part of your great training has involved your relationships with one another. Make no mistake about it: You have been deeply involved throughout these years in teaching one another. And your education has been essentially enriched by the dynamics, energy, and talents of your remarkable class."

*Dean Daniel B. Rodriguez  
University of San Diego School of Law*

**From upper left:** 1. Erik Michael Liggins (center) beams with pride after the commencement ceremonies. 2. It's OK to relax... finally. New grads gather in the courtyard of the Jenny Craig Pavilion. 3. Karen Steege of Germany displays her new LL.M. in Comparative Law. 4. A few dozen of the thousands of friends and relatives of graduates who attended the commencement. 5. Dean Daniel B. Rodriguez congratulates the Class of 2003.

# GRADUATION

**Clockwise from upper left:**

6. Sharon Larkin is all smiles on graduation day. 7. Anna Lou Tirol adjusts her cap for the camera.

8. Professor Darrell C. Bratton, who served as one of the three student marshals at commencement.

Professor Bratton died Nov. 15, 2003, at age 65, after 36 years as a member of the law faculty at USD. 9. Grads together for the last time (until, of course, the next Law Alumni Weekend).

10. USD President Alice B. Hayes, who began her retirement a month later.

11. Waiting in the wings, lined up for the Processional. 12. Members of the audience try to spot individual grads.



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8



9 10



11 12



2003

# GRADUATION 2003



**Upper right:** Karin Pizer, Class of 2003 valedictorian.

**Lower left:** Alec L. Cory, Esq., who was awarded an honorary Doctor of Laws degree and served as the featured speaker at commencement.



"This great country—growing as it is as a nation governed by the rule of law (a relatively new concept in the context of world history), owes its beginnings, its progress and, yes, its future, in large part to the courts of justice and to the legal profession. Lawyers and judges played a major role in conceiving a new nation to be governed by laws adopted with the consent of the governed—and in the writing of the two documents which gave eloquent expression to this novel principle—statements we know as the Declaration of Independence and the Constitution of the United States. And since these magnificent documents were signed approximately 210 years ago, the legal profession and the courts of justice have been and will continue to be the leading instruments bringing to life the principles those documents express. And you, with your law school education as a start, are equipping yourselves to serve a significant role in the process. Now, isn't this the reason you decided to study law?"

*Alec L. Cory, Esq.*





## Graduates Receive Awards

### CENTER FOR PUBLIC INTEREST LAW AND CHILDREN'S ADVOCACY INSTITUTE

Outstanding Contributor to the California

Regulatory Law Reporter: Randall Sjoblom

Outstanding Public Interest Advocate Award: Amanda Rushforth

James A. D'Angelo Outstanding Child Advocate Award:

Heather Boxeth, Janis Burnett

### LEGAL CLINIC AWARDS

Outstanding Civil Clinic Intern: Daniel Streeter (Co-Recipient  
2002); Laura Lucero, Jason Sparta (Co-Recipients 2003)

Outstanding Criminal Clinic Interns: Julie Baldwin (Prosecutor);  
Timothy Garrison, Frederick Gotha (Defense)

Outstanding Entrepreneurship Clinic Interns: Mark Wisnosky,  
Rebecca Yebba

Outstanding Immigration Clinic Intern: Joseph Goodnight

Outstanding Mental Health Law Clinic Intern: William Phillips

Outstanding Small Claims Clinic Intern: Michael King

Outstanding Tax Clinic Interns: Thomas FitzGerald, Agnes Gesiko

Outstanding Environmental Clinic Intern:

*Professor Robert & Dolores Simmons Award for Excellence in Environmental  
Law Practice:* Christian Polychron

### INTERNATIONAL ACADEMY OF TRIAL LAWYERS AWARD

Excellence in Advocacy Course and Trial Court Work:

Timothy Garrison

### COMMUNITY DEFENDERS, INC. AWARD

A Demonstrated Commitment to Indigent Criminal Defense:

Frederick Carroll, John Ellis, Jr.

### AMERICAN BANKRUPTCY INSTITUTE MEDAL OF EXCELLENCE AWARD

Renee Schmidt

### APPELLATE MOOT COURT PROGRAM

Board Members: Megan Callan, Frederick Carroll, Melissa Cheney,

Robin Derman, Erin Gibson, Nicole Hudspeth, Erik Liggins,

Claudia Martorell, Emily Murphy, Tiffany North, Stephanie Rahlfs,

Brian Soo-Hoo, David Tibor, David Uyar

Chair Award: Nicole Hudspeth

# AWARDS

**Top:** Nicole Hudspeth receives from Professor Gail Heriot the Owen Stark Heriot Award for an outstanding student who is a veteran or a current member of the armed forces.

**Middle:** Professor Robert Fellmeth congratulates Randall Sjoblom on receiving the Center for Public Interest Law/Children's Advocacy Institute award for outstanding contributor to the *California Regulatory Law Reporter*.

**Bottom:** Philip Jelsma presents Zane Tominna with the Luce Forward Hamilton & Scripps award for the highest grade point average in the Master of Laws in Taxation Program.



#### **PRACTICING LAW INSTITUTE AWARDS**

For Excellence in Moot Court: Megan Callan, Melissa Cheney, Nicole Hudspeth, Claudia Martorell, Emily Murphy, Tiffany North, Brian Soo-Hoo, David Tibor, David Uyar

#### **MOCK TRIAL PROGRAM**

Theresa Alldredge, Benjamin Benumof, Emily Burns, Joseph Charles, Shauna Durrant, John Elworth, Krishna Haney, Shaka Johnson, David Leatherberry, Erik Liggins, Jessica Matulis, Jessica Mitchell, Amy Rose, Sam Sherman

#### **AMERICAN BOARD OF TRIAL ADVOCATES AWARD**

Outstanding Trial Competition Team: Theresa Alldredge, Shaka Johnson, Jessica Matulis

#### **THORSNES, BARTOLATTA & MCGUIRE AWARD**

Excellence in Trial Advocacy: Theresa Alldredge

#### **ORDER OF BARRISTERS AWARDS**

Theresa Alldredge, Emily Burns, Frederick Carroll, Joseph Charles, Robin Derman, Erin Gibson, Shaka Johnson, Erik Liggins, Jessica Matulis, Stephanie Rahlfs

Statue of Justice: Nicole Hudspeth

#### **JOURNAL OF CONTEMPORARY LEGAL ISSUES AWARDS**

(Vol. 13) 2003 Student Editors: Shauna Durrant, Jeannette Filippone

#### **LAW REVIEW AWARDS**

Members: Jay Bell, Benjamin Benumof, Sean Burdick, J. Burns, Megan Callan, Aileen Mo Dawson, Barbara Ellis, Jeannette Filippone, Agnes Gesiko, Erin Gibson, Matthew Jubenville, Karli Jungwirth, Daniel Kobrinski, Nathan Leedy, Michael McCarthy, Jessica Neff, John Rickenbrode, Hayden Smith, Mark Stirrat, Byron Yafuso

Editors: David Bernardoni, Susan Brake, Emily Burns, Edward Fates, Erika Fernbach, Erika Harrington, Michael Kiesling, Heather Krantz, Amy Lusby, Christopher Martin, Angela Patterson, Jennifer Savage, Renee Schmidt, Kahn Scolnick, Randall Sjoblom, Daniel Streeter, Rachel Tait, Adam Welland, Jason Wisniewski, Amy Wood

Editor-in-Chief: Amy Wood

#### **SAN DIEGO INTERNATIONAL LAW JOURNAL AWARDS**

Members: Heather Boxeth, Julie Delahunt, James Pennington, Christian Polychron, Daniel Shama, Keith Sieverding

Editors: Alisha Armstrong, Sarah Bawany, Janis Burnett, Jessica Cook, Rachel Cook, John Ellis, Jr., Kristy Fischer, Michael Grehl, David Greiner, Dylan Malagrino, Darrell Nguyen, Leah Plaskin, Matthew Sinnott, Christopher Swanson, Gabriel Telles, Amanda Rushforth, Cary Sullivan, Mya Wonsyld, Rebecca Yebba

Editor-in-Chief: Dylan Malagrino

#### **THE HONORABLE GERALD BROWN PROGRESS AWARD**

Greatest Increase in Grade Point Average, First to Third Year: Michael Hernandez

#### **JOSEPH P. BUSCH, JR. CRIMINAL JUSTICE AWARD**

Outstanding Student in Criminal Justice: Michael Bosley

#### **IRWIN J. KAHN AWARD**

Excellence in Real Property: Kelly McCann

#### **RALPH GANO MILLER TAX AWARD**

Excellence in Taxation Law: Keith Sieverding

#### **GENERAL GEORGE W. HICKMAN, JR. AWARD**

Outstanding Student in Constitutional Law: Kahn Scolnick

#### **OWEN STARK HERIOT AWARD**

Outstanding Student Who is a Veteran or Current Member of the Armed Forces: Nicole Hudspeth

#### **RANDOLPH A. READ LAW AND PSYCHIATRY AWARD**

Outstanding Contribution to Law and Psychiatry: Kristin Kubas

#### **BRUNDAGE & ZELLMANN AWARD**

Excellence in Labor Law: Kelley Boland

#### **JAMES R. WEBB ENVIRONMENTAL LAW AWARD**

Outstanding Student in Environmental Law: Christian Polychron

#### **ALEC L. CORY PRO BONO AWARD**

For Contributions to Pro Bono Causes During Law School Years: Amy Rose

#### **PAUL, PLEVIN, SULLIVAN & CONNAUGHTON AWARD**

Highest Cumulative Grade Point Average in the General Master of Laws, Master of Laws in Business & Corporate Law, and Master of Laws in International Law Programs: Vincent Roth

#### **FROMAN & WAGNER, LLP AWARD**

Highest Cumulative Grade Point Average in the Master of Laws in Comparative Law Program: Markus Gamp

#### **LUCE, FORWARD, HAMILTON & SCRIPPS AWARD**

Highest Cumulative Grade Point Average in the Master of Laws in Taxation Program: Zane Tommina

#### **DISTINGUISHED SERVICE AWARDS**

Joseph Goodnight, Nicole Hudspeth, Dylan Malagrino, Forest Wilkerson, Amy Wood

#### **LEGAL SCHOLARSHIP AWARDS**

Highest Cumulative Grade Point Average, Evening Division: Byron Yafuso

Highest Cumulative Grade Point Average, Day Division:

Karin Pizer

#### **VALEDICTORIAN AWARD**

Karin Pizer

# AWARDS

**Top:** Renee Schmidt, winner of the American Bankruptcy Medal of Excellence Award.

**Bottom:** Student organization service award recipients gather onstage.



# ORDER OF THE COIF

## Class of 2003 Members

Susan M. Brake  
 Emily F. Burns  
 Joseph F. Charles  
 Rachel Christine Cook  
 Jessica Kristin Cook  
 Edward G. Fates  
 Jeannette V. Filippone  
 Timothy R. Garrison  
 Michael Robert Kiesling  
 Heather M. Krantz  
 Nathan G. Leedy  
 Michael Patrick McCarthy Jr.  
 Jessica Ann Neff

Karin Pizer  
 Christian C. Polychron  
 John G. Rickenbrode  
 Kathryn G. Roth-Douquet  
 Amanda Lois Rushforth  
 Jennifer Jenkins Savage  
 Renee Schmidt  
 Kahn A. Scolnick  
 Randall R. Sjoblom  
 Gabriel Grace Solmer  
 Daniel Streeter  
 Rachel F. Tait  
 Jason Robert Wisniewski



# class action

Class Action is an update on the personal and professional news of your classmates and other alumni.

Please submit information and photographs to the *Advocate*, USD School of Law, Publications Department,

5998 Alcalá Park, San Diego, CA 92110-2492. You may also e-mail your news to [lawalum@sandiego.edu](mailto:lawalum@sandiego.edu).



NANCY ELY-RAPHEL '68

## '68

**NANCY ELY-RAPHEL** was named vice president and managing director of development programs by Save the Children, a nonprofit child development and relief organization. She will direct international development programs focusing on HIV/AIDS, economic opportunities, basic education, and maternal and child health. She will also work to increase awareness of the needs of mothers and children in developing nations.



HON. LELAND B. HARRIS '72

## '69

**KENT "BUCK" LEWIS** is a Fresno County Superior Court judge and was one of the judges consulted for the legislation that is now California's three-strikes sentencing law. He and his wife, Charlene, are also involved in Samaritan Women, an organization that helps former female convicts re-enter society.



BRANDON BECKER '77

## '72

**LELAND B. HARRIS** is a County of Los Angeles (Van Nuys) Superior Court judge who handles everything from DUI to murder cases.

**TOM WARWICK**, after three terms on the San Diego County Bar Association (SDCBA) Board of Directors, was sworn in as president on Dec. 5, 2003. He specializes in criminal defense law and is a partner at Grimes & Warwick.

## '75

**JAN S. DRISCOLL** recently became a partner at Allen Matkins Leck Gamble & Mallory LLP. She practices environmental, land use and water rights law.

**BRUCE M. GINSBURG** was reappointed to the Philadelphia Trial Lawyers Association Board of Directors. He is the head of his own firm, Ginsburg & Associates, and handles and tries major cases in Pa., N.J., N.Y. and Calif. in the field of personal injury.

**DAVID SCHLAUDECKER** wrote to tell us that he has stopped practicing law and is now blessed to be the executive director of a not-for-profit organization called Leadership Toledo. As executive director, he develops leadership and community involvement opportunities for adults and youth in the Toledo, Ohio area.

## '77

**BRANDON BECKER** and **SANDRA NEIMAN HAMMER BECKER '78** recently celebrated their twenty-fifth wedding anniversary. Their eldest son completed his first year in the University of Maryland honors program, and their youngest son continues his vocational training at the Benedictine School for Exceptional Children.

## '78

**JEFFREY S. BOSTWICK** was appointed to the San Diego Superior Court bench in January 2003.

**BERNADETTE PROBUS** had a published opinion at the California Fourth District Court, 11/19/03, Wasatch v. Degrate. She now waits for an oral argument date to be set at the California Supreme Court. She enjoys being "Nana" to her four-year-old granddaughter, Alexis Rose.



**TOM WARWICK '72**



**DAVID SCHLAUDECKER '75**



**FREDERICK SCHENK '78**



**MACE J. YAMPOLSKY '79**

**FREDERICK SCHENK** was named secretary of the Board of Directors of the Civil Justice Foundation, a non-profit organization committed to preventing consumer injury. He is a senior partner with the San Diego firm Casey Gerry Reed & Schenk and focuses on product liability, personal injury, asbestos law and drug litigation.

**SANDRA NEIMAN HAMMER BECKER** and **BRANDON BECKER '77** recently celebrated their twenty-fifth wedding anniversary. Their eldest son completed his first year in the University of Maryland honors program, and their youngest son continues his vocational training at the Benedictine School for Exceptional Children.

**'79**

**MACE J. YAMPOLSKY** successfully defended his client in a fourteen-count sexual assault case. He was able to point out the many inconsistencies in the testimony, and it took the jury less than forty-five minutes to come back with

a verdict of not guilty on all counts. The charges could have potentially resulted in life imprisonment.

**'80**

**JANET BERONIO** was made the senior vice president and general manager of Harrah's Rincon Casino & Resort. Previously, she worked in Harrah's Phoenix Ak-Chin Casino Resort.

**'81**

**MARK PROTHERO** is one of the public defenders on Gary Ridgway's (the so-called "Green River Killer") defense team. Mark's assignment was not a surprise considering he specializes in DNA-evidence cases for the Associated Counsel for the Accused, and works in southern King County, where Ridgway's 48-victim crime spree occurred. He also continues to pursue his love of swimming by working as the Kentwood High School swim coach in Covington, Wash.

## Present Your Case to Prospective Students

**D**o you remember deciding whether or not to go to law school? How about the hours that you spent wondering which law school to attend?

Applicants admitted to USD are struggling with these very same questions. They are eager for an opportunity to speak with you about your law school experience and discover what you think about the following:

- What is it really like to attend USD?
- Why is studying the law a worthwhile endeavor?
- What are the opportunities available in today's legal profession?

If you are interested, we will provide you with the names of a few admitted applicants who want to learn more about USD. Contacting these prospective law students is of immeasurable value to them as well as to the law school's recruitment efforts. Inquiries from applicants are generally received by the Admissions Office from February to April.

We need your support and so does the incoming Class of 2007. Please contact Gloria Aguilar at 619-260-4528 or e-mail the Admissions Office at [jdinfo@sandiego.edu](mailto:jdinfo@sandiego.edu) if you are interested in our Alumni Ambassador Program. We appreciate your involvement and are eager to hear from you.



Los Angeles Daily Journal Names Top 50 Women Litigators in State

## Virginia C. Nelson '79—A Top California Woman Litigator

**V**irginia C. Nelson '79 was recently named one of the Top 50 Women Litigators in California in the *Los Angeles Daily Journal*. Honorees were selected based on input from leading lawyers, readers' nominations, and the *Daily Journal's* research on women involved in important court cases.

Of the list, the *Daily Journal* stated, "We knew that women had become a force in our courtrooms, but still we were amazed at the depth of talent that's out there across every practice area and style. . . . They have all earned a large measure of our profession's respect. They also are all owed a debt of gratitude from men and women alike for their insistence on excellence, their demand that they be judged on the merits, for defying expectations and further opening the door for the next generation."

Nelson's insistence on excellence has not only gained her recognition as a top female attorney, but as a top attorney in general. She has been widely recognized for her work, most notably when she was invited to be a member of the American College of Trial Lawyers. According to the college, "Fellowship . . . is by invitation, extended only after careful investigation, to those experienced trial lawyers who have demonstrated exceptional skill as advocates and whose professional careers have been marked by the highest standards of ethical conduct, professionalism and civility."

The college has the distinction of being the most selective trial lawyer

organization in North America, stipulating that membership can never be more than 1% of the total lawyer population of any state or province. Nelson is the only female member in San Diego.

**"We knew that women had become a force in our courtrooms, but still we were amazed at the depth of talent that's out there across every practice area and style. . . . They have all earned a large measure of our profession's respect."**

She has also received three Outstanding Trial Lawyer Awards, has been listed in Best Lawyers of America since 1993, has received the 1990 University of San Diego School of Law Distinguished Alumni Award, and was selected as America's Finest City's Legal Professional of the Year in 1991. In addition, she has received the Bernard Witkin Award for excellence in the teaching, practice, enactment, and adjudication of the law; and the Daniel T. Broderick Award, representing the highest level of civility, integrity and professionalism.

For more than 20 years, Nelson, a sole practitioner, has practiced in the areas of personal injury and medical malpractice litigation. She has represented many seriously injured clients in state and federal courts and has



VIRGINIA C. NELSON

extensive experience litigating Kaiser matters in the arbitration arena.

The *Daily Journal* Top 50 list celebrates the growing influence women have in the courtroom. Over her career, Nelson has also noticed the change, saying that she sees far more female judges, female experts, and women actually handling and trying the cases. She notes that, "It looks more like a cross section of daily life. The conversation and camaraderie is much more enjoyable than it used to be because there is more balance and perspective."

Nelson remains actively involved with the School of Law. She is currently on the Board of Visitors and teaches portions of the Civil Practicum Class. Formerly, she served as a member of the Board of Directors of the Law Alumni Association. "It is a terrific school and I will always want to continue my ties to the school, hopefully with more teaching in the future. I find the students impressive and energetic."

**PAUL SCHIMLEY** was made partner at Richardson and Harman LLP in Pasadena, Calif. He will be overseeing the firm's employment litigation department. Formerly, he was a partner at Wolfe and Wyman LLP.

**JEFFREY E. THOMA** has been the Mendocino County Public Defender since January 1997. He is a nationally recognized expert on DNA and served as a commissioner on the United States Department of Justice's Commission on the Future of DNA Evidence from 1997 to 2001. He is currently on the Board of Directors of the National Community Sentencing Agencies and the Board of Governors of California Attorneys for Criminal Justice. He is also a consultant and speaker for the National Drug Court Institute.

## '82

**SUSAN C. RONEY** is a managing partner at Nixon Peabody's Buffalo, N.Y. office. She prosecutes and defends commercial litigation cases, including contractual disputes, health care, construction, insurance, environmental, and trademark and patent infringement claims. She and her husband, Steven, have two children, Victoria (8) and Stephanie (6).

## '84

**BOB GAGLIONE'S** radio show, "Independent Counsel," has been moved to Mondays from 6:00 to 7:00 p.m. on KCBQ 1170AM. His first

show on KCBQ featured a review of the U.S. Supreme Court's 2002-03 term, including an interview with USD law Professor Michael Ramsey.

**DONALD JONES** was recruited by QUALCOMM Incorporated to be the vice president of business development. He is working on taking wireless technologies into the health-care field. In his spare time he continues to enjoy sailing and good wine.

## '86

**KARLA BURTON**, member of the LL.M. class of '86, was elected to the Boulder, Colo. City Council in June 2003. She currently heads Burton Dispute Resolutions, LLC, a practice limited to mediation, arbitration and other forms of alternative dispute resolution. Since graduating from USD School of Law, she has earned her Master of Laws in Labor Law from Georgetown University Law Center. In 1998, she retired from the U.S. Air Force at the rank of lieutenant colonel as the chief of the Air Force Central Labor Law Office in Washington, D.C.

## '88

**JULIE MEYER BELL** and husband, Steve, adopted Anya Eleanor and Amelia Masha on Dec. 21, 2002. Julie says the twin sisters, born on April 17, 1998, were the first children to be adopted internationally from the formerly "closed" city of Arzamas in Russia.

## '89

**PATRICIA GARCIA** was appointed as a judge on the San Diego County Superior Court in July 2003. Prior to this, she presided over child support cases as a superior court commissioner.

## '90

**MARK BALE** recently joined the law firm of Thompson & Alessio in San Diego as an associate attorney. The firm is co-partnered by John Alessio '94.

**DAVID M. SULLIVAN** recently accepted a new position as corporate litigation coordinator in the Risk Management Department of Enterprise Rent-A-Car in St. Louis.

## '91

**MARK BRNOVICH** was hired by the Goldwater Institute in Phoenix, Ariz. as the director of its new Center for Constitutional Government. The center researches electoral reform, property rights, regulatory and administrative law, judicial oversight, federal-state relations, and civil liberties. Brnovich was formerly an assistant attorney general for Arizona.



**SUSAN C. RONEY '82**



**BOB GAGLIONE '84**



**KARLA BURTON '86**

## class action



HON. PATRICIA GARCIA '89



DAVID M. SULLIVAN '90



MARK BRNOVICH '91

**BRENDEN J. GRIFFIN** has been named partner in the firm of Lewis and Roca LLP. He practices in the firm's Tucson, Ariz. office as a litigator and concentrates in the areas of ERISA, insurance bad faith, and life, health, and disability insurance. Griffin is a member of the Arizona State Bar and the Pima County Bar Association, as well as the Arizona Association of Defense Counsel.

**KEVIN MANN** joined a German-owned specialty company as in-house counsel; previously, he worked in criminal prosecution. He is married to Marie Mann '89, and they have two children, Shelby (8) and Kylie (6).

**CHARLOTTE PRICE-ORCUTT** was sworn-in as a Superior Court Commissioner in San Joaquin County, Calif. on June 9, 2003. She is handling traffic infractions and DULs.

**GAY ZIDE** has been handling misdemeanor criminal cases as an attorney for the Ventura County Public Defender's Office for the last year and a half.

## '92

**MARY E. BOWEN** was sworn in for a six-year term as a member of the Pennsylvania State Board of Nursing on Oct. 23, 2003. She has been a faculty member at Jefferson College of Health Professions in Philadelphia since 1997 and is currently the director of graduate nursing programs and the vice chair of the Department of Nursing. Since graduating from the law school, she has also received an M.N. from UCLA, a B.S.N. from the University of San Diego, and a post master's Family Nurse Practitioner Certificate from Stony Brook University.

**DAVID HIRSCH** recently took a position with the Ventura County Public Defender's Office.

**REGINA STRICKROTH** became a shareholder in Novit, Scarminach & Akins, P.A. She is the lead attorney for their Residential Real Estate Division and has been practicing on Hilton Head Island and in Bluffton, S.C. for the last nine years. She and her husband, Kevin Jay, live in Bluffton with their two children, Savannah and Jake.

## '93

**JAMES GORDON MYLES** was one of fifteen attorneys selected for the inaugural Leadership Development Program in the Office of Hearings and Appeals of the Social Security Administration. He is currently assigned to the United States Attorney's office in San Diego and specializes in

## Did You Graduate in 1998 or Later?

### *You May Be Eligible for Loan Repayment Assistance*

**T**he Loan Repayment Assistance Program (LRAP) provides student loan repayment assistance to graduates pursuing public interest careers. The LRAP fund is supported by the third-year class gift and alumni giving. The primary eligibility criteria for consideration include the following:

- Employment with an IRS Code 501(c)3 or 501(c)4 organization
- Graduation from USD School of Law in 1998 or later
- Minimum loan debt (law school only) of \$40,000

In addition, the LRAP Governing Board (consisting of faculty, administrators and current students) considers other factors when reviewing applications. A full description of the program is included with the application packet, and the information is also on the law school's website ([www.sandiego.edu/usdlaw](http://www.sandiego.edu/usdlaw)). Applications will be available in the School of Law Financial Aid Office after April 1, 2004. For more information, please call 619-260-4570.



MARY E. BOWEN '92



DAVID HIRSCH '92



GIA HONNEN WEISDORN '93



ALLEN B. WALBURN '95

Social Security law as a special assistant United States Attorney. He lives in Mira Mesa with Debra, his wife, and their 2-year-old son Jacob.

**GIA HONNEN WEISDORN** became a lecturer in Business Law at Pepperdine University's Graziadio School of Business and Management.

'94

**DANIEL BEAN** currently works at Holland & Knight in Jacksonville, Fla. He is also serving his second term on the Jacksonville Bar Association's Board of Governors. He practices commercial litigation in state and federal courts.

'95

**KELLI MORTON (J.D. '95, LL.M. '96)** and Jeff Brown are thrilled to announce the birth of their daughter, Anika Taylor Brown, on Nov. 11, 2002. Kelli is working as general counsel for Cavalry Asset Management in San Francisco, and Jeff is a corporate attorney for Bechtel.

**ALLEN B. WALBURN**, member of the LL.M. class of '95, was made a partner at the San Diego office of Allen Matkins Leck Gamble & Mallory LLP. He specializes in taxation and business law and lives in San Diego with his wife, Robby.

'97

**MONICA L. PIERCE** was recently promoted to partner after six years with Alverson, Taylor, Mortensen, Nelson & Sanders.

'98

**JASON "JAY" DINWOODIE** has been named the director of communications of Orrick, Herrington & Sutcliffe LLP and will oversee internal and external communications functions in the United States, Europe and Asia. He was previously marketing manager at Much Shelist, a Chicago-based law firm. He is also a frequent writer and columnist on legal marketing issues in legal and business publications.

**NORMAN GREGORY YOUNG**, member of the LL.M. class of '98, was recently awarded a Fulbright grant to teach in Azerbaijan. He also had a proposal accepted for an economic development package in Ghana. He is currently a Professor of Business Law at California Polytechnic University in Pomona.

'99

**MARGARET GABOR JACOBO** married Juan Jacobo, a special agent with the Department of Homeland Security, in June 2003. For the last three years Margaret has worked at the U.S. Attorney's Office in San Diego as an Assistant U.S. Attorney.

'00

**TYREE K. DORWARD** recently became an associate at Best Best & Krieger LLP. He practices education and water law. Previously, he was with Bowie, Arneson, Wiles & Giannone of Newport Beach.

'01

**AMY AU** married Jason Booth in August 2003. Jason proposed by placing Amy's engagement ring inside a handmade box made of Godiva chocolate.

'02

**KEITH BRUNO** recently won his first jury trial while representing L.L. Applied Restoration. He participated in the National Mock Trial Team at USD and attributes much of his success as a trial lawyer to the lessons taught by Professor Corky Wharton and Lisa Hillan. In the past year he has had five trials—four bench and one jury—and has won all five.

**CHRISTINA SULLIVAN** and **JESSE HINDMAN**, members of the class of '02, married in Baja California, Mexico in March 2003. The Hindmans currently practice law in Fresno, Calif.





JASON "JAY" DINWOODIE '98



TYREE K. DORWARD '00



JESSE HINDMAN '02

## 2003 Distinguished Alumni: Hon. Peter W. Bowie '71 and Theodore J. Boutrous, Jr. '87

**T**he Hon. Peter W. Bowie '71 and Theodore J. Boutrous, Jr. '87 were honored as the School of Law's 2003 Distinguished Alumni at an alumni reception and luncheon at the Wyndham San Diego at Emerald Plaza on November 5, 2003. The Distinguished Alumni Award is the Law Alumni Association Board of Directors' highest honor.

Judge Bowie has served as a United States Bankruptcy Judge in San Diego since 1988. He is the representative of the Judicial Conference of the United States to the American Bar Association's Joint Commission to Review the Model Code of Judicial Conduct. Judge Bowie regularly lectures for the Federal Judicial Center, and has spoken at judicial conferences of the Second, Sixth, Seventh, Eighth and Eleventh Circuits. He has lectured for the California CEB, the Rutter Group, ABTL, the California Bankruptcy Forum, and the Legal Education Institute, among others. Judge Bowie also served on the University of San Diego School of Law Alumni Board from 1998 to 2002.

Theodore J. Boutrous, Jr. is a partner in the Los Angeles office of Gibson, Dunn & Crutcher, LLP. During his time at the School of Law, he served as editor-in-chief of the *San Diego Law Review* and was valedictorian of the Class of 1987. In recent years, Mr. Boutrous has obtained for his clients damage award reversals or reductions totaling more than \$1 billion, including a reversal on behalf of *The Wall Street Journal* of the largest libel judgment in history. *The American Lawyer* recently named him one of the "45 under 45" rising stars of the private bar. Mr. Boutrous is also the 2002 recipient of the ACLU of Southern California's First Amendment Award.



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**I N M E M O R I A M**  
The University of San Diego School of Law community would like to extend its deepest sympathy to family and friends.

### Faculty and Administration

**THOMAS J. FANNING**, former professor and founding dean of the University of San Diego School of Law, who died in San Diego on November 22, 2003 at age 96. The School of Law honored Dean Fanning at its 50<sup>th</sup> anniversary inaugural celebration for his role in its creation in 1954. He served as dean *pro tempore* until 1955 and remained on the faculty for the next three years.

### Alumni

**VESSELA "VESSI" SMOLIN '78**, attorney with Leap Wireless and wife of Rod Smolin '77. Born in Bulgaria, she died November 18, 2003 in San Diego.

# academic year in review

## faculty footnotes

*A catalog of the faculty's publications and presentations for the 2002 calendar year, as well as excerpts from a number of their diverse writings.*

### Lawrence A. Alexander

Warren Distinguished Professor of Law

#### Publications:

"Interpreting Rules: The Nature and Limits of Inchoate Intentions" (with Emily Sherwin). In *Legal Interpretation in Democratic States*. (J. Goldsworthy and T. Campbell, eds. Aldershot, Hampshire, UK: Ashgate, 2002).

"Criminal Liability for Omissions: An Inventory of Issues." In *Criminal Law: Doctrines of the General Part*. (S. Shute and A. Simester, eds. Aldershot, Hampshire, UK: Ashgate, 2002).

"The Legal Enforcement of Morality." In *Blackwell Companion to Applied Ethics*, R.G. Frey and C.H. Wellman, Malden, Mass.: Blackwell Publishers, 2002.

Editor, *Legal Theory*. Vol. 1-present. (J. Coleman & B. Leitner, co-eds. Conn.: Cambridge University Press, 2000-2003).

"Equal Protection and the Irrelevance of 'Groups,'" *Issues in Legal Scholarship*, The Origins and Fate of Antisubordination Theory Article 1, *Berkeley Electronic Press*, [www.bepress.com/ils/iss2/art1](http://www.bepress.com/ils/iss2/art1) (2002).

"Illiberalism All the Way Down: Illiberal Groups and Two Conceptions of Liberalism," 12 *J. of Contemp. Legal Issues* 625 (2002).

"Equal Protection and the Prosecution and Conviction of Crime," 2002. *U. Chi. Legal F.* 155 (2002).

#### Presentations:

Presenter at Loyola Law School Workshop Series, Los Angeles, Calif. (January).

Presenter at Conference on School Choice, Charters, Vouchers, San Diego, Calif. (January).

Moderator at Conference on Property Rights: From Magna Carta to the Fourteenth Amendment, San Diego, Calif. (March).

Moderator at Analytical Legal Philosophy Conference, New Haven, Conn. (April).

Participant at Seminar on Moral Theory and the Law, Indianapolis, Ind. (May).

Organizer, Moderator and Participant at Conference on Legal Transitions, San Diego, Calif. (October).

Presenter at the University of North Carolina Workshop on Law and Philosophy at the Judicial Review at the National Humanities Center, Research Triangle Park, N.C. (October).

Participant at Roundtable on Responsibility at the University of Illinois College of Law, Champaign, Ill. (December).

### Laura M. S. Berend

Professor of Law

#### Publications:

"*Criminal Litigation in Action*" (with Jean Montoya). With *Teacher's Manual* and CD-ROM. Notre Dame, Ind.: NITA, 2002.

#### Presentations:

Presenter and Coordinator at the University Of San Diego Community Defenders Annual Seminar: The Most Difficult Issues Criminal Defense Lawyers Face: Ethical Issues and Cultural Perspectives. (January).

Presenter (with Nelson Bray) at Attorneys, Advertising, and the Press: Ethical Issues, at San Diego Criminal Defense Bar Association. (September).

Practical Problems in Representing Mentally Disordered Clients. Presentation at Professor Grant Morris' class on Law and Mental Disorder: Criminal Aspects, University of San Diego. (September).

### Roy L. Brooks

Warren Distinguished Professor of Law

#### Publications:

*The Structure of Judicial Decision-Making from Legal Formalism to Critical Theory*. (Durham, NC.: Carolina Academic Press, 2002).

*Civil Rights Litigation: Cases and Perspectives*, 2002 Supplement (co-authored).

Law Casebook Series. (Durham, NC.: Carolina Academic Press, 2002). Update, 2001.

"Symposium-Recounting Election 2000: The Use of Policy in Judicial Reasoning: A Reconceptualization Before and After Bush v. Gore," 13 *Stan. Law & Policy Rev.* 33 (2002).

### Karen C. Burke

Warren Distinguished Professor of Law  
Member, American Law Institute

#### Publications:

*Federal Income Taxation of Corporations and Stockholders*, 5th ed. (St. Paul, Minn.: West Group, 2002).

"Contributions, Distributions and Assumption of Liabilities: Confronting Economic Reality," 56 *Tax. Law* 383 (2002).

"Estate Tax Repeal: Through the Looking Glass," (with Grayson M. P. McCouch), 22 *Va. Tax. Rev.* 187 (2002).

Editor, "Annual Report: Important Developments" (Partnership Tax), 55 *Tax Law* 1233 (2002).

**Nancy Carol Carter**

Professor of Law and Director of the Pardee Legal Research Center

**Publications:**

"American Indians and Law Libraries: Acknowledging the Third Sovereign," 94 *Law Library Journal* 7 (2002).

"Native Hawaiians: History, Law and Research," 21 *Legal Reference Services Quarterly* 5 (2002).

**Presentations:**

A Perspective on University Of San Diego's Curriculum and Final Report. Papers presented at the University of San Diego Law School Curriculum Reform Committee faculty. (March and April).

Introduction and Organizer/Moderator at Nations Within: Aspects of Tribal Sovereignty at American Indian Legal Issues Workshop at the University of San Diego's 1st American Indian Celebration. (April).

Reflections on a Library Milestone. Presentation at LRC 500,000th Volume Induction Celebration, University of San Diego Law Alumni Weekend. (October).

Radio program guest on KSDO's "Independent Counsel," San Diego, Calif. (October).

**Laurence P. Claus**

Associate Professor of Law

**Publications:**

"Budgetary Federalism in the United States of America" (U.S. National Report to the XVIth Congress of the International Academy of Comparative Law, Section IV), 50 *Am. J. of Comp. Law* 581 (2002).

**Presentations:**

Budgetary Federalism in the United States of America. Presentation at U.S. National Report to the XVIth Congress of the International Academy of Comparative Law, Section IV, Brisbane, Australia. (July).

Review of the Supreme Court's 2001-2002 Term. Panel Presentation at the University of San Diego Law Alumni Weekend. (October).

**Kevin L. Cole**

Professor of Law and Associate Dean

**Presentations:**

When is Punishment Cruel and Unusual? A Reconsideration of the Eighth Amendment. Presentation at the University of San Diego Faculty Research Colloquium. (January).

**Lynne L. Dallas**

Professor of Law

**Publications:**

"The New Managerialism and Diversity on Corporate Boards of Directors," 76 *Tulane L. Rev.* 1363 (2002).

**Presentations:**

Presenter at Panels on Teaching Law and Socioeconomics and The Future of Law & Socioeconomics at AALS Annual Meeting, New Orleans, La. (January).

Organizer at Symposium on Socio-Economics and Corporate Law: The New Corporate Social Responsibility, Tulane Law School, New Orleans, La. (April).

Where Was the Board? Panel presentation at Symposium on Enron and Its Aftermath, St. John's University School of Law, Jamaica, N.Y. (September).

Corporate Ethics: An Oxymoron? Lessons from Enron and WorldCom. Panel presentation at the University of San Diego Law Alumni Program. (October).

**Robert C. Fellmeth**

Price Chair in Public Interest Law

**Publications:**

*Child Rights and Remedies*. (Atlanta, Ga.: Clarity Press, 2002).

"Caring for Our Kids Should Be the Bottom Line" (Op. Ed.), *Los Angeles Times*, September 5, 2002, at B-13.

"State Slashes Aid for Kids—and Taxes for Adults" (Op. Ed.), *Sacramento Bee*, December 15, 2002.

"Child Care," Chapter 7 in *Health and Welfare for Families in the 21st Century*, 2nd ed. (Helen Wallace, ed.: Jones & Bartlett, 2002).

*California Children's Budget 2001-2002*. San Diego, Calif.: University of San Diego, Children's Advocacy Institute, 2002.

Editor and Contributor, *California Children's Regulatory Law Reporter*. Vol. 2, No. 2. San Diego, Calif.: University of San Diego, Children's Advocacy Institute, 2002.

"Coverage of the 2000-2002 California Legislative Session," *Legislative Report Card on Children*. University of San Diego, Children's Advocacy Institute, 2002.

AB 886 (Simitica)/SB 1677 (Alpert) *Special Education Rights of Foster Children*. Enacted 2002.

**Presentations:**

The State as Child Abuser: Neglect of Foster Care Youth Emancipating to Adulthood. Presentation at 2002 Child Welfare Conference, National Association of Child Advocates, Baltimore, Md. (September).

**Ralph H. Folsom**

Class of 1975 Professor of Law

**Publications:**

*Probate Litigation in Connecticut*, 2nd ed. (St. Paul, Minn.: West Group, 2002).

"2001 and 2002 Treatise Supplements." In *Jurisdiction and Procedure*, 2nd ed.; *Probate Litigation; Incapacity, Powers of Attorney and Adoption*; 3rd ed. Connecticut Estates Practice. (Rochester, N.Y.: Lawyers Cooperative Publishing Co., 2002).

*International Business Transactions Practitioners Treatise* (2 vols). (St. Paul, Minn.: West Group, 2002).

*International Business Transactions Practitioners Treatise*, 2002 Supplement (co-authored). (St. Paul, Minn.: West Group, 2002).

*State Antitrust Laws*, 2002 Supplement.  
New York: Matthew Bender & Co., 2002.

**Presentations:**

NAFTA versus EU. Presentation at  
John Marshall Law School, Chicago, Ill.  
(January).

NAFTA versus EU. Presentation at  
Golden Gate Law School, San Francisco,  
Calif. (April).

ALENA et la France. Presentation at  
the University of Aix-Marseille, France.  
(May).

The EU in its Constitutional Infancy.  
Presentation at Roger Williams  
University, Bristol, R.I. (September).

**C. Hugh Friedman**

Professor of Law

**Publications:**

*California Corporate Practice Treatise/California  
Practice Guide: Corporations* (2 vols.), 17th  
ed. (Encino, Calif.: The Rutter Group/  
West Publishing, 2002).

**Presentations:**

Advising the Business Client—A Guide  
for General Practitioners: Choosing the  
Legal Entity, Drafting Contracts, and  
Ethical Issues. Presentation at California  
State Bar Section Education Institute,  
San Diego, Calif. (January).

Commentator on CNBC television  
program during Senate hearings on the  
Enron collapse. (February).

Corporate Governance—Board  
Operations, Committees, Support  
Functions. Presentation at Corporate  
Governance Institute at San Diego State  
University School of Business. (February).

Annual Corporate Law Update.  
Presentation at San Diego County Bar  
Association Business and Corporate Law  
Sections. (March).

Private Placements: the Role of State  
Regulation. Presentation at National  
Association of Securities Administrators  
Corporate Finance Training Seminar,  
Washington, D.C. (March).



## *The Use of Policy in Judicial Reasoning: A Reconceptualization Before and After Bush v. Gore*

BY ROY L. BROOKS

"Using policy as a means of achieving justice is problematic. The democratic ideal and our collective sense of humanity impels us, however, to applaud any judge who uses policy for making our society more democratic or arriving at a just result in a case, even if it means disregarding black-letter law or dominant community norms. How can we criticize a case like *Brown v. Board of Education* that has done our society immeasurable good? Without *Brown's* activism—in particular, its policy-making—America would have betrayed her highest ideals. However, the use of policy by American judges does incur some costs. Predictability and consistency in the administration of justice are clear casualties when policy-making is brought into the judicial process. Most importantly, policy-formulation (even policy-discovery and policy-vindication) gives the judge the appearance of behaving like a legislator, only without democratic pedigree. This can certainly jeopardize the appearance of impartiality. When judges step away from the text, they lose the deference necessary to legitimize their judicial decisions—decisions that bind all Americans."

"The Use of Policy in Judicial Reasoning: A Reconceptualization Before and After *Bush v. Gore*," 13.1 *Stanford Law & Policy Review* 33 (2002).



## *The New Managerialism and Diversity on Corporate Boards of Directors*

BY LYNNE L. DALLAS

"Diversity on corporate boards is responsive to the increasing focus on shareholder value and the demands of globalization. The presence of women, minorities, and non-nationals on corporate boards of directors is sought as providing a means for corporations to relate to employees, consumers, and other cultures. There is mixed support for heterogeneity in groups. Heterogeneous groups tend to make higher quality decisions in matters involving creative and judgmental decision making. For problems that have verifiably correct answers, heterogeneity is an advantage to the extent that it increases the likelihood that a member will have the necessary expertise or experience."

"The New Managerialism and Diversity on Corporate Boards of Directors," 76 *Tulane Law Review* 1363 (2002).



Sarbanes-Oxley Act of 2002. Continuing Legal Education Presentation to various law firms in San Diego, Palo Alto, San Francisco and San Jose, Calif. (September and October).

Corporate Ethics: An Oxymoron? Panel presentation at the University of San Diego Law Alumni Weekend. (October).

Advising the Business Client—A Guide for General Practitioners: Choosing the Legal Entity, Drafting Contracts, and Ethical Issues. Presentation at California State Bar Annual Meeting, Monterey, Calif. (October).

Life & Liability After Enron. Panel presentation at California Western School of Law, San Diego, Calif. (November).

California's Management of Air Quality. Keynote address at Better Air Quality for Asia and Pacific Rim Cities 2002 Conference, Hong Kong. (December).

#### **Steven Hartwell**

**Professor of Law**

##### **Publications:**

"Classes and Collections: How Clinicians Feel Differently," 9 *Clinical L. Rev.* 463 (Fall 2002).

"Legal Processes and Hierarchical Tangles," 8 *Clinical L. Rev.* 315 (Spring 2002).

##### **Presentations:**

Tangles. Presentation at the University of San Diego Faculty Research Colloquium. (January).

Classes and Collections. Presentation at AALS Clinical Conference, Pittsburgh, Pa. (May).

#### **Walter W. Heiser**

**Professor of Law**

##### **Publications:**

"Civil Litigation as a Means of Compensating Victims of International Terrorism," 3 *San Diego Int'l L. J.* 1 (2002).

##### **Presentations:**

Civil Litigation as a Means of Compensating Victims of International Terrorism. Continuing Legal Education program presentation at the University of San Diego Law Alumni Weekend. (October).

#### **Gail Heriot**

**Professor of Law**

##### **Publications:**

"Symposium Introduction: Law School Admissions Reform," 15 *Academic Questions* 18 (Winter 2001-02).

"Racial Preferences are Wrong," (Op. Ed.) *San Diego Union-Tribune*, December 27, 2002.

"The Reverse Discrimination Dilemma Continues," (Op. Ed.) *San Diego Union-Tribune*, May 19, 2002.

"The Crisis Over Federal Judicial Nominations," (Op. Ed.) *San Diego Union-Tribune*, May 8, 2002.

"The Future of Racial Preferences: Is the Issue on the Brink of Resolution at Last?" 3 *Engage Magazine* 101 (August 2002). Reprinted online at <http://fed-soc.org/Publications/Engage/OnlineEngage.pdf>.

"Should American Women Embrace or Distrust Federalist Principles?" — *Engage Magazine* — (2002).

##### **Presentations:**

Moderator at Can Religious Private Schools Be Included in School Choice Programs Under the United States Constitution? School Choice, Charters & Vouchers: Critical Issues of Today and Tomorrow at the University of San Diego. (January).

Moderator and Panel Organizer at Contemporary Issues in Remedies, at AALS National Conference, New Orleans, La. (January).

Moderator and Panel Organizer at The Law School Behemoth, at National Association of Scholars—Law Section Annual Meeting, New Orleans, La. (January).

Panel Moderator at Works in Progress at The Federalist Society Law Professors' Division, New Orleans, La. (January).

Roundtable Participant at Free Market Environmentalism in Theory and Practice at Liberty Fund, San Francisco, Calif. (January - February).

Participant and Presenter at Panel on Racial Profiling, at Conference on Public Service and the Law, University of Virginia, Charlottesville, Va. (February).

Affirmative Action in Higher Education. Presentation at Harvard Journal on Legislation Symposium, Harvard University, Cambridge, Mass. (March).

Roundtable Participant at Forum on Remedies at Washington & Lee University School of Law, Lexington, Va. (April).

Roundtable Participant at The Structure of Liberty, at Liberty Fund, Whistler, B.C., Canada. (April).

Roundtable Participant at Second Annual Forum on Civil Rights Issues at American Civil Rights Institute, Reagan Library, Simi Valley, Calif. (July).

Roundtable Participant at The Works of Adam Smith at Liberty Fund, Holland, Mich. (August).

Roundtable Participant at The Second Amendment and the Right to Bear Arms at Liberty Fund, Key West, Florida. (August).

California After Re-Districting. Presentation to La Jolla Republican Women Federated at La Jolla Beach & Tennis Club, San Diego, Calif. (September).

Moderator at Policy Debate in Remembrance of September 11, 2002 at The Federalist Society Lawyers' Division, California Western School of Law, San Diego, Calif. (September).

Should American Women Embrace or Distrust Federalist Principles. Remarks made at Independent Women's Forum Seminar on Feminism & Federalism at Georgetown University, Washington, D.C. (October).

Judicial Nomination After the 2002 Elections. Presentation at The Federalist Society at Case Western Reserve University, Cleveland, Ohio. (November).

"Constitutional Minute," weekly one-minute commentary on the history of the Constitution, KSDO Radio, AM 1130, San Diego, Calif.

Occasional appearance on "Independent Counsel," KSDO Radio, AM 1130, San Diego, Calif.

Occasional appearance on Fox 6 News (XETV), San Diego, Calif.

#### **Yale Kamisar**

Professor of Law

Member, American Law Institute

#### **Publications:**

*Modern Criminal Procedure*, 10th ed. (with Wayne LaFare, Jerold Israel and Nancy King). (St. Paul, Minn.: West Group, 2002).

"The Writings of John Barker Waite and Thomas Davies on the Search and Seizure Exclusionary Rule," 100 *Mich. L. Rev.* 1821 (2002).

"The Ruse and Fall of the 'Right' to Assisted Suicide," (Kathleen Foley M.D. and Herbert Hendrin, eds.) *The Case Against Assisted Suicide* 69 (2002).

More Than Miranda. Discussion of the admissibility of John Walker Lindh's confession to American forces, *Legal Times*, p. 51. February 2002.

#### **Presentations:**

Desirability and Utility of the Search and Seizure Exclusionary Rule. Debate with Judge Guido Calabresi at 21st Annual National Federalist Society Symposium at Yale Law School, New Haven, Conn. (March).

#### **Michael B. Kelly**

Professor of Law

#### **Presentations:**

Catalysts as Prevailing Parties under Attorney Fee Statutes After *Buckhannon*. Presentation at AALS Conference on Remedies, New Orleans, La. (January).



## *Plunging Into Darkness: Energy Deregulation Collides with Scarcity*

BY ROBERT C. FELLMETH

"Notwithstanding its promise, three common flaws of deregulation implementation have repeatedly betrayed it. All three have coalesced to undermine energy deregulation in California. The price now being paid in our largest state for these errors is momentous for small business, consumers, and basic infrastructure. The indirect victims are many and include the children who rely on public investment, now foregone as the state spends billions of dollars for energy purchases at outlandish prices, and where ratepayer repayment will be painful and remains uncertain. New general fund investment in children, badly needed in California, has been substantially stymied."

"Plunging Into Darkness: Energy Deregulation Collides with Scarcity," 33 *Loyola University Chicago Law Journal* 823 (2002).



## *Are the Judicial Safeguards of Federalism the Ultimate Form of Conservative Judicial Activism?*

BY SAIKRISHNA B. PRAKASH

"If the Court's recent resumption of its historical role in enforcing subject matter limitations on federal power is to be denounced as 'activist,' that criticism should not rest on the mistaken argument that the Court lacks textual or historical authority for its actions. This admittedly quick synopsis of the original understanding of judicial review reveals that those seeking to deny its legitimacy on the grounds that the Constitution's text does not authorize it or that the Framers never envisioned it are simply in error."

"Are the Judicial Safeguards of Federalism the Ultimate Form of Conservative Judicial Activism?" 73 *University of Colorado Law Review* 1363 (2002).



## *Congress' Power to Promote the Progress of Science*

BY LAWRENCE B. SOLUM

"In other words, there is today an enormous gap between constitutional theory and legislative practice, between the ideals of the founding era and the reality of copyright politics. The woof and warp of modern copyright law cannot easily be reconciled with Congress' constitutional power 'To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries.'"

"Congress' Power to Promote the Progress of Science," 36 *Loyola of Los Angeles Law Review* 1 (2002).

Participant at It's Not My Job; Conference on Remedies, New Orleans, La. (April).

**William H. Lawrence**

Professor of Law

**Publications:**

*Understanding Negotiable Instruments and Payment Systems* (Student Treatise). (Albany, N.Y.: Matthew Bender & Co., 2002).

*The Law of Personal Property Leasing*, 2002 Cumulative Supplement (with J. Minan). (St Paul, Minn.: West Group, 2002). Update, 2001 Supplement, 2000 Supplement.

*The Law of Sales Under the Uniform Commercial Code*, 2002 Cumulative Supplement. (St Paul, Minn.: West Group, 2002). Update, 2001 Supplement, 2000 Supplement.

**Herbert I. Lazerow**

Professor of Law

Member, American Law Institute

**Publications:**

*The U.S.-Israel Income Tax Treaty* (with Yoseph M. Edrey and Harold Ullman). 2002.

"Making Dividends Tax Free: A Simple Change in Complex Matter" (Op. Ed.), *San Diego Union-Tribune*, January 15, 2002.

**Grayson M.P. McCouch**

Professor of Law

Member, American Law Institute

**Publications:**

*Selected Statutes on Trusts and Estates* (with Ascher). (St. Paul, Minn.: West Group, 2002).

"Estate Tax Repeal: Through the Looking Glass," (with Karen C. Burke), 22 *Va. Tax Rev.* 187 (2002).

**John H. Minan**

Professor of Law

**Publications:**

Editor, "Contemporary Water Law Issues" (revised 2002), University of San Diego, <http://home.sandiego.edu/%7Ejminan/tab lecon.html>.

"Municipal Storm Water Permitting in California," 40 *San Diego L. Rev.* 245 (2002).

"Recent Developments in Wastewater Management in the Coastal Region at the United States-Mexico Border," 3 *San Diego Int'l L.J.* 51 (2002).

**Presentations:**

Participant at Storm Water Planning and Litigation. San Diego, Calif. (January).

Representative at Settlement Conference. United States EPA, *California v. United States* (IBWC Litigation), San Diego, Calif. (January).

Speaker at Tecate Industrial Wastewater Program, Tecate, BC, Mexico. (February).

Representative at Judicially Supervised Settlement Conference. *California v. United States* (IBWC Litigation), San Diego, Calif. (February).

Participant and Presenter at 20th Annual Water Law Conference. American Bar Association, San Diego, Calif. (February).

Participant at Watershed Planning Conference. Regional Board, San Diego, Calif. (February).

Participant at ANASSCO Meeting on Storm Water and Bay Sediment Pollution. San Diego, Calif. (February).

Organizer and Program Committee Member at 2003 Storm Water Panel. 21st Annual Water Law Conference. American Bar Association, Section of Environment, Energy and Resources, San Diego, Calif. (March-December).

Participant at California Environmental Protection, Industrial Environment Association, San Diego, Calif. (March).

Border Environmental Compliance Issues. Presentation at State-EPA Workshop, San Diego, Calif. (April).

Participant at Chairs' Meeting at Regional Water Quality Control Boards, Sacramento, Calif. (April).

Participant at ACODAR at Scripps Institution of Oceanography, University of California at San Diego. (April).

Participant at Watershed Perspectives: Protecting the Quality of Life in Coastal California, San Diego, Calif. (April).

Chair/Moderator at Waiver Policy Workshop. California legislature requirement, San Diego, Calif. (May).

Participant at Water Reuse Conference, Manhattan Beach, Calif. (June).

Participant and Member at Board of Governors Conference. Southern California Wetlands Recovery Project, Long Beach, Calif. (June).

Participant at Scripps Developments Conference for the Secretary Cal/EPA, State Water Resources Control Board, and Regional Water Control Board at Scripps Institution of Oceanography, University of California at San Diego. (June).

Participant at SMER/Watershed Workshop at Scripps Institution of Oceanography, University of California at San Diego. (June).

Chair/Moderator at Pre-Treatment of Wastewater in the Tecate-Tijuana Region Conference, San Diego, Calif. (July).

Participant at Water Quality Developments in California. Environmental breakfast hosted by Procopio, Cory, Hargreaves & Savitch, LLP. San Diego, Calif. (September).

Speaker and participant at Self-Monitoring Reports: Are They Reliable? California Water Quality Control Committee, Ontario, Calif. (September).

Participant at Conference on Regional Enforcement Strategies, San Diego, Calif. (October).

Moderator at San Diego Strategies for the Future, program for San Diego officials and state representatives, San Diego, Calif. (December).

Participant at Wetlands Recovery Project, Newport Beach, Calif. (December).

**Jean Montoya**

Professor of Law

**Publications:**

*Criminal Litigation in Action* (with Laura Berend). With *Teacher's Manual* and CD-ROM. Notre Dame, Ind.: NITA, 2002.

"Child Witness Policy: Law Interfacing with Social Science," (with Dorothy Marsil, David Ross and Louise Graham) 65 *Law & Contemp. Probs.* 209 (2002).

#### **Grant H. Morris**

Professor of Law

##### **Publications:**

"Dissing Disclosure: Just What the Doctor Ordered," 30 *Ariz. L. Rev.* 313 (2002).

"Punishing the Unpunishable—The Abuse of Psychiatry to Confine Those We Love to Hate," 30 *J. Am. Acad. Psychiatry & L.* 556 (2002).

##### **Presentations:**

Sexual Violent Predator Statutes: Is Their Constitutionality Still in Doubt? Presentation to Atascadero State Hospital professional staff colloquium, Atascadero, Calif. (February).

Sexual Violent Predators. Presentation to the 10th Annual Forensic Mental Health Conference at Patton State Hospital, Patton, Calif. (September).

America, One Year After 9/11: Paradise Lost. Presentation at Children's Hospital Department of Psychiatry Ground Rounds and at UCSD Division of Child and Adolescent Psychiatry, San Diego, Calif. (September).

#### **Frank Partnoy**

Professor of Law

Herzog Endwed Scholar 2003-2004

##### **Publications:**

"The Paradox of Credit Ratings." Chapter in *The Role of Credit Reporting Systems in the International Economy*. (Richard M. Levitch, Giovanni Majnoni, and Carmen Reinhart, eds. New York: Kluwer Academic Publishers, 2002).

"ISDA, NASD, CFMA, and SDNY: The Four Horsemen of Derivatives Regulation?" Chapter in *Brookings-Wharton Papers on Financial Services*. Robert E. Litan and Richard Herrings, eds. Washington, D.C.: Brookings Institution Press, 2002.



## *International Law as Non-preemptive Federal Law*

BY MICHAEL D. RAMSEY

"...I suggest that federal courts consider international law as non-preemptive federal law—that is, a law that can provide independently a rule of decision in federal court, but cannot override inconsistent state law. This is consistent with the Framers' view that international law was "part of the law of the land," together with the failure of international law to fit within the language of the Supremacy Clause. Elaborating the details of this approach is beyond the scope of this comment, but such an approach seems like it might provide a path to a treatment of international law generally in accord with the pre-*Erie* system."

"International Law as Non-preemptive Federal Law," 42 *Virginia Journal of International Law* 555 (2002).



## *Straw Polls*

BY DANIEL B. RODRIGUEZ

"In the end, liberal democracies that practice majority rule succeed insofar as majority rule does not become a tool for expropriation of the resources of those who will likely find themselves perennially on the losing end of policy choices in the community. Rights protect minority interests to some extent, but significant protection must come in the ordinary, day-to-day experience of local community politics. This experience will involve issues that, while on the surface mundane, are the lifeblood of democratic politics. Where there are conflicts over policy decisions and where votes measure preferences and, ultimately, outcomes, straw polls can then perform the useful task of framing the liberal democratic considerations at stake in the decision-making process."

"Straw Polls," 12 *Journal of Contemporary Legal Issues* 791 (2002).



"Enron and Derivatives," 21 No. 11 *Futures & Derivatives Law Report* (2002).

"The Rating Agency Paradox," *Treasury & Risk Management* 52 (December 2002/January 2003).

"Tracing the Roots of Enron's Downfall" (Op. Ed.), *San Diego Union-Tribune*, January 27, 2002 at G3.

**Presentations:**

Enron and Derivatives. Testimony before the U.S. Senate Governmental Affairs Committee, Washington, D.C. (January).

The Next Stages of Financial Derivatives Regulation. Presentation of Brookings-Wharton Papers on Financial Services, Washington, D.C. (January).

Enron, Derivatives, and the Gatekeepers. Presentation at Thomas Jefferson School of Law, San Diego, Calif. (February).

Enron and Derivatives. Presentation at George Washington University School of Law, Washington, D.C. (October).

Enron and Derivatives. Presentation at Villanova Law School Symposium on Lessons from Enron, Villanova, Pa. (October).

Law and Finance. Keynote lecture at Courant Institute for Mathematical Finance at New York University, New York, NY. (October).

An Economic Reality Standard for Financial Market Regulation. Presentation at Goizueta Business School at Emory University, Atlanta, Ga. (November).

Research Studies of Individual Companies. Presentation at Conference on Field Study Methodologies in Legal Research and Teaching about Business at Georgetown Law School, Washington, D.C. (November).

Credit Derivatives and Insurance Regulation. Presentation at National Association of Insurance Commissioners National Meeting, San Diego, Calif. (December).

**Theresa Player**

Professor of Law

**Presentations:**

Using Technology in the Representation of Clients. Workshop presentation as part of a panel including Conrad Johnson (Columbia), Bob Seibel (Cornell) and Mike Norwood (New Mexico) at AALS Clinical Conference, Pittsburgh, Pa. (May).

**Saikrishna B. Prakash**

Professor of Law

**Publications:**

"Are the Judicial Safeguards of Federalism the Ultimate Form of Conservative Judicial Activism?" (Symposium Article) 73 *U. Colo. L. Rev.* 1343 (2002).

**Presentations:**

Our Three Commerce Clauses. Paper presented at the University of Arkansas Conference on the Commerce Clause, Fayetteville, Ark. (March).

Branches Behaving Badly. Presentation at Cornell Journal of Law and Public Policy Conference on the Intersection of Law and Politics, Ithaca, NY. (November).

**Richard Crawford Pugh**

Distinguished Professor of Law

**Publications:**

Coordinating Editor, *International Income Taxation: 2002-2003 Code and Regulations: Selected Sections*. (Riverwoods, Ill.: CCH Inc., 2002); and *Selected Sections 2001-2002*.

*Taxation of International Transactions with Teacher's Manual*, 2nd ed. (with Gustafson and Peroni). (St. Paul, Minn.: West Group, 2002).

**Michael D. Ramsey**

Professor of Law

**Publications:**

"Textualism and War Powers," 69 *U. Chicago L. Rev.* 1543 (2002).

"Text and History in the War Powers Debate: A Reply to Professor Yoo," 69 *U. Chicago L. Rev.* 1685 (2002).

"International Law as Non-Preemptive Federal Law," 42 *Virginia J. Int'l Law* 555 (2002).

**Presentations:**

Textualism and War Powers. Presentation at the University of San Diego Law School Research Colloquium. (January).

Japanese Slave Labor Litigation and Interpretation of 1952 Peace Treaty. Testimony submitted to House Judiciary Committee, U.S. Congress. (September).

The Modern Significance of the Power to Declare War. Presentation at University of San Diego Law Alumni Weekend. (October).

Review of Supreme Court's Upcoming 2003 Term. Presentation at University of San Diego Law Alumni Weekend. (October).

Interview on KSDO Radio talk show "Independent Counsel" on recent and upcoming cases in the Supreme Court, San Diego, Calif. (October).

Constitutional Liberties in Wartime. Presentation (with Stephen Kull, Director, ACLU Indiana Chapter) at Notre Dame Law School, Notre Dame, Ind. (November).

*Atkins v. Virginia* and the Globalization of Constitutional Law. Presentation at American Society of International Law Conference at Fordham University Law School, New York, N.Y. (December).

**Michael B. Rappaport**

Professor of Law

University Professor 2003-2004

**Publications:**

"Judicial Confirmations: Now is the Time to Retool" (Op. Ed.), (with John McGinnis) *The National Law Journal* A12 (December 2002).

"The Selective Nondelegation Doctrine and the Line Item Veto: A New Approach to the Nondelegation Doctrine and Its Implications for *Clinton v. City of New York*," 76 *Tulane L. Rev.* 265 (2002).

"Our Supermajoritarian Constitution,"  
(with John McGinnis) 80 *Texas L. Rev.* 703  
(2002).

**Presentations:**

Our Supermajoritarian Constitution.  
Presentation at Federalist Society Faculty  
Colloquium, New Orleans, La. (January).

Commentator at Professor Laurence  
Claus' colloquium *When is Punishment Cruel  
and Unusual?* University of San Diego  
Faculty Research Colloquium. (January).

Participant at Conference on Professor  
Bernard Siegan's *Property Rights: From  
Magna Carta to the Fourteenth Amendment*,  
University of San Diego School of Law.  
(March).

Commentator at Public Choice Society  
Legal and Constitutional Issues Session,  
San Diego, Calif. (March).

Organizer and Participant at Colloquium  
on Interdisciplinary Scholarship,  
University of San Diego School of  
Law. (May).

The Real Activists. Presentation at  
American Enterprise Institute Panel  
on the Supreme Court's Federalism  
Jurisprudence. (July).

The Effect of Supreme Court  
Jurisprudential Rules on the Court's  
Formalism. Presentation at 4th Annual  
Duke Law School Conference on Public  
Law, Durham, N.C. (December).

**Daniel B. Rodriguez**

Dean and Professor of Law  
Member, American Law Institute

**Publications:**

"Reflections on Dynamic Statutory  
Interpretation," *Berkeley OnLine Journal*  
(2002).

"Straw Polls," 12 *J. Contemp. Legal Issues*  
791 (2002).

**Presentations:**

Political Theory and Public Law through  
the Lens of Socio-Economics. Keynote  
address at AALS Annual Meeting,  
New Orleans, La. (January).



## *Retribution, Deterrence, and the Death Penalty: A Response to Hugo Bedau*

BY MAIMON SCHWARZSCHILD

"The obvious question of principle, then, is: Who should have the burden of proof about the deterrent effect of the death penalty, its supporters or its opponents? An obvious answer is that the burden should be on proponents of the death penalty: anyone who favors taking human life should have the onus of proving the need for it. Certainly this answer might seem obvious to anyone who is opposed to the death penalty. But a different answer might seem obvious to a believer in executions. Such an answer would follow Burkean lines: namely, that anyone proposing to abolish a practice that has long been part of the criminal justice system of this country, and indeed throughout history in most places and times, should have the burden of showing that it is unnecessary. This sort of argument for the death penalty weakens, of course, if more and more American jurisdictions abolish the death penalty without ill effect, or—depending on one's Burkean standard for what is the relevant political community and its traditions—if other developed democracies around the world successfully do without the death penalty."

"Retribution, Deterrence, and the Death Penalty: A Response to Hugo Bedau," 21 *Criminal Justice Ethics* 9 (2002).



## *The Future Structure and Regulation of Law Practice: Confronting Lies, Fictions, and False Paradigms in Legal Ethics Regulation*

BY FRED C. ZACHARIAS

"Professional regulation incorporates at least four delusions about lawyers. First, the regulators assume that lawyers somehow are, or should be, better people than ordinary citizens. Second, code drafters seem to believe that providing rules alone can produce appropriate lawyer conduct. They assume that, once lawyers are advised of the professional standards, lawyers will follow the standards regardless of any personal incentives they have to violate the rules. Third, certain key rules rely on the importance of client trust in lawyers and rest on the unproven assumption that standards designed to enhance the "image of lawyers" increase that trust. Finally, professional regulation makes some questionable assumptions about the quality of services lawyers provide; in particular that lawyers governed by professional rules provide better representation than lay providers offering similar services."

"The Future Structure and Regulation of Law Practice: Confronting Lies, Fictions, and False Paradigms in Legal Ethics Regulation," 44 *Arizona Law Review* 829 (2002).

Panel Organizer and Moderator at The Administrative States ABA Mid-Year Meeting, Section on Administrative Law, Philadelphia, Pa. (February).

Panel Organizer and Paper Presenter at Public Choice Society Annual Meeting, San Diego, Calif. (March).

Rethinking Statutory Interpretation and the Appropriations Process. Faculty Workshop at Washington University School of Law, St. Louis, Mo. (October).

### **Maimon Schwarzschild**

Professor of Law

#### **Publications:**

"Mad Dogmas and Englishmen: How Other People Interpret and Why." Chapter in *Applied Legal Philosophy Series. Legal Interpretation in Democratic States*. (J. Goldsworthy and T. Campbell, eds. Aldershot, England: Ashgate Publishing, 2002).

"Retribution, Deterrence, and the Death Penalty: A Response to Hugo Bedau," 21/2 *Criminal Justice Ethics* 9 (2002).

"Acton's Liberal Multiculturalism and Today's," 12 *J. Contemp. Legal Issues* 887 (2002).

#### **Presentations:**

Chair and Panel Moderator, AALS Section on Jurisprudence. AALS Annual Meeting, New Orleans, La. (2002).

### **Virginia V. Shue**

Professor of Law and Associate Dean Member, American Law Institute

#### **Publications:**

*State Computer Law: Commentary, Cases and Statutes*, 2002 Supplement (with James Vergari). (St. Paul, Minn.: West Group, 2002).

### **Bernard H. Siegan**

Distinguished Professor of Law

#### **Presentations:**

Property Rights: From *Magna Carta* to the Fourteenth Amendment. Conference Paper presented at the University of San Diego School of Law. (March).

Lecture delivered at MIT Department of Urban Studies and Planning, Cambridge, Mass. (November).

### **Steven D. Smith**

Warren Distinguished Professor of Law

#### **Publications:**

Missing Persons," 2 *Nevada L.J.* 590 (2002).

"Intramural Dialogue and the Malaise of Religious Freedom," 35 *Vand. J. Transnat'l L.* 359 (2002).

#### **Presentations:**

Separation as a Tradition. Paper presented at Conference on Beyond Separatism (commented on by William Van Alstyne) at the University of Virginia, Charlottesville, Va. (February).

Speaker Panelist (with Albert Alschuler and George Marsden) at Does Religiously-Based Scholarship Violate the Spirit of the Constitution? Conference of Religiously Affiliated Law Schools at Pepperdine Law School, Malibu, Calif. (February).

Presenter at the University of Chicago Roundtable on Faith-Based Initiatives, Chicago, IL. (April).

*Barnette's Big Blunder*. Paper presented at Conference on Law and Cultural Conflict at Chicago-Kent Law School (commented on by Steven Shiffrin), Chicago, IL. (September).

Law's Quandary. Presentation of portions of work-in-progress at Faculty Colloquium at Arizona State University, Tempe, Ariz. (November).

### **Thomas A. Smith**

Professor of Law

#### **Presentations:**

Neo-Traditional Interpretation of the Fiduciary Duty and Reply to Critics. Presentation at Ohio State University Moritz School of Law, Columbus, Ohio. (March).

### **Allen C. Snyder**

Professor of Law

#### **Publications:**

*California Evidence Code with Objections*, 2nd ed. (with David A. Sonenshein and Anthony J. Bocchino). (Notre Dame, Ind.: NITA, 2002).

### **Jorge A. Vargas**

Professor of Law

#### **Publications:**

*Abusos de la Patrulla Fronteriza de Estados Unidos, Trabajadores Indocumentados Mexicano y Derechos Humanos Internacionales* [Abuses by Border Patrol Agents]. Mexico City: Mexico's National Commission on Human Rights, 2002.

"Dialogo Ciudadino Transfronterizo" [Transborder Citizen Dialogue], *ENLACE* (Spanish Supplement to *San Diego Union-Tribune*, January 19, 2002).

"México y Su Constitucion" [Mexico and Its Constitution], *ENLACE* (Spanish Supplement to *San Diego Union-Tribune*, February 1, 2002).

"Venenos y Toxinas Amenazan a Indefensos Colonos" [Toxic Poisons Threaten Defenseless Community Neighbors], *ENLACE* (Spanish Supplement to *San Diego Union-Tribune*, February 15, 2002).

"Por Fin Se Reanuda el Diálogo Fox-Bush" [The Bush-Fox Dialogue Finally Recommences], *ENLACE* (Spanish Supplement to *San Diego Union-Tribune*, March 15, 2002).

"Los Ilegales Carecen de Derechos Laborales" [Illegal Immigrants Lack Labor Rights], *ENLACE* (Spanish Supplement to *San Diego Union-Tribune*, April 5, 2002).

"Celebrelo Con Mariachis!" [Celebrate It With Mariachis!], *ENLACE* (Spanish Supplement to *San Diego Union-Tribune*, April 22, 2002).

"Qué Futuro Industrial le Espera a BC?" [What is the Industrial Future Awaiting BC?], *ENLACE* (Spanish Supplement to *San Diego Union-Tribune*, May 5, 2002).

"Extraños Incidentes Fronterizos" [Strange Border Incidents], *ENLACE* (Spanish Supplement to *San Diego Union-Tribune*, May 24, 2002).

"La 'Nueva' Matricula Consular" [The 'New' Consular ID], *ENLACE* (Spanish Supplement to *San Diego Union-Tribune*, June 5, 2002).

"Un Viejo Acuerdo Internacional" [An Old International Agreement], *ENLACE* (Spanish Supplement to *San Diego Union-Tribune*, July 8, 2002).

"Las Rosas del Tepeyac y los Derechos Humanos" [The Roses of the Tepeyac and Human Rights], *ENLACE* (Spanish Supplement to *San Diego Union-Tribune*, July 22, 2002).

"Una Iglesia Bajo el Control del Estado" [A Church Under the Control of the State], *ENLACE* (Spanish Supplement to *San Diego Union-Tribune*, August 12, 2002).

"Próximo Arreglo Migratorio?" [Next Immigration Arrangement?], *ENLACE* (Spanish Supplement to *San Diego Union-Tribune*, August 20, 2002).

"Qué es Hoy la Independencia?" [What Does It Mean to be Independent Today?], *ENLACE* (Spanish Supplement to *San Diego Union-Tribune*, August 27, 2002).

"Una Nueva Guerra en Contra de Irak?" [A New War Against Iraq?], *ENLACE* (Spanish Supplement to *San Diego Union-Tribune*, August 28, 2002).

"Un Verdadero Héroe de la Frontera" [A Real Border Hero], *ENLACE* (Spanish Supplement to *San Diego Union-Tribune*, September 3, 2002).

"La Apec, Inversiones y Mexico" [The Apec, Investments and Mexico], *ENLACE* (Spanish Supplement to *San Diego Union-Tribune*, September 23, 2002).

"Cumple Ocho Años el Operativo Guardián" [Operation Gatekeeper Turns Eight Years Old], *ENLACE* (Spanish Supplement to *San Diego Union-Tribune*, October 13, 2002).

"Mexico y un Posible Ataque de Estados Unidos a Iraq" [Mexico and a Possible Attack on Iraq by the United States], *ENLACE* (Spanish Supplement to *San Diego Union-Tribune*, November 3, 2002).

"Ya No Quieren Queso . . . Sino Salir de la Ratonera" [They Don't Want Cheese Anymore . . . But to Get Out of the Mousetrap], *ENLACE* (Spanish Supplement to *San Diego Union-Tribune*, December 2002).

"The Growing Presence of Mexican Law in San Diego," *San Diego Lawyer* (March/April 2002).

"Debunking Mexican Law Myths," *San Diego Lawyer* (March/April 2002).

#### **Presentations:**

Current International Law Issues in Light of the September 11th Attack. Three separate presentations at Campus Visit Day Programs at the University of San Diego. (March and April).

Coordinator (with Theresa Hrenchir and Lic. Victor Herrero from Tijuana's Iberoamericana University, Tijuana, B.C.) at XXVI Seminario Nacional de Derecho Internacional Privado y Comparado, University of San Diego. (November).

#### **Mary Jo Wiggins**

##### **Professor of Law**

##### **Publications:**

"Race, Class and Suburbia: The Modern Black Suburb as a Race-Making Situation," 35 *Mich. J. of Law Reform* 635 (2002).

"Whither Worldcom?: Why More Corporate Bankruptcies are Inevitable," *San Diego Union-Tribune*, July 10, 2002.

##### **Presentations:**

Speaker at Recent Developments in Real Property Law at Real Property Law Section of the State Bar of California, Palm Springs, Calif. (April).

Speaker at The Social, Political, and Economic Implications of the Mega-Bankruptcies at the Ivy League Club of San Diego, San Diego, Calif. (May).

Why More Corporate Bankruptcies are Inevitable and Why We Should Care.

Presentation at the University of San Diego Law School Orange County Alumnae Luncheon, Irvine, Calif. (October).

#### **Fred C. Zacharias**

##### **Herzog Endowed Research**

##### **Professor of Law**

##### **Publications:**

"The Future Structure and Regulation of Law Practice: Confronting Lies, Fictions, and False Paradigms in Legal Ethics Regulation," 44 *Ariz. L. Rev.* 829 (2002).

"Five Lessons for Practicing Law in the Interests of Justice," 70 *Fordham L. Rev.* 1939 (2002).

"What Lawyers Do When Nobody's Watching: Legal Advertising as a Case Study of the Impact of Underenforced Professional Rules," 87 *Iowa L. Rev.* 971 (2002).

"Lawyers as Conscientious Objectors," 54 *Rutgers L. Rev.* 191 (2002).

"Regulating Federal Prosecutors' Ethics," (with Bruce Green) 55 *Vand. L. Rev.* 381 (2002).

Scholarship section, "AALS Professional Responsibility" Section. AALS Newsletter (two times yearly).

##### **Presentations:**

Developing Candor in Legal Ethics Codes. Symposium presentation at University of Arizona College of Law, Tucson, Ariz. (February).

Reforms in Regulation or Discipline after Ethics 2000. Symposium presentation at Illinois Law School, Champaign-Urbana, Ill. (March).

The Humanization of Attorneys. Presentation at ABA National Conference on Professional Responsibility, Vancouver, Canada. (June).

The Role of Lawyers in Enron-related Events. Presentation at Law Alumni Weekend at the University of San Diego. (October).

Is There a Difference Between Defending the Accused and Defending the Guilty? Panel discussion at the University of San Diego. (November).



# academic year in review

## school events

*USD faculty and student groups host a variety of extracurricular events which enrich the intellectual life of the School of Law community. The following list includes many of the highlights of the 2002-2003 academic year.*

**"Meet Your Professors Lecture Series"** with USD law professors Steven Hartwell and Fred Zacharias discussing law school classes and personal experiences, sponsored by the Women's Law Caucus, September 2002.

**Guest speaker FBI Special Agent Mark Davis**, sponsored by the Criminal Law Society, September 2002.

**"Challenging the Constraints of International Law: Humanitarian Intervention and the War Against Terrorism,"** with guest speaker Allen Buchanan, Professor of Philosophy and Public Policy Studies, Duke University, and Fellow, National Humanities Center, North Carolina. Sponsored by the Institute for Law and Philosophy, September 2002.

**1st Annual "Human Rights Awareness Campaign,"** including topics such as international law, refugee rights, women & children's rights, economic rights, police brutality, and the death penalty. Sponsored by Amnesty International and The National Lawyer's Guild, September-October 2002.

**International Law Information Week**, including topics such as war in Iraq, International Criminal Court, Palestine/Israeli settlements, international environmental law, universal jurisdiction, and sanctions against Cuba. Sponsored by Amnesty International and The National Lawyers Guild, September 2002.

**"Political Involvement Project,"** a new, non-partisan campus-wide effort to increase civic participation, boost voter turnout, and train students in activism and advocacy as a method of community service and social change. Sponsored by the Republican Law Students Association and the USD Office for Community Service Learning, September 2002.

**"EPA Border Issues"** with a guest speaker from the U.S. Environmental Protection Agency, sponsored by the Environmental Law Society, October 2002.

**500,000th Volume Induction Ceremony and Reception** - Legal Research Center, with special guest Dr. Kevin Starr, State Librarian of California giving the keynote address, part of Law Alumni Weekend, sponsored by the Office of Development and Alumni Relations, October 2002.

**CLE Seminars and Workshops: Session I "Recent Developments in the Supreme Court"** presented by Professors Sai Prakash, Laurence Claus, Larry Alexander and Michael Ramsey; Session II "Corporate Ethics: An Oxymoron" presented by Professors Hugh Friedman, Lynne Dallas, and Robert Fellmeth; or "Terrorism and National Security" presented by Professors Michael Ramsey, Walt Heiser, and Laura Adams. Law Alumni Weekend, sponsored by the Office of Development and Alumni Relations, October 2002.

**First Monday Topic: "Civil Liberties Post 9/11,"** with guest speaker Dale Kelly Bankhead, ACLU public affairs director for San Diego and Imperial Counties, sponsored by Public Defenders and The National Lawyers Guild, October 2002.

**The Red Mass**, a Mass traditionally celebrated on the first Monday in October where it coincides with the opening of a new session of the United States Supreme Court, celebrated by The Most Reverend Robert H. Brom, Bishop of San Diego, sponsored by the USD School of Law and St. Thomas More Society of San Diego, October 2002.

**"Women's Rights and Abuses,"** with guest speaker Lilia Velasquez, Esq., immigration attorney, consultant to the Consulate of Mexico, and adjunct professor. Sponsored by the Women's Law Caucus, Amnesty International and The National Lawyers Guild, October 2002.

**"Taxation of L.L.C.s,"** guest speaker Phil Jelsma, USD Law adjunct professor and attorney with Luce Forward, sponsored by the Graduate Tax Program and the Tax Law Society, October 2002.

**Guest speaker Ferio Arrastas**, Vice President of the Cuban Worker's Union, sponsored by The National Lawyers Guild, October 2002.

**"Are Property Rights Opposed to Environmental Protection?,"** a debate moderated by Professor Michael Rappaport with guest speakers Robert Sims, Esq., of the Sierra Club and Dr. Roger Pilon of the Cato Institute, sponsored by The Federalist Society, October 2002.

**14th Annual National Criminal Procedure Moot Court Tournament**, with a final round bench of The Honorable Ming W. Chin, California Supreme Court; The Honorable H. Lee Sarokin, U.S. Court of Appeals (Ret.); and The Honorable Thomas J. Whelan, U.S. District Court. Sponsored by the Appellate Moot Court Board, October 2002.

**Conference: "Legal Transitions: Is There An Ideal Way to Deal with the Non-Ideal World of Legal Change?,"** with guest speakers Louis Kaplow (Harvard Law School), Daniel Shaviro (NYU School of Law), Abraham Bell (Bar-Ilan U. Law), Kyle Logue (U. of Mich. Law School), Matthew Adler (U. of Penn. Law School), Fred Schauer (Harvard University), Jill Fisch (Fordham U. School of Law), Barbara Fried (Stanford Law School), and Chris Wonnell (USD School of Law), and commentators-at-large Alan Auerbach (UC Berkeley, Dept. of Economics) and Dave Bradford (Princeton U. Dept. of Economics), sponsored by the School of Law, the Institute for Law and Philosophy, Distinguished Tax Faculty, and the *Journal of Contemporary Legal Issues*, October 2002.

**"Do the Chargers Need a New Stadium?"**

with attorney guest speaker Len Simon, member of the Citizens' Task Force on Chargers Issues, sponsored by the Sports & Entertainment Law Society, November 2002.

**"Taking Out the Adversary: The Assault on Progressive Public Interest Law,"** with guest speaker David J. Luban, Frederick J. Haas Professor of Law and Philosophy, Georgetown University Law Center, sponsored by the Institute for Law and Philosophy, November 2002.

**2L and 3L Roundtable Discussion,** with guest speakers Cheryl Tannenberg ('84) of Hovey & Kirby and Denise Hickey ('94) of Collateral Therapeutics, sponsored by the Student Relations Committee of the Law Alumni Board of Directors and the Office of Development and Alumni Relations, November 2002.

**International Conference: Mexican Academy of International and Comparative Law,** sponsored by USD School of Law, November 2002.

**Symposium: "Is There a Difference Between Defending the Accused and Defending the Guilty?"** with panelists Professor Michael Devitt, Professor Fred Zacharias, John Cotsirilos, Esq., and Charles Sevilla, Esq., and moderator The Honorable H. Lee Sarokin, U.S. Circuit Judge (Ret.), discussing the limits, if any, on defense counsel in a criminal case and whether ethics and duty to one's client can be reconciled. Sponsored by the USD School of Law, November 2002.

**"Speaker Meeting,"** with two local business transactional attorneys Amar Thakur of Latham & Watkins, and David Schneider of Yunker & Schneider discussing their respective practices and answering questions, sponsored by the Business Law Society, November 2002.

**Evening Roundtable Reception with Alumni,** guest speakers Mike Rider ('83) and Denise Hickey ('94), sponsored by the Office of Development and Alumni Relations, December 2002.

**"Medical Research Sources for Legal Research,"** guest speakers Mary Linn Bergstrom and Penny Coppernoll-Blach, both of UCSD Biomedical Library, sponsored by the San Diego Association of Law Libraries, January 2003.

**"Institute of Religion,"** religious instruction, LDS-oriented, sponsored by the Latter-Day Saints Student Association, January 2003.

**Study Abroad Panel,** presenting information on studying aboard, sponsored by the International Law Society, January 2003.

**Seminar: "Sentencing and Beyond,"** with expert panelists providing insight into preserving sentencing issues on appeal, alternative sentencing, sex offense sentencing, computing time credits, the CRC civil addicts program and the in-prison substance abuse treatment initiative, prison classification, and community programs. Sponsored by the School of Law and Community Defenders, Inc. of San Diego, January 2003.

**"Human Rights in Montenegro Post-Milosevic,"** with guest speaker Professor Thomas H. Speedy Rice of Gonzaga University, Fulbright Scholar at the University of Montenegro Law School, sponsored by the USD National Lawyers Guild and Amnesty International, February 2003.

**"Avoiding the Mistakes of the Past,"** comparing the Vietnam War with today's possible war with Iraq, with guest speaker USD adjunct law Professor Alex Landon, sponsored by the National Lawyers Guild, February 2003.

**21st Annual Alumni Advisor Program,**

**"Careers in the Law,"** USD alumni practicing in San Diego and Orange counties discussed litigation and transactional careers, salary profiles, employer expectations and more, sponsored by the Office of Development and Alumni Relations and the Office of Career Services, February 2003.

**"Life at a Law Firm,"** with guest speakers from the law firm of Fish & Richardson, sponsored by the Office of Career Services, February 2003.

**Luncheon with USD visiting professors Judge David Laro and Carr Ferguson** to discuss clerkship and other government employment options, sponsored by the School of Law, February 2003.

**Guest speaker the Honorable Glen Spearman (Ret.)** on the integration of faith and the practice of law, sponsored by the Christian Legal Society, February 2003.

**"Human Rights Since September 11th: (Un)Balancing Liberty and Security,"** with guest speakers Professor Marjorie Cohn (Thomas Jefferson School of Law) and Randall Hamud (sole practitioner), sponsored by the USD School of Law National Lawyers Guild and the Joan B. Kroc Institute for Peace and Justice, February 2003.

**Guest speakers Professor S. Carr Ferguson and Donald Osteen, senior attorney for the Internal Revenue Service, Los Angeles Office,** sponsored by the Office of Graduate Law Programs and the Tax Law Society, February 2003.

**"Reparations Discussion,"** with guest speaker USD law Professor Roy Brooks, sponsored by the Black Law Students Association, February 2003.

**Guest speaker entertainment and media lawyer Lauri Thompson of the Las Vegas law firm of Quirk & Tratos** discussing current events, issues and employment opportunities, sponsored by the Sports & Entertainment Law Society, February 2003.

**Conference on Theories of Compensation,** with numerous guest speakers, sponsored by the Institute of Law and Philosophy and the *San Diego Law Review*, February-March, 2003.

**National Death Penalty Awareness Week: "The Death Penalty,"** with guest speaker John Cotsirilos, sponsored by The National Lawyers Guild, Amnesty International, and The Society of Criminal Defenders, March 2003.

**"The Litigation Explosion,"** featuring author Walter Olson, Manhattan Institute, Reason Magazine, sponsored by The Federalist Society and the San Diego County Citizens Against Lawsuit Abuse, March 2003.

**Reparations Discussion,** with guest speakers Professor Roy Brooks and Watson Branch (ACLU), sponsored by the Black Law Students Association, March 2003.

**Public Debate: "Good Without God?,"** with Professor David Brink, University of California, San Diego Department of Philosophy; Professor Chris Eberle, U.S. Naval Academy; Professor Michael Moore, USD School of Law; and Professor Michael Perry, Wake Forest School of Law, sponsored by the Institute for Law and Philosophy, March 2003.

**"From Biz Markie to Beastie Boys: Is Digital Sound Sampling Copyright Infringement? Composer, Performer, & Artist Perspectives,"** guest speaker Professor K.J. Greene, sponsored by the Sports & Entertainment Law Society, March 2003.

**Student Q&A Session** with The Honorable Clarence Thomas, Associate Justice, United States Supreme Court; The Honorable M. Margaret McKeown, Circuit Judge, United States Court of Appeal for the Ninth District; and The Honorable Stanley G. Feldman, Chief Justice, Arizona Supreme Court (Ret.), sponsored by the USD School of Law, March 2003.

**Paul A. McLennon, Sr. Honors Moot Court Competition,** with guest presiding judges The Honorable Clarence Thomas, Associate Justice, United States Supreme Court; The Honorable M. Margaret McKeown, Circuit Judge, United States Court of Appeal for the Ninth District; and The Honorable Stanley G. Feldman, Chief Justice, Arizona Supreme Court (Ret.), sponsored by Professor Michael Devitt and his family as well as the Appellate Moot Court Board, March 2003.

**"Public Interest Environmental Law in San Diego,"** guest speaker Marco Gonzalez, senior staff attorney with San Diego BayKeeper and chairman of the Surfrider Foundation, San Diego Chapter, sponsored by the Environmental Law Society, March 2003.

**"Everything You Wanted to Know About Sex Crimes But Were Afraid to Ask,"** guest speaker David Sherman, deputy city attorney, sponsored by Phi Delta Phi Legal Fraternity, March 2003.

**Guest speaker Richard McCaskill,** Executive Director of New Century Soul Records, a San Diego independent record label, who discussed the daily operations of an independent label and alternative methods of commercial music production. Sponsored by the Sports & Entertainment Law Society, April 2003.

**A Debate on the International Legality of the War in Iraq,** featuring Professor Michael Ramsey and University of Barcelona Professor Jaume Saura, sponsored by the International Law Society, April 2003.

# academic year in review

## faculty colloquia

*A listing of the faculty colloquia presented during the 2002-2003 academic year.*

**James Lindgren**, Stanford Clinton Senior Research Professor, Northwestern University School of Law: "Untangling the Myth of the Model Minority," September 2002.

**Winfried Brugger**, Chair for Public Rights, General State Teachings and Philosophy of Law, Heidelberg University, September 2002.

**Donald A. Dripps**, James Annenberg Levee Professor of Criminal Procedure, University of Minnesota Law School: "Fundamental Retribution Error: Criminal Justice and the Cognitive Psychology of Blame," October 2002.

**Peter J. Hammer**, Professor of Law, University of Michigan: "A Copernican View of Health Care Antitrust," October 2002.

**Michael S. Paulsen**, Briggs & Morgan Professor of Law, University of Minnesota Law School: "The Interpretive Force of the Constitution's Secret Drafting History," October 2002.

**Amy L. Wax**, Professor of Law, University of Pennsylvania Law School: "Economic Models of the 'Family-Friendly' Workplace: Making the Case for Change," October 2002.

**Adam Hirsch**, David M. Hoffman Professor of Law, Florida State University College of Law, November 2002.

**Robert F. Nagel**, Ira C. Rothgerber Jr. Professor of Constitutional Law and Director of the Byron R. White Center for American Constitutional Study,

University of Colorado School of Law: "Marbury v. Madison and Modern Judicial Review," November 2002.

**Susan Hurley**, professor of political and ethical theory, University of Warwick: "Imitation, Media Violence, and Freedom of Speech," November 2002.

**Lawrence Solum**, professor of law, Loyola Law School: "The Layers Principle: Internet Architecture and the Law," November 2002.

**David Strauss**, Harry N. Wyatt Professor of Law, University of Chicago: "Must Like Cases be Treated Alike?" December 2002.

**Ian Haney Lopez**, professor of law and executive committee member of the Center for Social Justice, University of California at Berkeley:

"Racism on Trial," February 2003.

**Kim Rubenstein**, senior lecturer in law, University of Melbourne, Australia: "Shifting Membership: Rethinking Nationality in International Law," February 2003.

**Owen D. Jones**, professor of law, Professor of Biology, Willard H. Pedrick Distinguished Research Scholar and Faculty Fellow at the Center for the Study of Law, Science, & Technology, Arizona State University College of Law: "Time-Shifted Rationality and the Law of Law's Leverage: Behavioral Economics Meets Behavior Biology," February 2003.

**Sai Prakash**, professor of law, University of San Diego School of Law, March 2003.

### USD-UCSD Law, Economics, and Politics Workshops, 2002-2003

The Law, Economics, and Politics Workshop Series is a collaborative effort sponsored by the University of San Diego School of Law and the University of California at San Diego, Department of Political Science. The series is hosted by Dean Daniel B. Rodriguez of USD and Professor Mathew D. McCubbins of UCSD, and features distinguished scholars from around the country as well as from USD and UCSD. Lectures rotate between the two venues and provide a forum for the intellectual exchange of ideas, as well as foster fruitful collaborations between two distinguished and unique academic institutions in San Diego.

**Chris Sanchirico**, professor of law, University of Virginia School of Law: "Evidence Tampering and the Object of Trial," November 2002.

**Mariano-Florentino Cuéllar**, assistant professor of law, Stanford Law School: "A Theory of Political Responses to Interpretive Decision Making," December 2002.

**Alan Schwartz**, Sterling Professor of Law, Yale Law School, and professor, Yale School of Management, Yale University: "Understanding MACs and MAEs," March 2003

**Eric A. Posner**, professor of law, University of Chicago Law School: "Social Norms in Tort and Contract Law," March 2003.

**Jody Freeman**, professor of law, University of California at Los Angeles School of Law; Associate Dean for Law and Policy, Bren School of Environmental Science and Management, University of California at Santa Barbara; and **J.R. DeShazo**, assistant professor, University of California at Los Angeles School of Public Policy and Social Research: "The Congressional Competition to Control Delegated Power," March 2003.

**Steven M. Shavell**, director, John M. Olin Center for Law, Economics, and Business; and Samuel R. Rosenthal Professor of Law, Harvard Law School: "On the Writing and Interpretation of Contracts," April 2003.



**Ted Seto**, professor of law and deputy director of the Tax LL.M. Program, Loyola Law School (Los Angeles), March 2003.

**James O. Wilson**, James Collins Professor of Management, University of California at Los Angeles, School of Business, March 2003.

**Robert J. Peroni**, visiting professor, Northwestern University School of Law: "The Chaotic State of U.S. Tax Policy in 2003," April 2003.

**Steven Hartwell**, professor of law, University of San Diego School of Law, "USD's Legal Clinics," April 2003.

**Mark L. Movsesian**, professor of law, Hofstra University School of Law: "Rediscovering Williston," April 2003.

*\*Thanks to Professor Larry Alexander, who coordinated the faculty colloquia series, and to Professor Steven Smith, who coordinated the Fifth Annual USD Faculty Research Colloquium.*

### **Fifth Annual USD Faculty Research Colloquium—January 2003**

**Professor Paul Horton:**  
"The State Presence In (and Against) Trademark Law"

Commentator:

**Professor Lawrence B. Solum**

**Professor Laurence Claus:**  
"Protecting Rights from Rights: What the Ninth Amendment Tells Us Today"

Commentator:

**Professor Michael Ramsey**

**Professor Steven Smith:**  
"From Law's Quandary: Chapter 6: How Does Law Mean? Part Two"

Commentator:

**Professor Michael Rappaport**

Panel on "Legal Scholarship: Where Has It Been, Where Is It Going?"

Introduction:

**Professor Carl Auerbach**

Presentations:

**Professors Larry Alexander, Frank Partnoy, Thomas A. Smith, Mary Jo Wiggins**

Tell us  
your news...  
in a nutshell.

*What is going on  
in your life?*

*A career change?*

*Opened your  
own firm?*

*Recently married?*

*Took a trip around  
the world?*

*Keep your  
classmates posted!*

*Just fill out this  
postcard and  
send us your  
news clippings,  
press releases, etc.*

Submission deadline  
for the *Advocate's*  
next issue is  
April 15, 2004

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Business/Firm		
Business Address		
City	State	Zip
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E-mail		Fax

What are your thoughts about the Fall/Winter 2003-2004 *Advocate*? Your input is important to us.


Stay in touch—share the latest with your classmates: \_\_\_\_\_



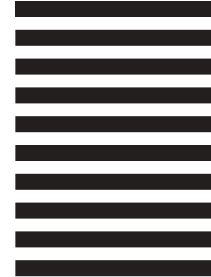

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Any news?  
We want to  
hear from  
you!

# on the docket

## **FEBRUARY 4, 2004**

Law Alumni Advisor Program:  
Careers in the Law  
Contact the Office of Development  
and Alumni Relations  
619-260-4692

## **FEBRUARY 7, 2004**

Law Alumni Board Retreat  
Contact the Office of Development  
and Alumni Relations  
619-260-4692

## **FEBRUARY 10, 2004**

Alumni Association:  
Brown Bag Lunch for 1L Students  
Contact the Office of Development  
and Alumni Relations  
619-260-4692

## **FEBRUARY 16, 2004**

Paul A. McLennon, Sr.  
Honors Moot Court Competition  
Presiding Judge: Antonin Scalia,  
Associate Justice, Supreme Court  
of the United States  
By Invitation Only  
Contact Theresa A. Hrenchir,  
Director of Special Projects  
619-260-7438 or hrenchir@sandiego.edu

## **MARCH 2, 2004**

Alumni Association:  
Brown Bag Lunch for 1L Students  
Contact the Office of Development  
and Alumni Relations  
619-260-4692

## **MARCH 10, 2004**

Recent Alumni Happy Hour  
Contact the Office of Development  
and Alumni Relations  
619-260-4692

## **MARCH 23, 2004**

Orange County Law Alumni  
and New Student Reception  
Contact the Office of Development  
and Alumni Relations  
619-260-4692

## **MARCH 24, 2004**

Los Angeles Law Alumni  
and New Student Reception  
Contact the Office of Development  
and Alumni Relations  
619-260-4692

## **MARCH 25, 2004**

Secret Settlements v. The Public Interest  
A symposium moderated by Hon. H. Lee Sarokin,  
retired U.S. Circuit Judge. Panelists will include  
distinguished members of the federal bench,  
USD law professors, and representatives of the  
bar, the news media and business.  
Contact Ina Levy  
619-260-4208

## **MARCH 31, 2004**

San Francisco Bay Area Law Alumni  
and New Student Reception  
Contact the Office of Development  
and Alumni Relations  
619-260-4692

## **APRIL 7, 2004**

Board of Visitors Meeting  
Contact the Office of Development  
and Alumni Relations  
619-260-4692

## **APRIL 7, 2004**

Nathaniel L. Nathanson Memorial Lecture  
Distinguished Lecturer: John Paul Stevens,  
Associate Justice, Supreme Court  
of the United States  
By Invitation Only  
Contact Theresa A. Hrenchir,  
Director of Special Projects  
619-260-7438 or hrenchir@sandiego.edu

## **APRIL 23-25, 2004**

Law Alumni Weekend  
Contact the Office of Development  
and Alumni Relations  
619-260-4692

## **APRIL 24, 2004**

School of Law 50th Anniversary Gala  
Contact the Office of Development  
and Alumni Relations  
619-260-4692

## **MAY 3, 2004**

North County Law Alumni  
and New Student Reception  
Contact the Office of Development  
and Alumni Relations  
619-260-4692

## **MAY 4, 2004**

Law Alumni Board Meeting  
Contact the Office of Development  
and Alumni Relations  
619-260-4692

## **MAY 21, 2004**

Graduation Awards Ceremony  
Contact the Office of Development  
and Alumni Relations  
619-260-4692

## **MAY 22, 2004**

School of Law Commencement  
Contact the Office of Development  
and Alumni Relations  
619-260-4692

For further information, please contact the  
Office of Development and Alumni Relations  
via email at lawalum@SanDiego.edu or at  
619-260-4692.





**Joan Bowes** joins University of San Diego Law **Professor Michael Devitt** (right) and **Larry Davis** at the 4th Annual Maudsley Fellows Appreciation Dinner on December 4, 2003 at the Joan B. Kroc Institute for Peace and Justice. Bowes and Devitt were honored as the newest members of the Dean's Circle, which recognizes those individuals and organizations whose cumulative philanthropy through June 30, 2003 to the law school totals or exceeds \$100,000.

parting shot

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